

NEIGHBOURHOOD SERVICES COMMITTEE

MINUTES AND DECISION RECORD

21 January 2019

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Tom Cassidy, Marjorie James, Brenda Loynes, Ann Marshall and Tony Richardson

Also Present:

In accordance with Council Procedure Rule 5.2 Councillor Allan Barclay was in attendance as substitute for Councillor Sandra Belcher

Councillor Lesley Hamilton

Officers: Tony Hanson, Assistant Director, Environment and Neighbourhood Services
Phil Hepburn, Environmental Enforcement Team Leader
Kate Ainger, Research Officer
Steve Hilton, Senior Public Relations Officer
Denise Wimpenny, Principal Democratic Services Officer

53. Apologies for Absence

An apology for absence was submitted on behalf of Councillor Sandra Belcher.

54. Declarations of Interest

None at this point in the meeting. However, an interest was declared later in the meeting – Minute 56 refers.

55. Minutes of the meeting held on 17 December 2018

Received

56. Tees Valley Joint Waste Management Strategy (Assistant Director, Environment and Neighbourhood Services)

Type of decision

Key decision – test (ii) – Forward Plan Reference No RN33/18

Purpose of report

To seek approval for Hartlepool Borough Council to adopt the Tees Valley Joint Waste Management Strategy. The strategy has now been subject to public consultation which ended on 30 November 2018.

Issue(s) for consideration

The Assistant Director, Environment and Neighbourhood Services reported on the background to the Tees Valley Joint Waste Management arrangements and the existing waste treatment contract with Suez which was due to end in 2020. Options had been explored which determined that a contract extension, until 2025, albeit at an increased price was the best option, as the price was still well below market rates.

In order to plan for the future and place the Tees Valley in the strongest position, the Tees Valley Authorities had agreed a strategic outline business case to progress options for post 2025, of which a number of outcomes for this programme of work had been agreed, details of which were set out in the report. The current arrangement for treatment of the waste collected by the Tees Valley Councils (excluding Darlington) was via a long-term contract with Suez. The 5 year extension means that a new solution will be required, to treat the area's residual waste by 2025. A single supplier currently dominated waste treatment in the area and, in order to drive value for money, a viable alternative must be available.

The existing Joint Waste Management Strategy (JWMS) only covered the period up to 2020, and therefore needed to be refreshed and updated to take account of current policy direction. The Councils had agreed that the new JWMS would cover the period from 2020 to 2035. The strategy would be supported by action plans that would provide details of each individual Council's activities at a local level. Background information in relation to the development of the strategy were provided which included an options appraisal and a Strategic Environmental Assessment (SEA). The preferred option selected was the:-

- The adoption of prevention, reuse and recycling initiatives;
- The introduction of high recycling performance collections including separate food waste collections; and
- A new energy recovery facility with the ability to utilise the heat

produced through the development of Combined Heat and Power (CH) facility.

It was noted that this option was consistent with the existing strategy. The strategy together with the supporting options appraisal and SEA Environmental report formed the basis of the consultation, which closed on 30 November 2018. The Committee was referred to the consultation arrangements and feedback from the consultation process as detailed in the report.

The new Tees Valley Joint Waste Management Strategy (2020-2035), a copy of which was appended to the report, sets out the approach to the sustainable management of waste within the Tees Valley and the priorities for action over the next fifteen years. It was proposed that the strategy would be subject to review on a five yearly basis.

The Chair commented on the options available for local authorities to achieve savings in terms of income generation and was keen to see income generation opportunities explored by the Council in relation to future recycling provision. The Chair also requested that following agreement of this strategy, any future proposals as well as proposed amendments to the arrangements be reported to a future meeting of this Committee for consideration.

During consideration of this item of business Councillor James declared an interest in relation to her position of Director on the Board for Suez.

In response to a query raised the Assistant Director agreed to provide clarification following the meeting as to why the waste management data included in the report showed a reduction in tonnage from 48,995 in 2010-11 to 46,524 in 2016-17.

In response to comments raised regarding the option to introduce charges for green waste, the Chair clarified that the proposals presented to Committee today were not in relation to green waste charges and issues of this type was a matter for individual local authorities to determine as part of their own administrative/budget arrangements.

Decision

1. The Committee approved the adoption of the Tees Valley Joint Waste Management Strategy.
2. That income opportunities be explored in relation to future recycling provision.
3. That any future proposals as well as proposed amendments to the Joint Waste Management arrangements be reported to this

Committee for consideration.

57. St Aidan's, Stockton Road – Proposed Puffin Crossing (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Non-key

Purpose of report

To report objections to the proposed puffin crossing at St Aidan's School, Stockton Road (See Appendix 1)

Issue(s) for consideration

The Chair sought the Committee's agreement to defer this report pending the outcome of further consultation in relation to the proposals.

Decision

That consideration of the report be deferred pending the outcome of further consultation in relation to the proposals.

58. Public Space Protection Orders (*Assistant Director, Environment and Neighbourhood Services*)

Type of decision

Key Decision - test (ii) – Forward Plan Ref No RN13/18

Purpose of report

To inform the Committee of the outcome of a recent public consultation into proposed extension of enforcement powers in relation to dogs in public places.

To consider and agree whether to introduce additional enforcement powers through the Public Space Protection Orders.

Issue(s) for consideration

The report provided background information to the range of restrictions on dogs in public places. There were currently 5 dog related Public Space Protection Orders (PSPO's) in place in certain locations across Hartlepool, details of which were included in the report. Before introducing an additional PSPO legislation required that the Council consult with the Chief Officer of Police, the Police and Crime Commissioner, other relevant bodies and community representatives.

