

Coventry City Council
Minutes of the Meeting of Cabinet Member (Policing and Equalities) held at 1.00 pm on Thursday, 18 December 2014

Present:

Members: Councillor P Townshend (Chair)
Councillor A Andrews (Shadow Cabinet Member)
Councillor C Fletcher (Deputy Cabinet Member)

Other Members: Councillor B Singh (for item 59 below)

Employees (by Directorate):

People Directorate S Brake, S Chantler, C Edwards, C Hickin and M Watson

Place Directorate M Fothergill

Resources Directorate H Lynch, U Patel and D Williams

In Attendance N Adderley (for item 58 below)
D Ali (for item 60 below)
J Ali (for item 60 below)
R Archer (for item 58 below)
L Clarke (for item 58 below)
A East (Observer)
L Froggatt, West Midlands Police, (for item 59 below)
D Keegan (for item 59 below)
T Lock (for item 58 below)
P Ryan (for item 58 below)

Apologies: None

Public Business

55. Declarations of Interest

There were no declarations of interest.

56. Exclusion of Press and Public

RESOLVED that the press and public be excluded under Section 100(A)(4) of the Local Government Act 1972 in relation to the private reports referred to in Minute 64 and 65 headed "Update report on response to a petition concerning a property on Earlsdon Ward" and "Magistrates Court Building" on the grounds that the reports involve the likely disclosure of exempt information and that it refers to information relating to the financial/business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. The public

interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

57. Minutes

- (a) The minutes of the Cabinet Member meeting held on 14 November 2014 were signed as a true record. There were no matters arising.
- (b) The minutes of the following Joint Cabinet Member meetings were noted as a true record:
- i. Joint meeting of Cabinet Members for Strategic Finance and Resources, Business Enterprise and Employment and for Policing and Equalities held on 3 November 2014.
 - ii. Joint meeting of Cabinet Members for Business Enterprise and Employment and for Policing and Equalities held on 3 November 2014.
 - iii. Joint meeting of Cabinet Members for Children and Young People and for Policing and Equalities held on 3 December 2014.

58. Public Space Protection Order (Coventry Dog Control)

Further to Minute 23/14, the Cabinet Member considered a report of the Executive Director of People which detailed the outcome of a consultation undertaken with the general public and other interested organisations on extending the remit of current dog control in the City.

At the Cabinet Member meeting held on 4 September 2014, officers were authorised to undertake a consultation the results of which would assist officers in dealing with a minority of dog owners who do not adequately supervise their dogs. A five week consultation was conducted in September and early October 2014 to consider the following proposals:

- Keep dogs on a lead, in specified areas
- Put dogs on a lead if instructed to do so by an Authorised officer from the Council
- Restrict dogs from going into certain places for example children's play areas
- To limit the number of dogs a person has with them at any one time (which would include professional dog walkers)
- Fouling of Land by Dogs

The report provided further information on the proposals outlined above together with information on exemptions, penalties and implementation. The responses from the consultation demonstrated significant support for these additional controls and the report sought permission to create a Public Space Protection Order, under the new Anti-social Behaviour, Crime and Policing Act 2014, which would incorporate the existing Dog Control Order (Fouling of Land) and the proposed additional controls upon which the City Council consulted. The findings of the consultation were included in

Appendix 1 of the report and details of some of the specific consultation questions were detailed in Appendix 2 of the report.

Appendix 5 of the report was amended at the meeting as per the following:

Schedule B: Dogs on leads

Land Designated by Description

3. all churchyards and graveyards, **including green burial areas**;

5. all sports grounds, fields, parks and pitches, which are maintained by the local authority and are not subject to 'Dog Exclusion'.

General Point

For the purposes of parts A, B, C and D of this Public Space Protection Order:

c. each of the following is a "prescribed charity"

iv) Hearing dogs for deaf people (registered charity number 293358)

v) Any charity created subsequent to this Order, which covers the issues detailed in point 1.b. above.

