

## SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

MONDAY, 10TH NOVEMBER, 2008

**PRESENT:** Councillor B Anderson in the Chair

Councillors A Blackburn, A Castle,  
B Cleasby, A Gabriel, D Hollingsworth,  
G Hyde, G Kirkland, L Mulherin and  
M Rafique

### 49 Chair's Opening Remarks

The Chair welcomed everyone to the November meeting of the Scrutiny Board (Environment and Neighbourhoods).

### 50 Declarations of Interest

The following personal interests were declared:-

- Councillor B Anderson in his capacity as Chair of West North West Homes (Agenda Item 8 ) (Minute 55 refers)
- Councillor A Blackburn in her capacity as a Director of West North West Homes (Agenda Item 8) (Minute 55 refers)
- Councillor D Hollingsworth in his capacity as a Director of East North East Homes (Agenda Item 8) (Minute 55 refers)
- Councillor G Hyde in his capacity as a Director of East North East Homes (Agenda Item 8) (Minute 55 refers)

### 51 Apologies for Absence

An apology for absence was received on behalf of Councillor D Coupar.

### 52 Minutes of the Previous Meeting

**RESOLVED** – That the minutes of the meeting held on 13<sup>th</sup> October 2008 be confirmed as a correct record.

### 53 Matters Arising from the Minutes

(a) Apologies for Absence (Minute 38 refers)

Councillor A Castle informed the meeting that she had conveyed her apologies to the Chair prior to the meeting on 13<sup>th</sup> October 2008 which had not been reported to the Board.

The Chair apologised for this omission

(b) Miscellaneous Properties (Minute 44 refers)

Councillor L Mulherin referred to the bullet point which referred to the need to bring returned properties up to the **Decent Homes Standard**. She reiterated the importance of ensuring that these properties were brought up to standard before being returned to the Council and that this should be the responsibility of the leaseholders.

Councillor A Gabriel sought clarification on what was happening with properties not transferred to ALMOs and left derelict, especially properties in recreation areas, and the action being taken with the respective landlords in this regard.

Andy Beattie, Deputy Chief Environmental Health Officer, who was in attendance, responded and explained that a report on **miscellaneous properties** would be considered by the Affordable Housing Board which addressed such issues. Further clarification on this would also be sought from the Strategic Landlord Manager before the next meeting.

**54 Executive Board - Minutes**

**RESOLVED** – That the minutes of the Executive Board meeting held on 8<sup>th</sup> October 2008 be received and noted.

**55 Inquiry into Private Rented Sector Housing**

The Head of Scrutiny and Member Development submitted a report presenting evidence in line with Session 1 of the Board's Inquiry into Private Rented Sector Housing.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Scrutiny Board (Environment and Neighbourhoods) – Inquiry into Private Rented Sector Housing – Terms of Reference (Appendix 1 refers)
- Scrutiny Board (Environment and Neighbourhoods) – Inquiry into Private Rented Sector Housing – Summary Report of the working group meeting held on 16<sup>th</sup> October 2008 (Appendix 2 refers)

A copy of the Executive Board report entitled 'Strategy for improving Leeds Private Sector Housing', dated 5<sup>th</sup> November 2008, the 'Leeds Private Sector House Condition Survey 2007' report and the 'City Living in Leeds – 2007' had been circulated to Board Members as background information which would also form part of the evidence base for this inquiry.

The following officers were in attendance and responded to Members' queries and comments:-

Andy Beattie, Deputy Chief Environmental Health Officer  
Jon Hough, Principal Housing Strategy Officer  
Mike Brook, Private Rented Sector Housing Manager

Board Members received a presentation from Andy Beattie which provided an overview of the purpose and findings of the recent Leeds Private Sector Stock Condition survey.

During the presentation, a question and answer session ensued and Mr Beattie responded to Members' queries and comments which were noted and recorded by the Principal Scrutiny Adviser as part of the Board's Inquiry into Private Rented Sector Housing.

At the conclusion of the presentation, Board Members requested further information in relation to the following specific issues:-

- the need to see the relevant **English House Conditions Survey** to compare Leeds with national trends in relation to category one hazards
- to compare the data around non-decent private sector stock with that of public sector stock
- to receive evidence of any costings work carried out in relation to the remodelling of back to back properties and how the Council should be addressing this matter with private landlords
- the need for the Board to be supplied with a copy of the latest **HECA** report in relation to rising fuel costs and links with fuel poverty
- the need for further information in relation to the ethnicity of landlords

The Deputy Chief Environmental Health Officer responded and agreed to follow up the information requested via the Principal Scrutiny Adviser.

The Chair then invited Board Members to put forward questions and points of clarification to Mr Beattie, Mr Hough and Mr Brook and the detailed comments were duly noted and recorded by the Principal Scrutiny Adviser as part of the Board's Inquiry into Private Rented Sector Housing.

In summary, specific reference was made to the following issues:-

- clarification of a joint working initiative between Liverpool Council and their Primary Care Trust to address hazards within properties
- clarification of how Private Rented Stock was monitored within the authority
- clarification of the criteria around the **Housing Health and Safety Rating System (HHSRS)** for all houses in multiple occupation and single occupied properties
- that the area profile reports produced by the department around empty properties should be accessible to all Elected Members via the Council's Intranet
- the need for more information on the costings involved in providing the services of the Council's Empty Property Team
- clarification of the **licensing of HMOs** and the role of landlords
- the lack of progress in relation to the use of **Empty Dwelling Management Orders (EDMO)** and for landlords to be more proactive in this area

#### **RESOLVED –**

- (a) That the contents of the report and appendices, together with the presentation and background information be noted.

