

# Overview and Scrutiny Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>																							
<b>Date:</b>	<b>Wednesday 22 July 2015</b>																							
<b>Time:</b>	<b>4.00 pm</b>																							
<b>Venue:</b>	<b>Conference Chamber West West Suffolk House</b> Western Way Bury St Edmunds																							
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Diane Hind</p> <p style="text-align: center;"><b>Vice Chairman</b> Jeremy Farthing</p> <p><u>Conservative Members (13)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Simon Brown</td> <td style="width: 33%;">Richard Rout</td> <td style="width: 33%;"></td> </tr> <tr> <td>Terry Buckle</td> <td>Angela Rushen</td> <td></td> </tr> <tr> <td>Patrick Chung</td> <td>Andrew Speed</td> <td></td> </tr> <tr> <td>Jeremy Farthing</td> <td>Clive Springett</td> <td></td> </tr> <tr> <td>Susan Glossop</td> <td>Jim Thorndyke</td> <td></td> </tr> <tr> <td>Wayne Hailstone</td> <td>Frank Warby</td> <td></td> </tr> <tr> <td>Tim Marks</td> <td></td> <td></td> </tr> </table> <p><u>Charter Member (1)</u> Diane Hind</p> <p><u>Independent Member (1)</u> Paul Hopfensperger</p> <p><u>UKIP Member (1)</u> John Burns</p>			Simon Brown	Richard Rout		Terry Buckle	Angela Rushen		Patrick Chung	Andrew Speed		Jeremy Farthing	Clive Springett		Susan Glossop	Jim Thorndyke		Wayne Hailstone	Frank Warby		Tim Marks		
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<b>Substitutes:</b>	<p><u>Conservative Members (6)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Paula Fox</td> <td style="width: 33%;">Peter Thompson</td> <td style="width: 33%;"></td> </tr> <tr> <td>Sarah Stamp</td> <td>Patricia Warby</td> <td></td> </tr> <tr> <td>Vacancy</td> <td>Vacancy</td> <td></td> </tr> </table> <p><u>Charter Member (1)</u> Julia Wakelam</p> <p><u>UKIP Member (1)</u> Tony Brown</p>			Paula Fox	Peter Thompson		Sarah Stamp	Patricia Warby		Vacancy	Vacancy													
Paula Fox	Peter Thompson																							
Sarah Stamp	Patricia Warby																							
Vacancy	Vacancy																							
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																							
<b>Quorum:</b>	Six Members																							
<b>Committee administrator:</b>	<b>Christine Brain</b> Scrutiny Officer <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:christine.brain@westsuffolk.gov.uk">christine.brain@westsuffolk.gov.uk</a>																							



# Agenda

Page No

## Procedural Matters

### Part 1 - Public

**1. Apologies for Absence**

**2. Substitutes**

Any Member who is substituting for another Member should so indicate, together with the name of the relevant absent Member.

**3. Public Participation**

Members of the public who live or work in the Borough are invited to put one question/statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.

There is an overall limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.

**4. Minutes**

**1 - 6**

To confirm the minutes of the meeting held on 10 June 2015 (copy attached).

**5. Review of Car Parking**

**7 - 10**

Report No: **OAS/SE/15/010**

**6. Dog Fouling in West Suffolk**

**11 - 26**

Report No: **OAS/SE/15/011**

**7. On-Street Parking - Skyliner Way, Bury St Edmunds - Update**

**27 - 34**

Report No: **OAS/SE/15/012**

**8. Directed Surveillance Authorised Applications (Quarter 1) (Verbal)**

- 9. Work Programme Update**  
Report No: **OAS/SE/15/013**

**35 - 44**

**Part 2 – Exempt**

None

# Overview and Scrutiny Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Overview and Scrutiny Committee** held on **Wednesday 10 June 2015** at **4.00 pm** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Chairman** Diane Hind  
**Vice Chairman** Jeremy Farthing

Simon Brown  
Terry Buckle  
Patrick Chung  
Susan Glossop  
Tim Marks  
Richard Rout

Angela Rushen  
Andrew Speed  
Clive Springett  
Jim Thorndyke  
Frank Warby

**Substitutes attending:**  
Tony Brown

**By Invitation:**  
Alaric Pugh, Portfolio Holder for Planning and Growth

## 20. **Apologies for Absence**

Apologies for absence were received from Councillors John Burns and Paul Hopfensperger.