Representatives of Friends of the Park's Groups and Residents Associations and a couple of dog owners attended the meeting and spoke in respect of the item. Majority were in favour of greater control in dealing with the few irresponsible dog owners, however everyone expressed concern over the delineation within parks. The dog owners considered the decision to include all marked sports pitches too heavy handed and restrictive on the dogs ability to exercise properly. And the Park's Groups and Residents' Association stated that careful consideration needed to be given to which areas of parks are to be covered by the Order and that they should be consulted over which specific areas of which specific parks were to be included.

The Cabinet Member carefully considered all the representations made at the meeting and acknowledged that most of the problems were caused by a minority of dog owners and dog walkers. He also accepted that certain dogs needed to be exercised off lead and needed the space to run around. However, he was acutely aware of issues around dog fouling in children's play areas and the associated health risks that poses. Furthermore, the Cabinet Member acknowledged that most parks had inherent problems that seem to exist irrespective of the amount of resources invested.

RESOLVED that the Cabinet Member for Policing and Equalities:

(1) Approves the creation of a City-wide Public Space Protection Order (Coventry Dog Control) incorporating the following controls: Fouling of land by dogs; dogs on leads; dogs on leads by direction; and dogs exclusion and Dogs (specified maximum).

(2) Approves the consultation and consideration of the views from

the 'park friends groups' (paragraph 2.3) concerning the areas within parks to be covered by the Public Space Protection Order prior to its implementation.

- (3) Approves setting the level of the Fixed Penalty Notice payable for breaches of the Public Space Protection Order at £100, but reduced to £60 if paid within 14 days.**
- (4) Approves the launching of an education campaign prior to the launch of the Public Space Protection Order and operate an 'advisory notice' system of fixed penalty notice for the new offences under the Public Space Protection Order for a three month period. However, it is proposed that dog fouling offences will continue to receive a Fixed Penalty Notice from the Public Space Protection order implementation date at the new proposed rate.**
- (5) Prior to this report with recommendations being presented to Cabinet on 6 January 2015, officers are directed to prepare a briefing note to include:**
 - (a) Additional specific issues raised in representations made at the Cabinet Member for Policing and Equalities meeting held on 18 December 2014 and;**
 - (b) Further specific recommendations that they believe appropriate for consideration by Cabinet and/or referral back to Cabinet Member.**
- (6) That subject to the decision of Cabinet on 6 January 2015, there be a review of these arrangements at the relevant Cabinet Member meeting on or before 31 December 2015.**
- (7) The Cabinet Member recommends that Cabinet approves recommendations 1 to 4 and 6 above.**

59. Further progress report on action taken to improve security fencing to open land at rear of 2-66 Brookside Avenue

Further to Minute 35/14, the Cabinet Member considered a further report of the Executive Director of Place which provided an update on progress against further recommendations made by the Cabinet Member at his meeting held on 2 October 2014 in response to a petition bearing 11 signatures which was submitted by Councillor B Singh on 25 March 2014.

Reports in response to the petition were presented to the Cabinet Member on 3 July and 2 October 2014 and detailed actions taken by officers in response to residents' concerns about environmental and nuisance behaviour on the open space at the rear of properties 2-66 Brookside Avenue, Whoberley Ward. The open space is owned by the Council and managed by the Parks Service of the Place Directorate.

Since the Cabinet Member meeting in October 2014, it was reported that neither the Police or the City Council have had reports of nuisance/anti-social behaviour associated with the open space to the rear of the homes in Brookside Avenue. In light of this, the report focused on what physical measures could be implemented to improve site security.