- (b) That this Board notes the summary report of the working group, together with the evidence provided in line with session one of its Inquiry into Private Rented Sector Housing.

(Councillor M Rafique joined the meeting at 11.10am during discussions of the above item)

(Councillor A Castle left the meeting at 11.25am during discussions of the above item)

## 56 Enforcement of Dog Fouling

Referring to Minute 40(a) of the meeting held on 13<sup>th</sup> October 2008, the Head of Scrutiny and Member Development submitted a report presenting a briefing on the enforcement of dog fouling in Leeds.

Appended to the report was a copy of a document entitled 'Health and Environmental Action Service – Briefing Note on Dog Fouling – 28<sup>th</sup> October 2008' for the information/comment of the meeting.

The following officers were in attendance and responded to Members' queries and comments:-

Graham Wilson, Head of Environmental Action and Parking  
Stacey Campbell, Services Manager

In summary, specific reference was made to the following issues:-

- the urgent need for identifiable action on dog fouling on the streets of Leeds
- clarification as to why the figure of fixed penalty notices in relation to dog fouling had reduced over the last three years  
*(The Head of Environmental Action and Parking responded and explained that greater public awareness of this offence may have impacted on the numbers of offences being committed. However, he also explained the difficulty of witnessing an offence as it happened and that the service does have a statutory duty to seize stray dogs, which takes priority over other aspects of the work. **Fixed Penalty Notices** were an opportunity for offenders to avoid going to Court for the offence. He added that witness statements from residents could be used to issue Fixed Penalty Notices/prosecutions)*
- clarification of the police's role in relation to stray dogs  
*(The Head of Environmental Action and Parking responded and confirmed that the police were no longer responsible for taking in stray dogs. This responsibility had now transferred to the Council. The police still had responsibilities in relation to dangerous dogs)*
- clarification of the arrangements in place to train other enforcement staff for the issuing of fixed penalty notices in relation to dog fouling and the need for a more flexible service  
*(The Head of Environmental Action and Parking responded and advised of a pilot training programme for Neighbourhood Wardens in the North West*

*Area and for Park Rangers. There were issues involved with this, but the roll out of this training to additional staff would be kept under review)*

- clarification of the maximum number of dogs that any one person could be physically in charge of at any given time, in particular to ensure that they cleared up after the dogs and whether it was possible to limit the number of dogs in ownership

*(The Head of Environmental Action and Parking responded and confirmed that whilst this was very much dependant on the behaviour of the dogs, five dogs under the control of one person was commonly seen as an acceptable number. The Board was informed of the Council's ability to apply for **Dog Control Orders** which could be used to designate areas where dogs have to be kept on a lead and also to put in place restrictions on the number of dogs a single person could walk. The Dog Warden Service was to review options to extend dog control orders)*

- the continuing problems of dog fouling in **Meanwood Park** and the need for more signage to be introduced
- a view expressed that **CAST teams** within Area Committee areas could take on the responsibility for issuing fixed penalty notices in relation to dog fouling with the necessary training
- clarification of what constituted as an ideal level of service provision in relation to the Dog Warden service

*(The Services Manager responded and agreed to prepare a 'wish list' for submission to the Principal Scrutiny Adviser)*

- a proposal put forward that the Principal Scrutiny Adviser should prepare a draft Statement of the Board identifying recommendations on the way forward in relation to tackling the problems of dog fouling for consideration at the next Board meeting in December 2008

*(This proposal was supported by the Board)*

#### **RESOLVED –**

- (a) That the contents of the report, together with the briefing note around dog fouling enforcement be noted.
- (b) That the Principal Scrutiny Adviser be requested to prepare a draft Statement of the Board identifying recommendations on the way forward in relation to tackling the problems of dog fouling for consideration at the next Board meeting in December 2008.
- (c) That the Board continues to receive monthly updates on the enforcement of dog fouling.

#### **57 Inquiry into Asylum Seeker Case Resolution**

The Head of Scrutiny and Member Development submitted a report presenting evidence in line with Session 1 of the Board's Inquiry into Asylum Seeker Case Resolution.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Scrutiny Board (Environment and Neighbourhoods) – Inquiry into Asylum Seeker Case Resolution – Terms of Reference (Appendix 1 refers)

- Scrutiny Board (Environment and Neighbourhoods) –Summary Report of the working group meeting held on 27<sup>th</sup> October 2008 (Appendix 2 refers)

**RESOLVED** –That the contents of the report and appendices, together with the summary report of the working group be noted.

**58 Current Work Programme**

The Head of Scrutiny and Member Development submitted a report on the Board's current work programme.

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- Current work programme (Appendix 1 refers)
- Forward Plan of Key Decisions for the period 1<sup>st</sup> November 2008 to 28<sup>th</sup> February 2009 (Appendix 2 refers)

**RESOLVED –**

- a) That the contents of the report and appendices be noted.
- b) That a draft Statement of the Board around the enforcement of dog fouling be submitted to the December 2008 meeting for consideration and approval.

**59 Date and Time of the Next Meeting**

Monday 8<sup>th</sup> December 2008 at 1.00pm (Pre-meeting for Board Members at 12.30 pm)

(The meeting concluded at 12 noon)