Councillor Wayne Hailstone was also unable to attend.

## 21. **Substitutes**

The following substitution was declared:

Councillor Tony Brown for Councillor Tony Burns.

## 22. **Public Participation**

There were no questions/statements from members of the public.

## 23. **Minutes**

The minutes of the meeting held on 22 April 2015 were confirmed as a correct record and signed by the Chairman.

## 24. **Joint Anglia Revenues Partnership Debt Management and Recovery Policy**

The Committee received Report No: OAS/SE/15/006, which reminded Members that at its meeting held in September 2014, as part of reviewing the Cabinet's then Decisions Plan, Members queried the process of writing-off outstanding debts; why it took several years for a debt to be accumulated and what was the critical point in triggering a write-off. At the time this was raised with Anglia Revenues Partnership (ARP), and taking into account the planned timing for the development of an ARP debt management policy, it was agreed with the then Chairman of the Overview and Scrutiny Committee that the draft policy be added to a future meeting of the Committee, instead of a stand-alone report.

Jo Andrews (Strategic Revenues Manager) from ARP presented the report. Attached at Appendix A was the ARP draft policy, which had been shared recently with all other ARP partners for their comments and scrutiny. The draft policy set out the billing; collection and recovery of Council Tax; Non-Domestic Rates and Housing Benefits Overpayments across West Suffolk and the wider ARP. This draft policy replaced previous policies of the ARP and updated the content to reflect changes introduced by recent changes to enforcement legislation. However, it excluded the activities relating to sundry debt of the Council, which was subject of a separate policy.

The Committees comments and recommendations were sought and would be forwarded to a future meeting of the Cabinet for their consideration. All comments would then be referred back to the ARP Joint Committee for consideration.

The Committee scrutinised the report in detail and asked a number of questions to which the Strategic Revenues Manager (ARP) and the Head of Resources and Performance duly responded.

The Committee noted that customers were encouraged to contact ARP as soon as possible if they had difficulties making payments, but felt that under paragraph 4.4 of Appendix A, reference should be made at the earliest opportunity to offer debt advice and counselling. It was suggested that this information should be sent out with the first reminder for non-payment of Council Tax and non-domestic rates.

With the vote being unanimous it was:

### **RECOMMENDED:**

That the Joint ARP Debt Management and Recovery Policy as set out in Appendix A to Report No: OAS/SE/15/006 be approved, subject to reference being included on how to access debt advice and counselling

when sending out the first reminder for non-payment of Council Tax and non-domestic rates.

## 25. **Review of Christmas Fayre**

The Committee received Report No: OAS/SE/15/007, which sought the establishment of a Task and Finish Group to conduct a review into the Christmas Fayre and adopt a five year operational plan.

The Christmas Fayre had developed from a small event with a small amount of resources to an event which attracted over 120,000 visitors to Bury St Edmunds over a four day period. As the event was now in its twelfth year it was considered that a formal review of the event was opportune.

There was a long lead in time for each Christmas Fayre event and the 2015 Fayre would run as already planned. As such the review would be in time to influence the planning and delivery of the Christmas Fayre 2016 and form part of the five year plan.

It was proposed that a Task and Finish Group be established comprising of six Members from the Overview and Scrutiny Committee along with two officers in support. The Portfolio Holder for Planning and Growth informed the Committee that he would be happy to offer any help to the Task and Finish Group, if invited.

The precise terms of reference for the review group were to be agreed. However it was proposed that the review would include:

- Finance (resources needed for an event this size);
- Governance (terms of reference to be agreed by the Task and Finish Group);
- Information from the Consultation/Focus group (an independent focus group of partners be established for the long-term strategic direction of the event); and
- Operational issues (health and safety/parking/park and ride service/communications and marketing).

