

## **SCRUTINY BOARD (SAFER AND STRONGER COMMUNITIES)**

**MONDAY, 30TH JULY, 2012**

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

Councillors N Buckley, P Davey,  
P Grahame, R Grahame, M Harland,  
P Harrand, G Hyde, J Jarosz, S Lay and  
K Mitchell

### **12 Chair's Opening Remarks**

The Chair welcomed Councillors Harland and Davey to their first meetings of the Scrutiny Board (Safer and Stronger Communities).

### **13 Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted on behalf of Councillors A Blackburn and N Walshaw. Councillor P Grahame was in attendance as a substitute for Councillor N Walshaw.

### **14 Minutes - 18 June 2012**

**RESOLVED** – That the minutes of the meeting held on 18 June 2002 be confirmed as a correct record.

### **15 Recommendation Tracking - Phase 2 Dog Control Orders**

The report of the Head of Scrutiny and Member Development updated the Board on progress made in implementing the recommendations arising from the Scrutiny review of the phase 2 Dog Control Orders project.

A draft status had been assigned to each of the recommendations and in assessing the progress made, the Board was asked to either agree or change the status for each recommendation.

The following were in attendance for this item:

- Councillor Mark Dobson – Executive Member for Environment
- Tom Smith, Locality Manager (South and Outer East Leeds)
- Gill Marshall, Section Head, Legal, Licensing and Registration Services
- Sean Flesher, Head of Parks and Countryside
- Councillor Joseph Marjoram, former Board Member

The following issues were discussed:

- Recommendation 5 – Non-payment of Fixed Penalty Notices (FPNs)

It was reported that there were higher levels of non-payment in respect of FPNs issued for those with who had breached the 'dogs on leads' orders than for dog fouling. It was thought that this was possibly as a result of less awareness of the more recent orders. All unpaid FPNs would be pursued through the courts. Further issues discussed in relation to this recommendation included:

- Safety for staff issuing and pursuing FPNs – it was reported that full risk assessments were carried out and staff did not have to carry out their duties alone where it was felt there could be problems.
- Dog owners were still liable for FPNs when carelessly discarding dog bags instead of placing them in bins as this becomes a littering offence.
- Members requested information on the numbers of FPNs issued in the last 2 year and how these had been dealt with.
- The need to ensure mechanisms are place for identifying repeat offenders prior to allowing the discharge of a further offence through an FPN.

It was agreed to keep Recommendation 5 at Category 4 i.e. that the progress made is acceptable and to continue monitoring.

- Recommendation 6 – Expanding staffing resources to enforce FPNs
  - Enforcement staff within locality teams were contracted to work between the hours of 7.00 a.m. and 7.00 p.m. Monday to Friday. Additional weekend work could be arranged but was subject to additional cost.
  - PCSOs had been trained to take professional witness statements but not to issue FPNs. This was also the case for Parks and Countryside patrol staff.
  - Concern was expressed by some Members regarding working hours arrangements as it was felt that they did not sufficiently cover the main hours for when offences occurred.

It was agreed to keep Recommendation 6 at Category 4.

- Recommendation 7 – Dog Control Orders – Communication
  - It was requested that Elected Members were kept informed of any microchipping events and campaign work.
  - Requests for any hotspot areas to be targeted would be considered.
  - Leaflets and flyers had been distributed to raise awareness.

It was agreed to keep Recommendation 7 at Category 4.

- Recommendation 9 – Playing pitches used by schools

- The Board received clarification of the legal advice that was provided to the Dog Control Order Project Board in relation to this recommendation.
- In consideration of this legal advice, the Board agreed that further work should be undertaken with Ward Members to identify enforcement solutions within those areas where particular concerns had been raised rather than trying to adopt a city-wide approach that could be deemed disproportionate.
- Members also acknowledged the Government's proposal to replace Dog Control Orders with Community Protection Orders, as set out within the White Paper 'More effective responses to anti-social behaviour'. In view of this, the Board agreed to schedule a further update later this year.

It was agreed to keep Recommendation 9 at Category 4

**RESOLVED** – That the report and discussion be noted.

## **16 Overview of the Parks and Countryside Service**

The report of the Head of Scrutiny and Member Development made reference to the transfer of responsibility for Parks and Countryside to the portfolio of the Executive Member for Environment and the subsequent transfer of the Parks and Countryside Service to the Environment and Neighbourhoods Directorate. The Board's terms of reference would be revised to reflect this amendment.

Sean Flesher, Head of Parks and Countryside, gave the Board a presentation which provided a comprehensive overview of the service.

In response to Members comments and questions, the following issues were discussed:

- Responsibility for allotments.
- Budgets:
  - Heating and power – whether the council should consider the potential re-use of heat generated by crematoria.
  - Bereavement services – detailed costs of bereavement services were requested.
- Harehills and East End Parks – it was reported that there were no Section 106 funds available in these areas.
- There were no plans to increase parking at Golden Acre Park. There had been improvements which had increased the space available but there were no further funds or plans to increase it further. The car park also backed on to a site of special scientific interest.
- Fairburn Ings – developments had been outsourced to the RSPB
- Getting best value from in house services – comparisons were made against the cost of private providers and some landscaping works were outsourced.

Members were asked to contact the Principal Scrutiny Adviser with any further issues regarding the Parks and Countryside Services and for any suggestions which could form part of the Scrutiny Work Programme.

**RESOLVED** – That the report and presentation be noted.

## **17 Inquiry into Fuel Poverty**

The report of the Head of Scrutiny and Member Development referred to the Board's Inquiry into Fuel Poverty. Responses to the recommendations outlined in the report had now been received and were detailed in the report.

The Chair welcomed the following to the meeting for this item:

- Dr Ian Cameron – Director of Public Health
- George Munson – Energy and Climate Change Manager

In response to Members comments and questions, the following issues were discussed:

- Uptake of benefit claims – in response to the recommendation made by Scrutiny, the Council will work with Welfare Rights, Citizens Advice Bureau and Advice Leeds to develop a strategy for undertaking annual benefit checks and offering fuel tariff checks.
- Smart meter technology – the possibility of having a pilot trial was being explored.
- Bulk purchasing of power – that the Council has been in contact with a number of existing schemes and will develop proposals for a bulk fuel purchase scheme that will also aim to achieve energy efficiency improvements to participating households. The Scrutiny Board will be kept informed of progress.
- Fuel Poverty had been identified as a key priority within the draft Joint Health and Wellbeing Strategy.
- In response to recommendation 16, the Board welcomed the news that funding has now been made available to maintain the existing Warm Homes Service for 2012/13.
- Improving housing standards in the private rented sector. It was reported that historically there have been difficulties with this sector due to the type of housing involved and the lack of incentives to landlords. However, it is hoped that the Green Deal initiative and forthcoming regulations placed upon landlords will assist in addressing these problems.
- Combined heat and power – this was being considered with a private sector partner but would only be suitable for a small number of domestic properties where there was high density housing such as high rise blocks.

It was reported that there would be a further recommendation tracking report brought back to the Board in November 2012.

**RESOLVED** – That the report be noted.

**18 Work Schedule**

The report of the Head of Scrutiny and Member Development informed the Board of its forthcoming Work Programme. The Forward Plan of Key Decisions and recent Executive Board minutes were also appended to the report.

Members were reminded of forthcoming Working Group meetings and Items for the next full Board meeting were highlighted.

**RESOLVED** – That the report be noted.

**19 Date and Time of Next Meeting**

Monday, 10 September 2012