

Minutes of: POLICY OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting: 27 July 2010

**Present: Councillor H Steen, (Chair)
Councillors A Barnes, Christie, Kenyon, Morris, Milling and
C Pilling
K Pilkington, Co-opted Member**

**In Attendance: Rebecca Lawlor, Health and Housing Manager
Liz Sandiford, Head of People and Policy
Adrian Smith, Principal Planning Officer
Danny Dobson, Principal Enforcement Officer
David Pierce, Principal Environmental Health Officer (Health
and Safety)
Councillor Essex, Portfolio Holder, Finance and Resources
Pat Couch, Scrutiny Support Officer**

4 Members of the public

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Christie.

2. MINUTES OF THE LAST MEETING

Resolved:

That the Minutes of the last meeting held on 15 June 2010 be agreed as a correct record and signed by the Chair.

3. DECLARATIONS OF INTEREST

Councillors Morris, Steen and C Pilling declared a personal interest in item D2, as they were Members of the Licensing Committee.

Councillor A Barnes declared a personal interest in item D1, as she was a ward Councillor involved in previous discussions on the item.

4. URGENT ITEMS OF BUSINESS

No urgent items were raised.

5. PUBLIC QUESTION TIME

The Chair agreed to deviate from the Procedure for Public Speaking and allow members of the public to ask questions as the reports were discussed.

6. CHAIR'S UPDATE

The Chair welcomed Keith Pilkington, Co-opted Member, to his first Policy Scrutiny Meeting. She advised members of the public of the procedure for public speaking, indicating that she would allow one person to speak for 3 minutes plus a follow-up question, with 20 minutes in total for all questions.

7. ADOPTION OF AMENDED SCHEDULE 3, LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

The Principal Enforcement Officer introduced a report to adopt Schedule 3 (as amended) of the Local Government (Miscellaneous Provisions) Act 1982 which, when adopted, would give the Council the ability to regulate Sexual Entertainment Venues, their numbers in a particular area and impose a wider range of conditions on them than is currently available under the Licensing Act 2003. It would also allow local people to oppose such an application if they had concerns that it was inappropriate given the character of the area.

In considering the report members discussed the following issues, which both the Principal Enforcement Officer and Environmental Health Officer answered.

- Legislation needs to be more specific
- Adding amendments into the schedule
- Disadvantaged if not adopted.
- The Schedule needs to be put in place as a precaution
- Need to regulate the number of venues in the Borough
- How would the changes be advertised – such as change of use of building
- Need for conditions to be attached to any application

The Chair indicated that when the issue was discussed at a recent Licensing Committee, legal advice was that if the Council did not adopt the Schedule, it could not then rely on it as a reason for refusing an application at a later date, in addition amendments could not be made to the legislation as it would be a case of whether they were acting within the remit of the legislation.

Resolved:

1. That the Policy Overview & Scrutiny Committee recommends to Council the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009, taking into account the discussion of the Committee.
2. That the Council resolves to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009
3. That an implementation date be set six weeks from the date the resolution is passed in order that the necessary advertisements may be placed.

8. REVIEW OF LICENCE CONDITIONS RELATING TO ANIMAL BOARDING ESTABLISHMENTS

The Health and Housing Manager informed Members of the outcome of the policy review and the public consultation exercise which looked at all licence conditions for all animal boarding establishments. The purpose of the legislation was to ensure the health and welfare of animals boarded at licensed premises.

The original licence conditions adopted by the Council in 2006 related to both typical Animal Boarding Establishments (identified by the Animal Boarding Establishment Act 1963) and home boarding premises (where dogs and cats are treated as pets and live in the home of the host family during their stay). At the time of the adoption there were no declared home boarding establishments within the borough.

The current conditions of licence had been in place for four years and although these conditions reflected the aims of the animal boarding legislation, the authority had received a policy review request around home boarding of dogs which states that the existing conditions were outdated (new guidance was issued by LACORS in October 2009). In view of this, officers agreed to undertake a review with public consultation and look at all licence conditions for all animal boarding establishments. Revised model conditions were consulted on through the Council's website and through direct consultation with a number of relevant stakeholders. 10 responses were received from owners, residents and a Member, with a majority of responses relating to home boarding of dogs.

The Health and Housing Manager indicated that 44 Local Authority Home Boarding Conditions were reviewed, with conditions around dogs from multiple households and single households appearing evenly split, with a majority of those opting for single households relying on the LACORS 2005 Model Conditions.

Members were asked to consider the following 2 options:

- Either remaining with the 2005 LACORS Model Conditions around dogs from a single household
- Updating the conditions to reflect the revised guidance issued in October 2009, which allows for boarding of dogs from more than one household

The Chair allowed members of the public to speak on the issue and Members asked questions of the public.

Members of the Committee raised the following questions and observations on the issue, which were answered by Officers.

- The need for planning permission and when it is deemed to be "change of use".
- Need for anyone applying for home boarding to contact planning for clarification of what is required
- Possible need to specify the number of dogs and whether there would be a need to alter the fabric of the building
- Criteria for the number of dogs allowed for home boarding

Members felt that the Council should ask Council to recommend Option 2, and remain with the 2005 LACORS Model Condition around dogs from a single household, but felt that the number of dogs should be specified - up to a maximum of 4 dogs including resident dogs. The Health and Housing Manager agreed to discuss this further with appropriate Officers.