The Committee considered the report and asked a number of questions to which officers duly responded.

It was suggested that as part of the review whether "lessons learnt" could be fed into Haverhill's Christmas event, to which officers agreed was a good idea.

### **RESOLVED**

That Councillors Terry Buckle, Patrick Chung, Jeremy Farthing, Richard Rout, Clive Springett and Frank Warby be nominated to sit on the Christmas Fayre Task and Finish Group to review the Christmas Fayre and adopt a five year operational plan.

## 26. **Decisions Plan: June 2015 to May 2016**

The Committee received Report No: OAS/SE/15/008, which requested that Members peruse the Cabinet Decisions Plan for the period June 2015 to May 2016, for which it would like further information on or which might benefit from the Committee's involvement.

The Committee considered the Decisions Plan in detail and asked a number of questions. In particular the Committee discussed the Review of Cabinet Working Parties; Temporary Accommodation Provision; Hopton Development Brief; Street Vending Policy; and Definitions and Provisions made for Political Parties and Pressure Groups in Revised Market Licence Regulations, to which comprehensive responses were duly provided by officers and the Portfolio Holder for Planning and Growth.

Discussions were also held on the West Suffolk Operational Hub and the Local Housing Investment Options. Members felt that both projects might benefit from joint involvement by pre-scrutinising the two projects with Forest Heath District Council prior to any final decisions being made by Cabinet.

The North West and North East Haverhill Relief Road and the Haverhill Town Centre Master Plan were also discussed and officers agreed to provide an update to a future meeting of the Committee.

Finally, the Committee discussed the "Animal Boarding, Dog Breeding Establishments and Pet Shops – Licensing Conditions" and questioned whether the Council was also looking at the requirement for all dogs to be micro-chipped by April 2016, to which it was agreed a written response would be provided.

With the vote being unanimous, it was

### **RESOLVED:**

- 1) That the following items from the Decisions Plan be considered jointly with Forest Heath District Councils Overview and Scrutiny Committee prior to being considered by Cabinet:
  - i) West Suffolk Operational Hub
  - ii) Local Housing Investment Options
- 2) That an update on the North-West and North-East Haverhill Relief Road, be provided at a future meeting of the Committee.

## 27. **Work Programme Update**

The Committee received Report No: OAS/SE/15/009, which updated Members on the current status of its rolling work programme of items for scrutiny during 2015-2016 (Appendix 1).

The report also sought nominations to the New Housing Development Sites Joint Task and Finish Group with Forest Heath District Council and also the



Borough Council's nominated representative on the Suffolk County Council Health Scrutiny Committee.

Members were also reminded to complete the Work Programme Suggestion Form when submitting future items for potential scrutiny (Appendix 2). This enabled suggestions received to be considered by the Committee at each meeting.

As in previous years, Suffolk County Council wished a representative to be appointed to its Health Scrutiny Committee from each of the County's District and Borough Councils. It was recommended that the Member should ideally be from the Borough Council's Overview and Scrutiny Committee, although it was not essential as the necessary training would be provided by the County.

The Committee considered the report and nominated Councillor Tim Marks as the Borough Council's nominated representative on the Suffolk Health Scrutiny Committee for 2015-2016.

The Committee then made the following re-appointment/appoints to the existing Task and Finish Group for 2015-2016:

- (a) **New Housing Development Sites Joint Task and Finish Group:**  
Councillors Jim Thorndyke, Diane Hind and Angela Rushen.

Finally the Committee considered the items currently expected to be presented to the Committee during 2015-2016. The Chairman raised the issue of Dog Fouling and suggested the Committee might wish to receive an initial report at its July 2015 meeting to find out why it was difficult to fine offenders; initiatives; changes in legislation such as the requirement for dogs to be micro-chipped by April 2016; to consider what was currently being done in an effort to combat dog fouling to then see what the Committee or a Joint Task and Finish Group with Forest Heath District Council might be able to recommend going forward.