Councillor Singh, a Whoberley Ward Councillor and the petition spokesperson attended the meeting and spoke in support of the petition. Councillor Singh praised the petition spokesperson for all the work undertaken to bring this matter to the forefront and for liaising with Council Officers and the Local Neighbourhood Policing Team to resolve the issues. Councillor Singh stated that he would have liked a firmer decision on the pallasade fencing along the Allesley Old Road to stop people from using the area as a short cut. The petition spokesperson added that the pallasade fencing was dependant on a successful application to the Community Grant Fund which would not be known until February 2015.

The Local Neighbourhood Police Officer also attended the meeting and stated that a lot of the problems were seasonal and although recorded incidents were low, this did not reflect the actual problems on the ground. And unfortunately, many of the problems occurred when he was off duty and there was no uniform presence in the area.

The Cabinet Member carefully considered all the comments made by Councillor Singh, the petition spokesperson and the Local Neighbourhood Police Officer and noted the photographs circulated at the meeting showing quad bikes and drug bags found in close proximity to the primary school. He expressed disappointment that all the good work done by the Local Neighbourhood Police Officer was not being supported by other agencies.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1. Endorses the additional action taken by Officers and to support a proportionate response to the anti-social behavioural issues identified by residents', with the provision of fencing as detailed in this report, subject to a successful funding bid to the Community Grant Fund.**
- 2. Requests officers to liaise with the Police to ensure they continue to patrol the area and to respond to any issues raised or identified and, if appropriate to exercise their powers to obtain identities of and disperse groups of individuals that are likely to cause nuisance or offending behaviour.**
- 3. Endorses the continued efforts of the Community Development Service to work with the community in tackling local issues including litter and environmental issues.**

4. **Requests Officers to continue to monitor incidents of crime and nuisance together with the effectiveness of their action and to respond appropriately to any such issues.**
5. **Requests the Head of Community Safety to draft a letter to the Chief Superintendent of Police commending the work of the Local Neighbourhood Policing Team, but expressing disappointment that when they are not in attendance, there is no uniformed presence in the area. The letter to be copied to Councillor Singh for information.**
6. **Directs officers to access forthwith funding of £5000 by way of Partnership funding from the Police and Crime Board to provide for the installation of pallsade fencing to the relevant part of the Allesley Old Road.**
7. **Directs the Head of Community Safety to explore at the earliest opportunity the installation of high tech CCTV cameras in the vicinity, in consultation with the Police.**
8. **Requests a further report to review progress at the Cabinet Member meeting scheduled for 23 April 2015.**

60. Update report in response to a petition concerning a property in Earlsdon Ward

Further Minute 32/14, the Cabinet Member considered a report of the Executive Director of People which provided an update on actions taken since the Cabinet Member meeting on 2 October 2014 in response to a petition received on 3 July 2014 concerning a property in Earlsdon Ward. The petition was submitted by Councillor Andrews and requested the City Council to take action in relation to concerns regarding the poor condition of a property in the Earlsdon Ward.

The Cabinet Member noted that the Section 215 Notice was served by officers on 3 September 2014 and as no appeal was lodged, the Notice took effect on 5 November 2014 and would require compliance within four months from this date, 5 March 2015. It was further noted that officers have made a number of visits to the premises to monitor any progress made and to date; very little progress had been made.

Councillor Andrews, an Earlsdon Ward Councillor and the petition organisers attended the meeting and spoke in support of the petition. Councillor Andrews welcomed assurance from officers that this would now get sorted, however he expressed concern at the lack of progress which was extremely frustrating. He also enquired whether there was anything else that could be done.