Resolved:

1. That members recommend to Council the adoption of the Model Licence Conditions for all Animal Boarding Establishments.
2. That members recommend to Council that the number of dogs per establishment to continue to be assessed on a case by case basis having regard to the number of resident dogs, size of premises, exercise area and proposed welfare conditions.
3. That the Policy Scrutiny Committee recommend that Council adopt option 2 of the Authority's Home Boarding Conditions, based on LACORS model licence conditions for home boarding in 2005 around dogs from a single household may be boarded at any one time taking into account that there would be a maximum of 4 dogs including resident dogs.
4. That the Committee recommend to Council that all future amendments to the conditions be delegated to the Head of Health, Housing and Regeneration, in consultation with the Portfolio Holder for Regeneration. With major policy changes being brought back through to Overview and Scrutiny.

9. COMMUNICATIONS STRATEGY

The Head of People and Policy informed Members that the report highlighted the performance in relation to the current Communications Strategy and the value of good communication in improving customer satisfaction and on developing services which meet the needs of the public. The Head of People and Policy explained the current role of the Communities Team in relation to:

Strategic Communications
Branding Support
Communication projects
Media relations
Internal Communications
Marketing

The Head of People and Policy explained that there were a number of challenges, in particular a need to build the capacity and confidence of the Council in relation to communications through developing the skills of Members and Officers in dealing with the media.

The Head of People and Policy asked Members to consider the future communication needs of the Council in the context of the Medium Term Financial Strategy, which will inform the development of the new strategy. There was also an opportunity to contribute views at the special Overview and Scrutiny Meeting on 3 August. One Member who would not be able to attend that meeting agreed to forward her views directly to the Head of People and Policy.

There was discussion on the type of publications produced by the Council and a Member felt that the A-Z of services was a clear and positive way of informing the public of what services were available. In relation to Rossendale Alive, everyone agreed that the continuation of this publication had to be considered in light of the savings challenge.

Resolved:

1. That the Committee note the content of the report in relation to linkages between the Council's reputation and customer satisfaction.
2. That the views of Members as discussed at the meeting, in relation to how the Council communicates with the public would assist in the development of the Communications Strategy.
3. That the views of Members in relation to how the Council currently communicate with the public be noted.

10. CORE STRATEGY AND EVIDENCE BASE

The Principal Planning Officer presented a progress report on the Core Strategy and provided an update on the Evidence Base studies, namely the Renewable Energy Study, Employment Land Study and Tourism Study. The Core Strategy was a 15 year plan for the Borough and was a key document for the Council.

The Council was on target to take the Core Strategy to Council in September with a recommendation to proceed to publication, which will involve a statutory six week consultation period. It was intended to formally submit the Core Strategy to the Secretary of State in December for examination. He informed Members of the following:

- Employment Land Study - which identified employment sites the Council should keep and what should be released for other usage
- Tourism Study –this examined what sectors the Council should be targeting for increasing tourism based employment. The study shows that Rossendale's tourism sector employment is the lowest in Lancashire but has the potential to increase. A number of potential sectors for growth had been identified
- Renewable Energy – the Government is keen to promote renewable energy and in November Rossendale together with neighbouring authorities of Pendle, Burnley, Calderdale and Kirklees commissioned consultants Maslen to undertake a study on their behalf.

A number of questions were raised in relation to the following:

- Clarification on ground source heat pumps
- Cost of the exercise
- What happens after this piece of work had finally completed

Resolved:

That the information be noted.

11. GREEN TRAVEL PLAN (for consultation)

The Principal Planning Officer provided an update on the Council's Green Travel Plan, which was a document that identified travel patterns within the organisation and how these could be made more environmentally friendly. The Community Impact Assessment was briefly discussed.

The Plan provides a package of specific measures aimed at promoting sustainable travel within Rossendale by Borough Council employees and elected Members. This included consideration of the following:

- Reducing single occupancy car use
- Greater use of public transport
- Possible discounted passes for buses with Rossendale Transport
- Encouraging the use of bicycles
- Increased car sharing
- Introducing a car share data base
- Reducing unnecessary business travel
- Greater pre-planning of meetings and business journeys

An Officer Green Travel Working Group was established to act as the consultation group for the development of the Plan and to support the implementation of the actions.

Members agreed that this was an excellent initiative by the Council and that all Members should support this by car sharing to meetings where possible.

Resolved:

1. That the Policy Scrutiny Committee support commitment to the developing and implementing of the Green Travel Plan for employees and Elected Members.
2. That the Policy Scrutiny Committee note the recommendations on initial actions/initiatives and options identified by the Green Travel Plan Working Group.

3. That the Committee recommend to Council that all future amendments to the Green Travel Plan to be delegated to the Head of People and Policy in consultation with the Portfolio Holder.

12 FORWARD PLAN FOR THE PERIOD 1ST AUGUST TO 30TH NOVEMBER 2010

The Committee reviewed the key decisions within the Forward Plan for the period 1st August 2010 to 30th November 2010.

The Scrutiny Support Officer informed the Committee that there was already four reports allocated to the next meeting in September, but that Members should notify the Scrutiny Support Officer if there were any reports which they felt could be included in future agendas.

The Scrutiny Support Officer agreed to forward an updated list of those reports being presented to future meetings.

The meeting commenced at 6.30pm and closed at 8.45pm

Signed
(Chair)

Date