With the vote being unanimous, it was:

### **RECOMMENDED**

That full Council be asked to confirm the appointment of Councillor Tim Marks as the Borough Council's nominated representative on the Suffolk Health Scrutiny Committee for 2015-2016.

### **RESOLVED**

- 1) That for 2015-2016 Councillors Jim Thorndyke, Diane Hind and Angela Rushen be re-appointed/appointed to the New Housing Development Sites Joint Task and Finish Group.
- 2) That an initial report be included on the Committee's Work Programme for 22 July 2015 to consider the general issue of dog fouling; why it was difficult to fine offenders; changes in legislation such as the requirement for dogs to be micro-chipped by April 2016;

current initiatives and options available to the Council to combat dog fouling.

- 3) That an update on the North West and North East Haverhill Relief Road, including the Haverhill Town Centre Master Plan be included as a future work programme item.

The Meeting concluded at 5.15 pm

**Signed by:**

**Chairman**

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# Overview and Scrutiny Committee



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Review of Car Parking</b>	
<b>Report No:</b>	<b>OAS/SE/15/010</b>	
<b>Report to and date:</b>	<b>Overview and Scrutiny Committee</b>	22 July 2015
<b>Portfolio holder:</b>	Peter Stevens Portfolio Holder for Operations <b>Tel:</b> 01787 280284 <b>Email:</b> <a href="mailto:peter.stevens@stedsbc.gov.uk">peter.stevens@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Mark Walsh Head of Operations <b>Tel:</b> 01284 757300 <b>Email:</b> <a href="mailto:mark.walsh@westsuffolk.gov.uk">mark.walsh@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	Cabinet Report No CAB/SE/15/002 (amended) instructed Overview and Scrutiny Committee to undertake a full review of the car parking, including the setting of Tariffs and consideration Pay on Exit/ANPR operating systems, commencing June 2015.  This report proposes the Terms of Reference and timeline for the review.	
<b>Recommendation:</b>	<p><b>It is <u>RECOMMENDED</u> that the Overview and Scrutiny Committee:</b></p> <p><b>(1) Agree the establishment of a Working Group and adopt the Terms of Reference for a review of car parking (as set out in Paragraph 1.2 of the report)</b></p> <p><b>(2) Nominate 5 Councillors to participate on the Review Group</b></p>	
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b>do not</b> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>The proposed Review Group will undertake consultation with user and key stakeholders of the car parking service.</li> </ul>	

<b>Alternative option(s):</b>		• No	
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • The review will group will be consider car parking tariffs and any investment required in delivery and operation of the car parks	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Pay on Exit/ANPR operations will have an impact on staff work practices	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • New technologies for payment will be considered as part of the review	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Any recommendations must be compliant with the Road Traffic Act	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Car parking Tariffs are set incorrectly resulting in a suboptimal performance	Medium	Consultation should be carried to provide clear rationale for proposed changes	Low
Town centres adversely affected by tariff changes	Low	Feedback from customers/ stakeholder and benchmarking information	Low
<b>Ward(s) affected:</b>		ALL	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<a href="#">Report No OAS/SE/14/001</a> - Car Park Tariffs 2015/16 (Overview and Scrutiny Committee – 17 December 2014)	
<b>Documents attached:</b>		None	

## **1. Key issues and reasons for recommendations.**

### **1.1 Background**

1.1.1 In 2012 the Overview and Scrutiny Committee undertook an extensive review of car parking provision and charging in St Edmundsbury. A significant number of recommendations were made by the Committee and endorsed by Cabinet on 12 December 2012 (reference Cabinet Report D223). This included the need for a full periodic review of car parking across the Borough every 3-4 years and an annual review of charges. Cabinet agreed on 10 February 2015 that the next full review of car parking will commence in June/July 2015.