The following proposals had been put forward for public consultation:-

1. A 'Dogs on Leads' Order be introduced in North Cemetery;
2. A seasonal 'Dogs on Leads' Order be introduced into the dunes area of North Sands operational between 1st October to 30th April each year;
3. A seasonal 'Dogs Exclusion' Order be introduced into the beach area of North Sands operational between 1st October to 30th April each year;
4. A restricted lead length of 1.5 metres be introduced in all cemeteries;
5. Designated officers be granted powers to check dog walkers are carrying the means to pick up their dog faeces and issue a fixed penalty notice where owners refuse or are unable to show they have the means to pick up; and
6. Designated officers be granted powers to check a dog's microchip details and issue a fixed penalty notice to owners of unchipped dogs.

During the consultation process, a request had been received from the Regeneration Team to consider making an amendment to the existing 'Dogs Exclusion Order' on the former paddling pool on the Front at Seaton. Therefore, it was proposed that this be extended to encompass the perimeter of the new water park.

Members were referred to the legal considerations as detailed in the report. With regard to the proposal to check a dog's microchip details, legal advice had been obtained which highlighted that because the personal details held by microchip database companies was provided for a specific purpose, officers could not use this information for enforcement purposes under GDPR, details of which were set out in the report.

With regard to the results of the consultation, more than 700 responses had been received, a summary of which was included in the report. Whilst quite a few respondents suggested that there were already enough/too many restrictions in place, 78% agreed that a 'Dogs on Leads' Order should be implemented in North Cemetery, 60% agreed that lead length should be restricted to 1.5 metres in cemeteries, 74% agreed that designated officers

should be given powers to check dog walkers were carrying the means to pick up their dog's mess and to issue a fixed penalty notice where owners refused or were unable to show they had the means to do so.

In relation the proposals to introduce a seasonal 'Dogs on Leads' Order into the Dunes area of North Sands, as part of the consultation process, discussions had been held with the Council's ecologist who had confirmed that the number of shorebirds within the area of beach where restrictions had been proposed at North Sands was insignificant and that the Little Tern colony was located well outside this zone. Therefore the ecologist was satisfied that, notwithstanding the initial request from Natural England, there was no requirement to restrict access to dogs to the beach area of North Sands, further details of which were provided.

A Member queried the potential to reduce lead lengths in cemeteries to 1 metre, the reasons for which were shared with the Committee. The Chair indicated that given consultation had already taken place on the 1.5 metre option, this suggestion be explored as part of a future review.

In the lengthy discussion that followed officers responded to a number of queries raised in relation to the options available for dog walkers to exercise their pets and the various restrictions and enforcement powers available to implement the proposals. Clarification was provided in relation to how the new powers would work in practice, levels of enforcement as well as enforcement arrangements and the type of evidence required to ensure repeat offenders were targeted. The need to ensure the new powers and restrictions were widely publicised was emphasised.

A Member raised concerns that used dog waste bags were often left adjacent to garden waste bins in cemeteries as there was no dog waste provision in such locations. Whilst it was agreed that this issue would be investigated, it was highlighted that dog waste could be disposed of in ordinary waste bins and it was suggested that this information be publicised in future communication/publicity campaigns. Members were pleased to note that the Council had recently installed over 40 dog waste bag dispensers in 29 public spaces, where bags could be obtained free of charge.

A Ward Member, who was also a regular dog walker in North Cemetery, spoke against the proposal to introduce a 'Dogs on Leads' Restriction Order in North Cemetery and shared with the Committee the comments of residents and dog walkers who used the cemetery on a regular basis to walk their dogs. The Ward Member commented on the wide green space that was utilised by dog walkers and highlighted that a number of local and elderly residents used the cemetery as a means of socialising with fellow dog walkers and it was considered that the restrictions would prevent local residents from using the cemetery. The benefits of encouraging local people to continue to use the cemetery were shared with the Committee and it was felt that their regular presence prevented anti-social behaviour activities.

Members considered the representations made during which it was highlighted that the area described as green space was still being utilised for burials and individuals had been buried in this area. Whilst it was noted that some of the grave stones had been moved, which may have created confusion in terms of what was open space and what was burial land, it was reported that the last burial was in 2008 and there were planned burials up to 2065. Members were therefore keen to maintain respect in this regard. It was emphasised that dogs were not being banned from the cemetery and the proposals to introduce a 'Dogs on Leads' Order was more of a respect issue to prevent dogs fouling and running freely over graves.

In view of the issues raised the Chair suggested that the Council further explore issues around dog walking restrictions in cemeteries generally to ensure clarity in the future.

Decision

1. That the following Public Space Protection Orders be approved:-
 - (i) A 'Dogs on Leads Order' be introduced for North Cemetery;
 - (ii) Lead length be restricted to a maximum of 1.5 metres in all Hartlepool cemeteries;
 - (iii) Designated officers be given powers to check that dog walkers were carrying the means to pick up their dog's mess and to issue a fixed penalty notice where dog walkers refused or were unable to do so;
 - (iv) The existing 'Dog Exclusion Order' for the former paddling pool on the Front at Seaton be extended to encompass the perimeter of the water park; and
 - (v) A communications campaign be implemented to raise awareness of the Orders and also of places where dogs can be freely exercised.
2. That the issue of dog waste disposal in cemeteries be investigated.
3. That dog waste disposal arrangements be included within the communications campaign.
4. That dog walking restrictions in cemeteries be further explored.

59. Date of Next Meeting

The Chair reported that the next meeting would be held on Monday 25 February 2019 at 4.00 pm.

The meeting concluded at 4.35 pm

H MARTIN

CHIEF SOLICITOR

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