

Coventry City Council
Minutes of the Meeting of Cabinet Member for Culture, Leisure, Sports and Parks
held at 9.30 am on Thursday, 21 January 2016

Present:

Members: Councillor A Khan (Chair)
Councillor J Birdi (Shadow Cabinet Member)

Other Members: Councillors N Akhtar, Ruane

Employees (by Directorate):

People: C Hickin, B Massey, M Metcalf, M McGinty, L Nagle

Resources: U Patel

In Attendance: K Blakeman (for item 29 below)
L Dawkin – UHCW NHS Trust (for item 29 below)
Rev C Hogger – St Anne & All Saints Church (for item 30 below)
J McAllister (for item 29 below)
D Powell – UHCW NHS Trust (for item 29 below)
Sgt. P Rafferty – West Midlands Police (for item 30 below)

Public Business

27. Declarations of Interest

There were no declarations of interest.

28. Minutes

The minutes of the Cabinet Member for Culture, Leisure, Sports and Parks meeting held on 10 December 2015 were signed as a true record. There were no matters arising.

29. Report in response to a petition regarding smoking in Hall Lane

The Cabinet Member considered a report of the Executive Director of Place which provided an update in response to a petition regarding smoking in Hall Lane.

The petition bearing 322 was submitted to the City Council on 7 July 2015 and outlined residents' concerns in relation to customers and employees from the University Hospital, Coventry and Warwickshire NHS Trust at Walsgrave, smoking in the street and generally causing a nuisance with noise and litter.

They requested that the Council make Hall Lane a smoke free street and that the Hospital take responsibility for the results of their no smoking policy.

The Cabinet Member for Policing and Equalities considered an initial report on 24 September 2015 and deferred any formal decision and gave the hospital an

opportunity to determine how they proposed to reduce or eliminate the adverse effect of smokers gathering in Hall Lane (Minute 15 refers). It was noted that the majority of smokers were hospital employees.

The Council could potentially introduce a Public Space Protection Order (PSPO) under the Anti-social Behaviour, Crime and Policing Act 2014 to prohibit smoking in Hall Lane; contravening the PSPO would result in the issuing of a Fixed Penalty Notice (FPN) and prosecution in the event of non-payment, however, this was viewed as inappropriate for the following reasons:

- The area covered by the PSPO – for a PSPO to be effective, it would have to surround the hospital and be sufficiently large enough so as not to just displace the problem.
- Potential to criminalise local people – a PSPO is non-specific and would also apply to local residents and their visitors too. This means that residents (and their visitors) living within the designated area of the PSPO would be committing an offence if they were to smoke in the street.
- Unlikely to be popular – if a PSPO was to be introduced, an extensive consultation exercise would have to be undertaken and it is believed that a substantial number of local people would object and view this action as disproportionate.

The problems experienced by local residents in Hall Lane began when the hospital's smoking policy was changed to prohibit smoking on the entire site. As the majority of the problem resulted from hospital staff, it was considered that any potential long term solution lay with the hospital.

Councillor Ruane, a Henley Ward Councillor and the petition organiser attended the meeting and spoke in respect of their objections. Councillor Ruane expressed disappointment that no progress had been made in resolving the problem. He stated that the problem was envisaged even before the smoking ban was introduced when he met with the hospital in 2014 in an attempt to highlight the problem and hopefully get the hospital to put measures in place to avert the problem.

Furthermore, he requested that the hospital reconsider their no smoking policy so that staff and patients could smoke somewhere on site as the total ban had just displaced the problem onto residents. Consequently this had created an unfair burden on the City Council and public money was being spent on dealing with a problem created by the hospital.

The petition organiser attended the meeting and stated that the problem had continued through the winter months with no sign of easing. Staff had been spotted smoking behind the main gates on site and yet nothing appears to have been done. Residents believe that the area on site behind the hospital could be designated as a smoking area or have a shelter erected. It was generally felt that the hospital showed a lot of sympathy, but took no action.

Representatives from UHCW attended the meeting and reported that their smoking ban was working well however, once staff moved off site, they had no jurisdiction to discipline them. The hospital has a full time dedicated team who patrol the site and staff caught smoking were disciplined. The hospital stated that

creating a shelter on site would be in direct conflict with their policy and would be seen as encouraging staff to smoke. It was reported that a number of staff had been disciplined and figures would be provided to Councillor Ruane for information. The hospital submitted a letter in response to the Cabinet Member meeting held on 24 September 2015 which outlined measures implemented by the hospital. The representatives agreed to report the discussions of this meeting to their Executive Board.

RESOLVED that the Cabinet Member for Culture, Leisure, Sports and Parks:

- 1. Considered the response received from, University Hospital, Coventry & Warwickshire NHS Trust and requests that the petition be passed to them so that they might work with local residents to achieve a mutually convenient solution.**
- 2. Requests that Neighbourhood Enforcement Officers routinely patrol and enforce any littering caused by smokers specifically in Hall Lane.**

(Note: The original copy of the petition was handed to the hospital representatives at the meeting.)

