

Minutes of Health & Housing Committee

Meeting Date: Thursday, 19 October 2017, starting at 6.30pm
Present: Councillor B Hilton (Chairman)

Councillors:

S Bibby	L Graves
P Dobson	R Hargreaves
P Elms	K Hind
R Elms	R Sherras
M Fenton	J White

In attendance: Chief Executive, Head of Regeneration and Housing, Head of Environmental Health Services, Senior Accountant and Environmental Health Officer (Housing).

339 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors S Brunskill, R Newmark, M Robinson and R Thompson.

340 MINUTES

The minutes of the meeting held on 7 September 2017 were approved as a correct record and signed by the Chairman.

341 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

There were no declarations of pecuniary and non-pecuniary interest.

342 PUBLIC PARTICIPATION

Ms Gail Bailey spoke on the proposal for adoption of Public Space Protection Orders. She expressed concern about the rationale for introduction of a blanket requirement for dogs to be on leads on Council owned land, as she considered that adequate legislative protection was already in place. She also made the point that a requirement to produce evidence of means to pick up dog faeces was not necessary, as responsible dog owners will already carry bags.

Ms Vicky Lee stressed the importance of dogs being able to run off the lead on Council owned land, as such land was often the only available space for people with mobility difficulty or lack of transport to access to the countryside. She also emphasised the importance of access to Council owned land in the towns for the health of dogs and their owners.

Ms Kate Owen queried the ability to enforce the proposed orders for dogs to be on leads on Council owned land and to produce evidence of the means to pick up, by reference to the statistics of reports and fixed penalty notices issued over the previous 3 years. She considered this would create an additional burden for officers, and queried the need for an order to enable officers to request evidence of means to pick up dog faeces.

Ms Gill Sherratt questioned the impact on the Ribble Valley if the requirement for dogs to be on leads on Council owned land were to be introduced, and explained that tourists and other visitors from outside the borough would be likely to avoid coming to the Ribble Valley if this proposal were to be implemented.

The Chairman thanked the speakers for their contributions.

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PUBLIC SPACES PROTECTION ORDER ADOPTION

The Chief Executive submitted a report inviting Members to note the outcome of the public consultation exercises, and to consider the adoption of Public Space Protection Orders. An analysis was provided of the formal responses to the consultation. Response to an unofficial document circulated by a member of the public had also been considered, and a petition had been submitted to Full Council. The response to the unofficial document had reflected similar views to those expressed in reply to the formal consultation. The response from partner agencies had been disappointing.

Councillor A Knox was given permission to address the meeting. Although not a dog lover himself, he considered that the ability for dogs to be off the lead in the Caste grounds was important for the health and social interaction of dogs and their owners. He expressed concern that the suggestion for dogs to be on leads on Council owned land did not follow Local Government Association guidance, and urged Members to support the proposal that the Council replicate the existing order where the requirement only applied to Clitheroe Cemetery.

Committee then considered each of the 8 proposed Public Space Protection Order (PSPOs) which had been the subject of consultation.

Proposal 1 – Dog Fouling – PSPO01

The Head of Environmental Health Services outlined the current position under existing legislation, the outcome of the consultation, and recommended that a PSPO be made replicating the terms of the existing order.

RESOLVED: That a PSPO be made replicating the terms of the existing order.

Proposal 2 – Dogs on Leads – Public Highways – PSPO02

The Head of Environmental Health Services outlined the current position, whereby there was no legal requirement for dogs to be on leads on public highways in the Ribble Valley. She reported on the outcome of consultation, and the lack of support from partner agencies, and recommended that the proposal should not be adopted.

RESOLVED: That the proposed PSPO for dogs to be on leads on public highways in the Ribble Valley is not adopted.

Proposal 3 - Dogs on Leads – Council Land – PSPO03

The Head of Environmental Health Services outlined the current position, the response to public consultation, and the lack of support from partner agencies,

and recommended that the Council adopt a PSPO which replicated the existing order and thus only included Clitheroe Cemetery.

RESOLVED: That a PSPO be made replicating the terms of the existing order.

Proposal 4 - Dogs on Leads by Direction – PSPO04

The Head of Environmental Health Services outlined the current position, whereby it was an offence if a dog in a person's charge and was not put and kept on a lead of more than 1m in length when directed by an authorised officer. She also reported on the outcome of the consultation. Members considered the clarity of the current order, which it was recommended be replicated.

