



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 29TH OCTOBER 2019 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies - Chair
Councillor A. Hussey - Vice Chair

Councillors:

M.A. Adams, A. Collis, M. Evans, A. Gair, Ms J. Gale, S. Kent, Mrs A. Leonard, J. Roberts,
J. Scriven, G. Simmonds, A. Whitcombe, T.J. Williams

Cabinet Members:

N. George (Neighbourhood Services). S. Morgan (Economy, Infrastructure, Sustainability
and Wellbeing of Future Generations Champion), Mrs E. Stenner (Environment and Public
Protection)

Together with:

M.S. Williams (Interim Corporate Director of Communities), R. Hartshorn (Head of Public
Protection, Communities and Leisure Services), M. Lloyd (Head of Infrastructure),
C. Campbell (Transportation Engineering Manager), G. Mumford (Acting Senior
Environmental Health Officer), C. Forbes-Thompson (Scrutiny Manager), R. Barrett
(Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Elsbury and D.W.R. Preece.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course
of the meeting.

3. MINUTES – 17TH SEPTEMBER 2019

Subject to the inclusion of two corrections, in that Councillor A. Whitcombe's attendance had
not been recorded, and Councillor J. Scriven had been recorded as both present and given
apologies (when he had given apologies) it was

RESOLVED that the minutes of the Environment and Sustainability Scrutiny Committee held on 17th September 2019 (minute nos. 1 - 19) be approved as a correct record and signed by the Chair.

4. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Environment and Sustainability Scrutiny Committee Forward Work Programme (FWP) for the period October 2019 to March 2020, and included all reports that were identified at the Scrutiny Committee meeting on 25th June 2019.

Members noted the details of the reports scheduled for forthcoming meetings and unanimously agreed that the Forward Work Programme as appended to the meeting papers be published on the Council's website.

6. CABINET REPORTS

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

7. PUBLIC SPACES PROTECTION ORDER – DOG CONTROL ON SPORTS PITCHES

The Cabinet Member for Environment and Public Protection presented the report, which updated the Scrutiny Committee regarding the issue of dog fouling on sports pitches. The report also sought Members' views on a proposed amendment to the Public Spaces Protection Order (PSPO) to include the exclusion of dogs from marked sports pitches on a seasonal basis, prior to presenting a draft Order to Cabinet for approval to commence a ten week consultation exercise with a range of stakeholders.

The Scrutiny Committee were reminded that in September 2017 Cabinet approved and adopted the Public Spaces Protection Order 2017, which included the following restrictions:-

- Excluding dogs from all enclosed children's play and multi-use games areas;
- Requiring dogs to be kept on leads in enclosed memorial gardens;
- Requiring dog owners to remove dog faeces in public places;
- Requiring dog owners to carry an appropriate receptacle for dealing with the waste that their dogs produce (that is to always have the means to pick their dog faeces);
- Requiring dog owners to put their dogs on a lead when directed to do so by an authorised officer on any public land where the dog is considered to be out of control or causing harm or distress to prevent a nuisance.

In addition to the decision to proceed with the above proposals, Cabinet also resolved at an earlier meeting (18th January 2017) that the proposal to exclude dogs from all council-owned marked sports/playing pitches on a seasonal basis should be omitted at that stage of the process, and be reviewed after a period of 12 months or once the impact of the above provisions had been established. The latest report therefore presented a review of the current position regarding dog-fouling since implementation of the Order, including the results of an informal consultation undertaken with sports clubs across the county borough.

The Scrutiny Committee discussed the report and referenced the low rate of response to the informal consultation with sports clubs. A Member asked how the Council intended to enforce the proposed changes to the PSPO, given the high number of pitches/pavilions across the borough. Officers explained that it is the responsibility of dog owners to comply with the PSPO and that an awareness campaign will be undertaken during the statutory consultation period. In response to a Member's query, it was explained that there are currently 6 enforcement officers employed by the Council who are authorised to take action in respect of the PSPO, as well as a number of community safety wardens who can also enforce the PSPO. Members also suggested that relevant signage around sports/playing pitches would be beneficial in assisting the functions of the PSPO.

A Member asked why a seasonal ban (rather than full year) had been proposed. Officers explained that this is because pitches and posts are not always so clearly marked out of season which might make it more difficult to enforce the exclusion during this time. Discussion also took place regarding scenarios around the proposed exclusion (such as if a dog were to accidentally step over a marked line). Officers explained that the proposed change is more applicable in cases where dogs are allowed to run freely off the lead onto sports pitches, and that the main emphasis of the amended PSPO is to ensure that dog owners have sufficient control of their dogs at all times to prevent fouling of pitches. It was noted that the current PSPO allows for dogs to be put on leads in certain circumstances, and the Committee discussed the potential for the enforcement of leads in areas near to sports pitches.

A Member asked if the PSPO was specific to dogs or if it applied to other domestic pets of a similar size. Officers explained that the PSPO related specifically to dogs given the health impact of toxocariasis from dog faeces, but if necessary, other this and other public health legislation can be applied to the upkeep of other types of animals to prevent fouling of public land.

A Member enquired on how long the toxocara larvae from dog faeces can survive in soil, and was advised that this could be in the region of 9 months. Concerns were expressed that a seasonal ban would therefore not be sufficient to remove health risks to the public.

Having discussed the report, Members were in support of the proposed amendment to the PSPO to exclude dogs from marked sports/playing pitches. Additionally, they were of the view that the ban should be year round and not seasonal (given the long lifespan of toxocara larvae), that dogs should be on leads in areas near to sports pitches to prevent them from running onto pitches, and that signage is clearly displayed in relation to the PSPO.