30. Response to a petition regarding Anti-Social Behaviour in the Strathmore Avenue area

The Cabinet Member considered a report of the Executive Director of Place which responded to a petition regarding anti-social behaviour in the Strathmore Avenue area.

The petition bearing 86 signatures was presented to full Council by Councillor Naeem Akhtar on the 8 September 2015. The petition called for the City Council and West Midlands Police to take action against those causing anti-social behaviour in the area, particularly around the St. Anne and All Saints Church and in the alleyways behind Strathmore Avenue.

Petitioners reported that people regularly congregate behind the church and in the nearby alleyways during the evenings and sometimes until late at night causing anti-social behaviour and allegedly using drugs.

Councillor N Akhtar, a St Michael's Ward Councillor attended the meeting and spoke on behalf of the petitioners. He reported that most of the parking problems and anti-social behaviour had been dealt with. The petition organisers had submitted their apologies as they were unable to attend the meeting.

Reverend Hogger of St Anne and All Saints Church attended the meeting and stated that the parking problems were sometimes created by the church goers and that he had reminded them to park sensibly. He reported that the alleyway was a public right of way and in September 2015 needles had been found, but nothing since.

Sergeant Rafferty, West Midlands Police attended the meeting and reported that they had laid a speed trap and undertaken a leaflet drop. Over 250 cars went

through the speed trap and not a single car was found speeding. There had been no further police logs since 17 October 2015.

Officers requested that all incidents of anti-social behaviour, needles being found etc. needed to be reported as the data would enable hot spots to be monitored and the relevant agencies notified. Officers undertook to investigate the ownership/status of the alleyway behind the church.

RESOLVED that the Cabinet Member for Culture, Leisure, Sports and Parks:

- 1. Notes and endorses the actions taken to date by officers of the City Council and West Midlands Police.**
- 2. Requests West Midlands Police to:**
 - **Continue to dedicate patrols to the area, paying particular attention to the identified, street, alleyways and open space around St Annes & Al Saints Church.**
 - **Exercise their powers to obtain identities and disperse individuals in groups that are likely to cause public nuisance and/or offending behaviour, ensuring individuals are challenged about their behaviour where appropriate, but also have the opportunity for treatment and support.**
- 3. Requests that officers case manage individuals through relevant forums and monitor behaviour and the effectiveness of interventions to support change as is appropriate.**
- 4. Encourage residents to participate in a Community Speedwatch operation.**
- 5. Encourage residents to set up Neighbourhood Watch Groups in the area.**

31. Community Grant Fund - 2015/16 Round Two Award Decisions

The Cabinet Member considered a report of the Executive Director of People which provided information on the Community Grant Fund – 2015/16 Round Two Award Decisions.

In Round One which closed on 30 May 2015, a total of £32,214 was awarded to 22 community and voluntary sector groups.

Round Two followed the same process as Round One with groups invited to apply for a maximum of £5000. The report provided information and recommendations on applications received during Round Two of the process for 2015/2016 which closed on 31 October 2015.

The Community Grant Fund has been a valuable resource for local community and voluntary sector groups and has supported the Council's Asset Based Working Strategy "Active Citizens, strong communities".

However, as part of the Connecting Communities Report to Cabinet on 26 November 2015, an allocating process was agreed for a one-off £500,000 Transition Fund to support delivery of the Connecting Communities approach as a whole; across its different phases. The Fund would support work with residents and communities in mitigating the impact of Council budget reductions and in developing new approaches to delivering support to communities within the City.

The Transition Fund would support community initiatives in a way that delivers savings designed to achieve the best value for money for Council taxpayers.

On this basis, on 5 January 2016, as part of a report on a series of changes to the grant payments that the Councils made to external organisations, the Council's Cabinet approved the reduction of the Community Grant Fund from £100,000 to £25,000 in 2016/17 with the remaining Grant Fund of £25,000 to be managed alongside and as part of the Transition Fund process outlined in the Connecting Communities Cabinet report.

The Community Grant Fund would reduce to nil thereafter. As a result the Community Grant Fund would cease to operate from 2016/17 onwards and this would be the last report specifically in relation to the Fund.

RESOLVED that the Cabinet Member for Culture, Leisure, Sports and Parks approves the payment of grants as recommended by the Officer Evaluation Panel as detailed in Table 1 of the report.

32. **Outstanding Issues Report**

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 would be monitored.

RESOLVED that item 2 headed "Public Space Protection Order (Coventry Dog Control) be deleted from the Outstanding Issues list as the matter will now be considered by Cabinet.

33. **Any Other Business**

There were no other items of public business.

(Meeting closed at 10.15 am)