

## **OVERVIEW AND SCRUTINY COMMITTEE**

**Date of Meeting:** 7<sup>th</sup> September 2015

**Present:** Councillor A Robertson (Chair)  
Councillors Bleakley, Collinge (substituting for Eaton), Hughes,  
Kempson (substituting for Haworth), Kenyon, Lythgoe,  
McMahon and Sandiford

**In Attendance:** Catherine Price, RBC  
Councillor Lamb, Portfolio Holder for Operational Services and  
Development Control  
Councillor Ashworth, Portfolio Holder for Customer Services and  
Health  
Councillor Knowles, Chair of Green Vale Homes Task and  
Finish Group  
Pat Couch, Scrutiny Support Officer

2 members of the public

---

---

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Eaton, Haworth and Steen.

### **2. MINUTES OF THE LAST MEETINGS**

**Resolved:**

That the minutes of the meetings held on 20<sup>th</sup> July 2015 be agreed as a correct record and signed by the Chair.

### **3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **4. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **5. PUBLIC QUESTION TIME**

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

## **6. CHAIR'S UPDATE**

The Chair informed the Committee that at the last meeting it was agreed that the Committee receive the Conservation Strategy, unfortunately this Strategy has been delayed and would now be presented at the meeting on 2nd November.

## **7. DOG FOULING – ROSSENDALE BOROUGH COUNCIL ENFORCEMENT**

The Locality Officer asked Members to consider the Council's current level of service and enforcement activities around dog fouling in Rossendale and determine whether a Task and Finish Group should be established to scrutinise the service area further.

In 2009, the Council adopted 4 Dog Control Orders (under Clean Neighbourhoods and Environment Act 2005), and these were explained briefly to the Committee.

Breach of the Dog Control Orders was dealt with in the first instance by way of a fixed penalty notice, which gives the offender the opportunity to avoid prosecution by paying the penalty of £75 (reduced to £50 if paid within 14 days of issue). Non-payment of a fixed penalty means the Council will need to prosecute an offender for the original offence (not the non-payment of the penalty) in order to take action. The Council can publicise the number of fixed penalties issued, but cannot name (or shame) those to whom fixed penalties have been issued, because they have not been convicted of an offence.

In 2010, the Council entered into a contract arrangement with Animal Wardens Ltd to deliver the dog warden service, which covered the collection of stray dogs, supporting the police to deal with dangerous dogs and Dog Control Order enforcement. This was a responsive service delivered between 7am-1am, 7 days per week. On receipt of a complaint regarding Dog Control Order breaches, mainly dog fouling, the Animal Wardens would send out a Dog Warden to carry out a patrol of the problem area.

Responsive, one-off patrols on this basis meant that little intelligence was gathered regarding potential offenders and hot spot areas and there was a lack of tangible enforcement, with only 3 fixed penalty notices issued per year. Concerns were expressed about the quality of the service they provided and in 2012 the service was put out to tender, with a focus on enforcement. Only one tender was submitted which was from Animal Wardens Ltd, but this did not meet the tender requirements.

The Locality Manager explained the work she had undertaken which included:

- 11 fixed penalty notices issued (with evidence from customers/council staff)
- 4 fixed penalties paid - £250 received
- 3 prosecution cases prepared against 5 offenders and prosecutions pending
- 68 warning letters issued to individual suspected offenders
- 20 streets of properties issued with warning letters

In October 2014 the Council went into a contract with Burnley Council on a twelve month basis to deliver a proactive Dog Control Order enforcement patrols for one full day every two weeks, at a cost of £4875 per year. The enforcement officers carry out patrols on a rota basis and report back on their day's patrols and action taken.

Between September 2014 and August 2015, the Council has been contacted by 5 complainants regarding a Professional Dog Walking Company, regarding the number of dogs being walked together, dogs being walked off leads, number of staff having control over the dogs being walked and the ability to clean up after a large number of dogs off the lead.

The Locality Manager provided the Committee with a number of options that could be taken forward should a task and finish group be established to look at the service in more detail.

The Council had also engaged in a pilot project with Whitworth Town Council to install 20 photo luminescent (glow in the dark) signs in hot spot locations, along with spray painted 'clean it up' stencils on pavements.