RESOLVED: That a PSPO be made that it is an offence if a dog in your charge is not put and kept on a lead when directed by an authorised officer.

Proposal 5 - Number of Dogs – PSPO05

The Head of Environmental Health Services outlined the current position whereby it was an offence to take more than 4 dogs on to any land within the administrative area of the Ribble Valley, the outcome of the consultation and recommended a PSPO replicating the existing order.

RESOLVED: That a PSPO be made replicating the terms of the existing order.

Proposal 6 – Dog Exclusion Zones – PSPO06

The Head of Environmental Health Services reported that there was currently no requirement under the dog control orders for dogs to be excluded from churchyards. She reported on the outcome of consultation and recommended that the proposal should not be adopted.

RESOLVED: That the proposed PSPO for dogs to be excluded from churchyards is not adopted.

Proposal 7 – Dog Exclusion Zones – PSPO07

The Head of Environmental Health Services reported on the current order, making it an offence for a person to allow a dog in their charge to enter a dog exclusion area, which applied to any enclosed children's play area, skate park, tennis court, basketball court, bowling green or putting green, marked sports pitches and/or any other recreational facility. She also reported on the outcome of the consultation. Committee considered the clarity of definitions in the existing order, and the applicability to Parish Council land and land owned privately (including charity owned land).

RESOLVED: That an order be made replicating the existing order, but to be expressed to apply to any enclosed children's play area, skate park, tennis court, basketball court, bowling green or putting green, marked sports pitches under the administrative control of the Ribble Valley Borough Council, and privately owned land and land owned by Parish Councils where it has been requested.

Proposal 8 – Means to Pick Up – PSPO08

The Head of Environmental Health Services advised that there is currently no requirement for the person in charge of a dog to have the appropriate means to pick up dog faeces. She reported on the outcome of consultation and recommended the introduction of an appropriate PSPO. Members were advised that the approach of the authorised officers would be discretionary, with a view to education of the public, and that the purpose of such orders introduced by other authorities had been a means of addressing the issue of persistent offenders.

RESOLVED: That the PSPO be adopted as proposed.

Following debate and resolutions on the individual proposed orders, Committee considered the procedure to introduce the orders.

RESOLVED: That Committee

- 1, having regard to the provision of Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 approve the adoption of the Public Space Protection Orders (PSPOs) as set out above; and
2. authorise the Chief Executive to make the Order.

(Councillor Fenton left the meeting at 7.30pm)

344 FIRE PROTECTION WORK UNDERTAKEN AT THE JOINERS ARMS, 90 WHALLEY ROAD, CLITHEROE

The Chief Executive submitted a report requesting Committee's approval to fund fire protection measures and extractor fan works on the Council's temporary accommodation 90 Whalley Road, Clitheroe, from the Repairs and Maintenance earmarked reserve or from the Flexible Homelessness Support Grant. Management of the facility had recently been resumed by the Council, and a fire risk assessment had been carried out. The total value of the works required was estimated to be £14,500.

RESOLVED: That Committee recommend to Policy and Finance Committee approval of a supplementary estimate of £14,500 for the fire protection and extractor fan works at 90 Whalley Road, Clitheroe - the additional budget to be funded from the Repairs and Maintenance earmarked reserve or the Flexible Homelessness Support Grant.

345 TOWARDS A DEMENTIA FRIENDLY BOROUGH

The Chief Executive submitted a report requesting Committee consider the approach to becoming a Dementia Friendly Borough Council. The background history included the steps taken over recent years through the work of the former Strategic Partnership and continued through the Community Strategy. Work had been carried out with partners, and a number of events had been held. The Ribble Valley Dementia Action Alliance was supported by the Council as a key partner, including provision of services and facilitation of meetings, providing an opportunity to deliver against the Community Strategy objective.

The Corporate Plan recognised the growing importance of supporting Dementia care, and a dedicated working group had been established to take forward the desire to become a Dementia Friendly Borough Council. Members were advised of the procedure for registration with the Alzheimer's Society as a Dementia Friendly Borough Council, and the progress already made in partnership with other organisations.