1.1.2 Members will be minded that a full review of car parking is timely given that the Borough Council, in partnership with Our Bury St Edmunds, have commissioned a study to review:

- (i) Current car parking occupancy across the Borough;
- (ii) Short term capacity issues and long term parking solutions/ interventions;
- (iii) The impact of Pay on Exit/ Automated Number Plate Recognition systems on capacity and operation of car parks;
- (iv) The financial implications for the car parking service arising from the implementation of either a Pay on Exit or Automated Number Plate Recognition operation.

The report will be available for consideration as part of the review.

### **1.2 Draft Terms of Reference**

1.2.1 As set up previously in 2012, it is recommended that the Overview and Scrutiny Committee establish a Review Group to oversee the review of Car Parks and thereby appoint 5 Councillors to the Group, including a representative from the Performance and Audit Scrutiny Committee.

1.2.2 The proposed Terms of Reference for the review group are:

1. To evaluate the current performance including usage, the location and condition of the car parks, the quality of service delivery, the issue of fines, car park incentive schemes, and customer feedback.
2. To consider current levels of occupancy, future capacity projections and any interventions as required.
3. To assess the conclusions of the study on both the merit and business case for the implantation of Pay on Exit/ Automated Number Plate Recognition operation systems.
4. To review car park tariffs for the period of the Medium Term Financial Strategy, backed by consultation.

5. To identify changes and amendments needed to the Traffic Road Order.

1.2.3 The timetable for the review will be:

22 July 2015	Overview and Scrutiny Committee agree the Terms of Reference for the Working Group and Member representation
July – Oct 2015	<p>Stage 1 (Scoping the Review)</p> <ul style="list-style-type: none"><li>• Formal agreement of terms of reference/timetable and review process</li><li>• Description of service.</li><li>• How is the service currently provided</li><li>• Current service objectives, performance and legal requirements</li></ul> <p>Stage 2 (Evaluation)</p> <ul style="list-style-type: none"><li>• Options for service and efficiency improvement</li><li>• How do we compare?</li><li>• Consider customer/stakeholder feedback</li><li>• Review consultancy documentation on future capacity requirements and alternative ways of operating the car park (costs, risks etc.)</li></ul> <p>Stage 3 (Recommendations)</p> <ul style="list-style-type: none"><li>• Agreed improvements arising from Stage 2</li><li>• Financial Implications – Tariff changes, cost of improvements/interventions</li><li>• Other implications (including external partners)</li><li>• Changes to Traffic Road Order</li><li>• Recommendations</li></ul>
11 November 2015	Recommendations to Overview and Scrutiny Committee

1.2.4 Recommendations as agreed by the Overview and Scrutiny Committee would then be considered by the Performance and Audit Scrutiny Committee as part of the budget setting process.

1.2.5 The Lead Officer for the review will be Darren Dixon, Car Parks Manager supported by officer representation from Finance, Economic Development and Growth and Operations.

# Overview and Scrutiny Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Dog Fouling in West Suffolk</b>	
<b>Report No:</b>	<b>OAS/SE/15/011</b>	
<b>Report to and date:</b>	<b>Overview and Scrutiny Committee</b>	22 July 2015
<b>Portfolio holder:</b>	Peter Stevens Portfolio Holder for Operations <b>Tel:</b> 01787 280284 <b>Email:</b> <a href="mailto:peter.stevens@stedsbc.gov.uk">peter.stevens@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Mark Christie Service Manager (Business) <b>Tel:</b> 01638 719220 <b>Email:</b> <a href="mailto:mark.christie@westsuffolk.gov.uk">mark.christie@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	An initial report to consider the general issue of dog fouling; why it is difficult to fine offenders; current Council initiatives; changes in legislation such as the requirement for dogs to be Micro-chipping by April 2016; and options available to the Council to combat dog fouling.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that:</b>  (1) <b>Members note the report; and</b>  (2) <b>Members consider the additional actions that will be undertaken to help combat dog fouling in West Suffolk.</b>	