A number of questions were raised by Members, which the Locality Manager responded, including

- a) Should we invest more into the contract with Burnley Council and increase to one full day a week of patrols instead of once every two weeks?
- b) Is anyone able to stop a person and ask if they have a bag when walking their dog?
- c) Need for publicity to ensure the public are aware that Council Officers can challenge a person as to whether they are carrying a bag
- d) Is it compulsory that all dogs are chipped?
- e) Could clarification be sought on how much funding was available as it was felt that at the beginning of the financial year additional funding had been provided to enhance the dog fouling service. The Locality Manager agreed to make enquiries with the Head of Finance.
- f) Whether the Council should introduce more regulation for Professional Dog Walking companies such as licensing and / or a Code of Conduct.
- g) Whether there could be more utilisation of front line staff to tackle issues from provision of intelligence about potential offenders to giving out leaflets about penalties to offenders.
- h) Reviewing the Council's existing Environmental Enforcement policy to include the impact of the Crime, Policing and Anti-Social Behaviour Act 2014.

The Locality Manager explained that the Public Space Protection Orders (PSPO) could be issued on certain public open spaces owned by the Council (not currently covered by the Dog Control Orders) limiting the number of dogs a person can be in charge of on land and/or requiring dogs to be on a lead.

The Portfolio Holder for Environmental Services and Development Control indicated that she should would welcome a task and finish group to look at the

service in more detail and following a question about funding for the service, she confirmed that there was a possibility of additional funding to be made available.

The Chair thanked the Locality Manager for the detailed presentation and as she was leaving the Council to work as Town Centre Manager at Burnley, the Committee wished her well for the future.

**RESOLVED:**

That Overview and Scrutiny agreed to establish a Task and Finish Group to enable a detailed review to be undertaken to determine the best way to deliver this service, taking into account suggestions raised within the meeting.

**8. CABINET RESPONSE TO THE GREEN VALE HOMES TASK AND FINISH GROUP REPORT**

**The Chair of the Green Vale Homes Task and Finish Group presented the Cabinet's response to the recommendations within their report.**

**The Task and Finish Group held meetings between 11th September 2014 and 16th February 2015, when witnesses from the CAB, Council representative on the GVH Board, GVH Officers and their Chief Executive and Rossendale Council Officers.**

Officers from Green Vale Homes were invited to the last meeting of the group to discuss the recommendations and these were included in the final report prior to being presented to Cabinet in July.

The Cabinet agreed to support all the recommendations relevant to the Council and the Chair of the task group felt that it was important to ensure that extra support was provided to tenants who required it, as this had not been highlighted within the Cabinet response.

It was suggested that Members should meet more frequently with Ian Clark, Group Director of Strategy and Communications and also Steve Close, Chief Executive of Together Housing Group to ensure the Council's concerns are brought to their attention immediately and that the recommendations within the task group report are implemented.

Concern was raised by Members regarding the service offered to the CAB from GVH and it was acknowledged that Officers from the Together Housing Group accepted that there was a need for improved dialogue with the CAB, especially around money management for tenants. This would be discussed further should there be an agreement with Officers from THG to meet with the Chairs of Overview and Scrutiny and Rossendale Action Partnership.

The Chair of the Task and Finish Group asked that a further Member Briefing be held with the Together Housing Group to enable them to provide an update on their

Business Plan following the new proposals brought in by Government in the recent Budget.

**RESOLVED:**

1. That the Overview and Scrutiny Committee note the Cabinet's response to the recommendation of the Green Vale Homes Task and Finish Group.
2. That regular meetings be arranged between the Chair of Overview and Scrutiny and the Chair of the Rossendale Action Partnership and Together Housing Group to ensure GVH tenants receive appropriate levels of support that they require.
3. That a Member Briefing be arranged for early in the new year so that Officers from Together Housing can present their new Business Plan.

**9 PROGRESS UPDATE ON THE RECOMMENDATIONS OF THE ROGUE LANDLORD TASK AND FINISH GROUP**

The Chair of the Rogue Landlords Task and Finish Group presented the progress update on the recommendations agreed by Cabinet in October 2014.

Members were disappointed to learn that only one of the six recommendations of the task and finish group had been implemented. It was therefore suggested that the Head of Health, Housing and Regeneration be invited to the meeting on 16<sup>th</sup> November to provide a further update on the recommendations.

**RESOLVED:**

That the Head of Health, Housing and Regeneration be asked to attend the meeting on 16<sup>th</sup> November to provide an update on the recommendations of the Task and Finish Group

**10. FORWARD PLAN**

Members were asked to consider whether they wished to see any of the Policies on the Forward Plan, prior to them going to Cabinet.

As there were already 3 reports being presented to the 21<sup>st</sup> September meeting, it was agreed no further reports would go to the next meeting

The meeting commenced at 6.30pm and closed at 8.25pm

Signed .....  
(Chair)

Dated .....