RESOLVED: That Committee agrees to progress with formal recognition as a Dementia Friendly Borough Council and that the Chief Executive be asked to prepare in conjunction with the working group a detailed action plan for further consideration.

346 REVIEW OF FEES AND CHARGES 2018/2019

The Director of Resources submitted a report seeking Members' approval to increase Committee's fees and charges with effect from 1 April 2018. These proposals were the first stage in the review of this Committee's budget for the forthcoming 2018/2019 financial year. The review takes place on an annual basis as part of the budget setting process. The Council's latest budget forecast allows for a 2% inflationary increase on the level of income received from fees and charges. This forecast currently shows a potential budget deficit for 2018/2019 of £774,000 after taking £250,000 from general fund balances. Therefore, service Committees were requested by Budget Working Group to consider raising the fees and charges at least in line with the 2% target, and to compare to other Lancashire authorities, to seek to meet the cost of providing the services used, to review areas where no charge was currently made, and to be innovative. Budget holders and Heads of Service have worked with Financial Services to set the proposed fees and charges. Many of the fees and charges have been increased in line with the 2% inflationary increase, rounded up to minimise any problems with small change where appropriate.

Certain issues were highlighted, where fees were proposed to be set on a different basis. Current fees for Clitheroe Cemetery did not cover the cost of the service overall, and were lower than the average fees for other Lancashire cemeteries compared against. It was proposed that the Clitheroe Cemetery fees for 'Exclusive Burial Rights', 'Interments', 'Right to Erect Headstone' and 'Right to Place Stone Plaque on Ashes Plot' fees are increased to the average of other Lancashire Cemeteries fees over 2 years, with 50% of the increase in 2018/2019 and the balance in the following year subject to the Fees and Charges Review Policy that will be set for 2019/20. Fees for environmental health licences were recommended for increase to levels in line with the cost of the service provided or at a slightly lower level that is at or around the average fees or highest fees set by other Lancashire authorities. No major increases were proposed for Clitheroe Market, because income received already covers the cost of the service and the Market Development project is still to be finalised.

There was discussion with regard to certain fees, particularly in relation to 'Interment of stillborn child to one month'.

RESOLVED: That Committee approve the charges as set out in Annex 1 to the report for implementation with effect from 1 April 2018, save that there be no charge for Ribble Valley residents for interment of stillborn child to one month, and there be a charge to non-Ribble Valley residents for interment of stillborn child to one month at the same fee as that for interment of a child under 16.

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CAPITAL PROGRAMME REVIEW AND NEW BIDS

The Director of Resources submitted a report recommending the future 5 year capital programme (2018/2019 to 2022/2023) for this Committee. This reviewed the existing schemes approved by Policy and Finance Committee in February 2017, together with new bids received from Heads of Service for 2022/2023. Two proposals had been received for that year being Landlord/Tenant grants at £50,000, and a proposal for Disabled Facilities Grants at £161,000 (although the final scheme budget for that would be set to match the actual central government funding received in that year). It was agreed that the Disabled Facilities Grant bid be amended to £297,000, which was the Central Government funding received by the Council in 2017/2018.

In addition, the indicative scheme budgets for Disabled Facilities Grants should be amended to £297,000 for 2018/2019 to 2021/2022.

RESOLVED: That Committee

1. approve the five year capital programme for 2018/2019 to 2022/2023, subject to amendment of bid 1 for disabled facilities grants for 2022/2023 of £297,000 and amendment of the Disabled Facilities Grants Scheme 2017/2019 to 2021/2022 budgets to £297,000; and
2. recommend to Policy and Finance Committee a future five year capital programme for this Committee's services.

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PRIVATE WATER SUPPLIES

The Chief Executive submitted a report updating Members on the action taken by Ribble Valley Borough Council in order to improve the quality of private water supplies throughout the borough, and highlighting the recent and proposed changes to the relevant legislation and its implications for the Council. Committee was also asked to consider and approve funding for a radon survey of 11 high/moderate risk private water supplies throughout the borough

Members were advised of the findings on inspection and analysis of supplies, including those on inspection using new powers in relation to radon monitoring, and the approach that was considered to be proportionate in order to comply with the new regulations regarding radon monitoring. Committee also received information on the ongoing consultation on the draft Private Water Supplies (England) (Amendment) Regulations 2017.