RESOLVED that the Cabinet Member for Policing and Equalities:

1. **Endorses the action already taken and planned to address the conditions at this property.**

2. Directs Officers to:

- (a) Take action to issue a 14 day warning letter as to Notice of Intended Prosecution on 6 March 2015 in the event of non-compliance of Section 215 Notice served on 3 September 2014.**
 - (b) Take action to seek authority at the earliest available date from the Planning Committee for the institution of appropriate proceedings in the Magistrates Court in the event of non-compliance with the Section 215 Notice served on 3 September 2014.**
 - (c) In the event of continuation of non-compliance with the Section 215 Notice served on 3 September 2014, and after the Notice of Intended Prosecution has expired on 21 March 2015, and subject to (b) above, proceedings be issued in the Magistrates Court no later than 28 March 2015.**
- 3. Requests a further report to be submitted to the Cabinet Member on 26 March 2015 detailing progress made on resolving the issues.**

61. Magistrates' Court Building

Further to Minute 48/14 the Cabinet Member considered a further report of the Executive Director of Resources which provided an update as to the progress of the proceedings to date and considers the options going forward.

When the Council constructed the Coventry Magistrates' Court building in the 1980s, the premises included a "Probation Suite" whose construction cost of around £1.2 million was to be met by the Council initially but repaid by the Probation Service over a period of some 40 years. Annual repayments were made until 2007. However, the Probation Service now disputes liability to make any further payment.

This matter was considered by Cabinet on 11 December 2012, where authorisation was given to commence legal proceedings to recover the outstanding loan monies. The Cabinet Member (Community Safety & Equalities) was given delegated authority to determine alternative strategies or decisions as the matter progresses and the matter was considered at Cabinet Member meetings on 24th February, 1st May 2014 and 14 November 2014.

RESOLVED that the Cabinet Member for Policing and Equalities notes the progress made since the last report dated 14 November 2014 and directs that a further report be submitted for consideration at the Cabinet Member meeting on 22 January 2015.

62. Outstanding Issues Report

- (a) The Cabinet Member noted a report of the Executive Director of Resources that identified those issues on which further reports**

had been requested and were outstanding, so that progress could be monitored.

- (b) The Cabinet Member requested a private report to be submitted to the meeting on 22 January 2015 detailing the current situation in respect of the Old Hall, Tamworth Road.

63. **Any Other Business**

RESOLVED that the Cabinet Member for Policing and Equalities gives approval for the Lord Mayor, the Cabinet Member for Business Enterprise and Employment and senior officers to undertake a visit to New Delhi and north-west India as part of the Trade and Investment Delegation organised by UK Trade and Investment (UKTI) from 21 to 28 February 2015.

(Note: The above matter was considered as an item of urgent business, the reason for urgency being the need to confirm all the arrangements at the earliest opportunity).

PRIVATE BUSINESS

64. **Update report in response to a petition concerning a property in Earlsdon Ward**

Further to Minute 60 above, the Cabinet Member considered a corresponding private report of the Executive Director of People which provided confidential information in relation to a property in Earlsdon.

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1. Endorses the action already taken and planned to address the conditions at this property.**
- 2. Directs Officers to:**
 - (a) Take action to issue a 14 day warning letter as to Notice of Intended Prosecution on 6 March 2015 in the event of non-compliance of Section 215 Notice served in 3 September 2014.**
 - (b) Take action to seek authority at the earliest available date from the Planning Committee for the institution of appropriate proceedings in the Magistrates Court in the event of non-compliance with the Section 215 Notice served on 3 September 2014.**
 - (c) In the event of continuation of non-compliance with the Section 215 Notice served on 3 September 2014, and after the Notice of Intended Prosecution has expired on 21 March 2015, and subject to (b) above, proceedings be issued in the Magistrates Court no later than 28 March 2015.**
- 3. Requests a further report to be submitted to the Cabinet Member on 26 March 2015 detailing progress made on resolving the issues.**

65. **Magistrates Court Building**

Further to Minute 61 above, the Cabinet Member considered a corresponding private report of the Executive Director of Resources which provided confidential information on the Magistrates' Court Building.

RESOLVED that the Cabinet Member for Policing and Equalities notes the progress made since the last report dated 14 November 2014 and directs that a further report be submitted for consideration at the Cabinet Member meeting on 22 January 2015.

66. **Any Other Business**

There were no other items of business.

(Meeting closed at 3.10 pm)