

NOTTINGHAM CITY COUNCIL

OVERVIEW AND SCRUTINY - CALL IN PANEL

MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 26 July 2016 from 3.47 pm - 4.19 pm

Membership

Present

Councillor Georgina Culley
Councillor Patience Uloma Ifediora
Councillor Glyn Jenkins
Councillor Gul Nawaz Khan
Councillor Neghat Khan
Councillor Brian Parbutt (Chair)
Councillor Anne Peach

Absent

Councillor Azad Choudhry
Councillor Mohammed Ibrahim
Councillor Sue Johnson

Colleagues, partners and others in attendance:

Melanie Fretwell - Principal Enforcement Officer
Rebecca - Conservative Assistant
Ironmonger
Rav Kalsi - Constitutional Services Officer
Nathan Oswin - Political Assistant to the Labour Group
Councillor Andrew -
Rule
Steve Stott - Community Protection
James Welbourn - Governance Officer

6 APOLOGIES FOR ABSENCE

Councillor Mohammed Ibrahim – personal

7 DECLARATIONS OF INTERESTS

None

8 CONFIRMATION OF VALIDITY OF CALL-IN

Councillor Brian Parbutt (Chair) explained the procedure for the hearing to the attendees. He outlined the reasons for the call-in and requested the Panel to confirm its validity.

RESOLVED to confirm the call-in request as valid on the following grounds:

1) Inadequate consultation relating to the decision

The consultation undertaken is too narrow – data from circa 980 residents is insufficient and further consultation with residents who will be directly affected by these powers is required.

Insufficient notification was given to residents as to when and where the questionnaire, which formed the basis of the consultation, could be obtained.

The analysis of the consultation indicates that a considerable number of respondents did not understand what was being asked in the open ended questions and had to be guided in their responses. This casts doubt on the soundness of the results of the findings from the data in the questionnaire.

2) Viable alternatives not considered

In the case of powers granted under the PSPO 2 and PSPO 3 the provision of designated fenced off areas where dogs can be exercised off leads has not been considered. The measures currently proposed do not take into account the exercise requirements of different breeds of dogs.

9 CONSIDERATION OF CALL-IN REQUEST

Following the report of the Corporate Director of Resilience, the Committee was asked to:

- a) consider the information provided in relation to Executive Board report 'Nottingham City Council's Public Space Protection Orders' in respect of Dogs, and minute 7 of Executive Board dated 17 May 2016, and the reasons given for requesting a call-in of that decision and use that information to inform questioning and discussion;
- b) focusing on the reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, his supporting colleague(s), and the councillors who requested the call-in, decide to either:
 - i) require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration;
 - or
 - ii) agree that the decision does not need to be reconsidered and can be implemented.

Councillor Nicola Heaton, Portfolio Holder for Community Services gave the Panel her reasons for taking the decision:

- (c) the dogs PSPO (Public Space Protection Order) was introduced to provide extra powers to tackle nuisance dog owners;

- (d) the order is asking people to clear up after their dogs, and in many cases, keep their dog on a lead. Dogs can be kept off leads if they are not causing a problem;
- (e) public opinion was gathered prior to making the decision, including advertising in newspapers;
- (f) Coventry City Council introduced a PSPO in 2014 and got just over 1000 responses to their consultation;
- (g) it is not unreasonable for the Council to tackle nuisances when they occur.

Councillor Andrew Rule (call-in signatory) highlighted his concerns as follows:

- (h) concern is centred around the 3rd element of the PSPO, which deals with the exclusion of dogs from certain areas. Were people aware of what they were agreeing to?
- (i) the questions in the questionnaire were quite expansive to the extent that participants didn't know what they were being asked;
- (j) following reassurances provided by the Portfolio Holder, the call-in signatories were satisfied that proper alternatives have now been considered.

Councillor Nicola Heaton responded to the points raised:

- (k) officers have been to a number of wards around the City to consult;
- (l) it is very difficult to please everybody, and it is perfectly acceptable for people to change their minds once they have more information.

Members of the Panel added their points to the discussion:

- (m) all residents are different; some want much more information, and some don't respond at all;
- (n) an alternative to banning dogs from certain areas might be to further educate owners on walking their dogs and cleaning up after them;
- (o) 12 people were phoned back after the initial consultation; this was because these people raised further issues about the PSPO;
- (p) Facebook and Twitter would be useful tools for future consultations at a ward level.

RESOLVED to agree that the Executive Board report 'Nottingham City Council's Public Spaces Protection Orders in respect of Dogs' does not need to be reconsidered and can be implemented for the following reason:

- **The Portfolio Holder for Community Services has committed to consult with wards, using a variety of methods, such as consulting with local ward councillors and using interactive social media tools.**