RESOLVED: That Committee

1. agree for the Council to fund the cost of £1000.45, for the initial radon survey of 11 high/moderate risk private water supplies throughout the borough;
2. authorise the Council's Head of Environmental Health to write to all known properties served by private water supply, informing them of the recent changes introduced by The Private Water Supplies (England) Regulations 2016, concerning both monitoring of single rented property

supplies and also radon in water (see Appendix 2 for draft letters/pamphlets); and

- 3 agree for an article to be included in the spring 2018 Ribble Valley newsletter, outlining the most recent changes to be introduced by The Private Water Supplies (England) (Amendment) Regulations 2017.

349 FOOD SAFETY RAW MILK SURVEY

The Chief Executive submitted a report for Committee's information on the emerging health risk associated with the increase in sale and consumption of unpasteurised 'raw' milk in the Ribble Valley, and the work carried out by the food safety team in the current year to identify suppliers who failed to ensure the safety of their product. Findings on inspections at a national level and from the four producers in the Ribble Valley were highlighted, including the nature of problems at all local suppliers.

RESOLVED: That the report be noted.

350 CAPITAL MONITORING 2017/2018

The Director of Resources submitted a report providing Committee with information relating to progress of the approved capital programme for the year to date. At the end of August 2017, only 17.1% of the annual capital programme for the Committee had been spent or committed. Most of the programme was grant related. The largest area of underspend was Disabled Facilities Grants where, although more occupational therapists had been appointed and more referrals had been made, the budget may not be fully committed in-year, based on the level of applications received to date against the level of budget available.

Underspend on the Landlord/Tenant grants budget was due to a major application failing to receive planning approval. Housing officers were encouraging new applications for schemes in the year, and one potential application was being considered.

The Clitheroe Market Improvement scheme was on hold, awaiting final plans for the Clitheroe Market Development scheme.

Lancashire County Council had confirmed that the Council could bid for £21,684 of further Affordable Warmth Capital Grants funding in 2017/2018, which would be ring fenced.

The remaining share of the Alma Place Property scheme has been completed.

RESOLVED: That the report be noted.

351 REVENUE MONITORING 2017/2018

The Director of Resources submitted a report informing Committee of the progress of the 2017/2018 revenue budget as at the end of August 2017. There was an overall net overspend of £35,087 on the net cost of services, after allowing for transfers to and from earmarked reserves. The main areas of

variation relating to this overspend were summarised for Committee's information.

RESOLVED: That the report be noted.

352 NOTES OF HEALTH AND WELLBEING PARTNERSHIP DATED 2 OCTOBER 2017

The notes of the meeting held on 2 October 2017 were noted by Committee.

353 REPORTS ON REPRESENTATIVES ON OUTSIDE BODIES

Councillor Bibby reported on attendance at the AGM of the Older Peoples Champions for the North West. She reported on the initiative by the late Jo Cox MP to tackle loneliness, which had been taken up by the Happy to Chat campaign promoted by a commission organised by Seema Kennedy MP and Rachel Reeves MP. She also advised Members of the work of Silverline, providing help and company to older people. She distributed information on both initiatives.

RESOLVED: That Councillor Bibby be thanked for her report.

354 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the fact that the following items of business be an Exempt Information under Categories 1 and 7 of Schedule 12A of the Local Government Act 1972, the press and public be now excluded from the meeting.

355 GENERAL REPORT – GRANTS

The Chief Executive submitted details of three disabled facilities grants and one affordable warmth capital grant. No landlord/tenant grants had been approved since the last report.

Of the 180 property level flood resilience grants that had been approved, 165 applications had been fully completed and payment made. Of the balance of 15, work was complete in 8 subject to a resolution of snagging issues, work had commenced for 4 and work was yet to commence for 3. Of the 32 business applications approved, 28 had been completed and payment made, with 4 still to complete. Officers were increasing efforts to ensure timely completion of each scheme before the closure of the government programme.

RESOLVED: That the report be noted.

356 AFFORDABLE HOUSING UPDATE

The Chief Executive submitted a report for Committee's information with the minutes of the Strategic Housing Working Group held on 26 September 2017.

RESOLVED: That the report be noted.

The meeting closed at 8.40pm.

If you have any queries on these minutes please contact Marshal Scott (414400).