It was moved and seconded that the following recommendations be forwarded to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) a formal public consultation exercise be undertaken regarding the proposal to amend the Public Spaces Protection Order 2017 to include a provision to exclude dogs from marked sports/playing pitches;

- (ii) the proposed exclusion be applied on a year round basis;
- (iii) the proposed amendment to the PSPO include a requirement for dogs to be kept on leads in areas near to sports pitches;
- (iv) signage be clearly displayed in relation to the PSPO around sports/playing pitches.

8. CIVIL PARKING ENFORCEMENT – UPDATE REPORT

The Cabinet Member for Economy, Infrastructure and Sustainability presented the report, which provided an update on the implementation and impact of Civil Parking Enforcement (CPE) powers since their introduction on 8th April 2019.

Members were advised that early indications show the implementation of CPE to be broadly successful. Between the 'Go Live' date on 8th April 2019 and 31st July 2019, there were 514 requests for enforcement across the county borough. 4,325 Penalty Charge Notices (PCNs) were issued across this period, with 70% of these paid and the remainder progressing through the appeals process. Anecdotally, there has been positive feedback about improvements in driver behaviour and greater parking availability and reduced congestion, particularly in the busiest areas. However, now that there is more pro-active enforcement of parking restrictions, numerous requests have been received to consider changes to the Traffic Regulation Orders (TROs).

The Scrutiny Committee were therefore asked to consider and comment on the impact of CPE and future work priorities, including the consideration of outstanding requests for changes to parking related TROs. The report also asked the Scrutiny Committee if it wished to re-convene the Task and Finish group on council owned car parks (which had been temporarily suspended by the former Regeneration and Environment Scrutiny Committee in July 2017, pending the introduction of CPE), and if so, if it wished to review the group's terms of reference.

During the course of the ensuing debate, a Member asked how the Council would prioritise the list of outstanding requests for changes to TRO. The Scrutiny Committee were referred to the detail provided at a recent Members' Seminar on CPE and were advised that it would take several years to address the full list, owing to the level of work required for each TRO review and the need to balance this against the other commitments of the Traffic Management Team. It was explained that one option to reduce the list could be to revoke a number of parking restrictions and for priority to be given to changes related to concerns over safety, congestion and improving public transport.

A Member asked if there are sufficient staffing levels in place to carry out enforcement requirements. Officers explained that there is currently a staffing shortfall but that a recruitment exercise is ongoing which should place the service in a better position in the next few months. Members were also advised that although the service needs a full 12 months to assess its performance against the original business case, early indications are that the service is on target to generate sufficient income to fund itself.

Officers responded to queries on the warning notices issued during the awareness exercise that took place ahead of the implementation of CPE, and also answered questions in relation to traffic issues across individual wards. One Member queried the accuracy of several locations listed in Appendix 2 of the report and Officers confirmed that they would check the specifics following the meeting and respond to the Member. A Member highlighted disparities across waiting times in neighbouring parking bays and the Committee were

reminded that no changes were made to existing parking restrictions when CPE was introduced, but Officers are aware of the disparity and Members have the option of submitting requests to the Council for changes to parking restrictions if they so wish. Concerns were expressed over the lack of parking available for some residents near to their homes, and a Member asked if there was any way to expedite the removal of parking restrictions in order to alleviate this problem. Officers explained that it is not possible to shorten this timeframe (which takes around 6-9 months) because of the statutory processes. Unfortunately this could be longer owing to the complexity of the consultation and engagement process that may be required for each TRO review.

Assurances were sought that steps are being taken to protect the health and wellbeing of Civil Enforcement Officers. Officers outlined the range of processes in place, including risk assessments, conflict training, and the use of PPE and bodycams. It was noted that there are a range of employee support and wellbeing policies in place which are highlighted to staff. The CPE team hold regular staff meetings to talk through any issues and relay feedback, and are also encouraged to raise concerns with their line manager as they arise.

The Scrutiny Committee discussed current hours of operation for permit parking and suggested that the Task and Finish group (if reinstated) might wish to look at increasing the enforcement times past 6pm to accommodate those residents who arrive home later at night. In response to a Member's queries, Officers confirmed that they were not aware of any residents cancelling their permits since the implementation of CPE, although some individuals may choose not to renew their permits.

The Scrutiny Committee also discussed the matter of reconstituting the Task and Finish group with new terms of reference, and unanimously agreed that the task and finish group on the operation and management of highway-owned Council parks should be re-convened with revised terms of reference to include civil parking enforcement in respect of traffic regulation order anomalies. Members also agreed that the Housing and Regeneration Scrutiny Committee be asked if they wish to jointly participate in this group, as any review of council owned car parks may wish to consider the impact upon Town Centres.

Following consideration of the report and having provided comments and views on its content, the Scrutiny Committee noted the update in respect of Civil Parking Enforcement and unanimously RESOLVED that:-

- (i) the Task and Finish group on the operation and management of highway-owned Council parks be re-convened with revised terms of reference to include civil parking enforcement in respect of traffic regulation order anomalies;
- (ii) the Housing and Regeneration Scrutiny Committee be asked if they wish to jointly participate in this group. Should the Housing and Regeneration Scrutiny Committee decline the offer, it should be noted that the Environment and Sustainability Scrutiny Committee will still proceed with the Task and Finish Group.

The meeting closed at 6.25 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 10th December 2019, they were signed by the Chair.

CHAIR