<b>Key Decision:</b> (Check the appropriate box and delete all those that <b>do not</b> apply.)		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> <b>No, it is not a Key Decision - <input checked="" type="checkbox"/></b>	
		<del>(a) — A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:</del> <del>(i) — be significant in terms of its effects on communities living or working in an area in the Borough/District; or</del> <del>(ii) — result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme;</del> <del>(iii) — comprise or include the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objections, the approval of a Minister of the Crown.</del> <del>(b) — A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this [the] Constitution.</del>	
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i>			
<b>Consultation:</b>		<ul style="list-style-type: none"> <li>As set out within the report</li> </ul>	
<b>Alternative option(s):</b>		<ul style="list-style-type: none"> <li>As set out within the report</li> </ul>	
<b>Implications:</b>			
<i>Are there any <b>financial</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>Subject to future recommendations</li> </ul>	
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> <li></li> </ul>	
<i>Are there any <b>ICT</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>Need to develop an online dog fouling reporting form</li> </ul>	
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>Introducing a PSPO across West Suffolk will require a period of adverting and consultation before being legally implemented.</li> </ul>	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
	Low/Medium/ High*		Low/Medium/ High*



Public perception	Medium	Effective communication strategy	Low
<b>Ward(s) affected:</b>		All wards across West Suffolk	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		None	
<b>Documents attached:</b>		None	

## **1 Introduction**

This paper aims to provide an overview of dog fouling within West Suffolk.

Reference is made to the results of national research and our current proactive and reactive work in West Suffolk, exemplified with recent case studies. This includes information relating to enforcement activity undertaken, the impact of enforcement activity across Suffolk and the scope of existing and new dog fouling legislation.

This report draws attention to the different tools available to manage dog fouling incidents and highlights both the difficulties associated with enforcement and the need to adopt a wide range of tools targeted to specific incidents.

A consideration of new ideas around the different approaches to combat dog fouling is also included.

### **1.1 Dog fouling - the issue**

Across West Suffolk there are a comparatively low number of dog fouling incidents when considered against the total number of environmental crime issues. The majority of dog owners are responsible and will clear up after their dog. Unfortunately it is a minority of dog owners who do not clean up but create an offensive issue in local communities. If this lack of responsibility is sustained it can soon lead to a localised issue. Consequently whilst total incidents are low, due to the offensive nature of the incident, when it happens it can prove problematic to the individual(s) affected.

Dog fouling is itself the result of a choice taken by the dog owner or dog walker. It is their responsibility to ensure that they control their dog and ensure that they are equipped to deal with a dog fouling incident. However, behaviours vary and certain owners weigh up the risks before they decide not to clear up and often habitually walk their dogs at times when there are few or no other people about.

Dog fouling itself is a criminal offence if not cleared up, However the burden of proof is on the enforcing authority to prove beyond all reasonable doubt that an offence has occurred. Local authorities are enabled to issue Fixed Penalty Notices (FPN's) for the offence of dog fouling but are not required to operate a FPN scheme, nor is there any requirement to provide bins specifically for the disposal of dog waste. The payment of an FPN allows the offender to discharge their liability as an alternative to prosecution.

In view of the circumstances above, enforcement can prove difficult and for this reason must be part of a wider strategy to combat the issue of dog fouling when it occurs.

## **2 Current Legislation**

### **2.1 The Dogs (Fouling of Land) Act 1996**

This is the primary legislation for dealing with dog fouling. As part of the Act, FPNs were introduced as an additional layer of enforcement to deal with minor offences, as an alternative to the direct route of prosecution through the courts.

This Act allows a FPN to be issued for £50 for failing to clean up dog fouling on land which has been designated under the act. If a FPN is not paid then a case may proceed to prosecution where the maximum fine is £1,000.

In order to issue a FPN for a criminal offence such as dog fouling there is a burden of proof with the issuing authority, whereby we must be able to demonstrate sufficient evidence for a reasonable person to believe beyond doubt that an offence has been committed by the accused. In cases where a FPN is not paid or where a FPN has previously been issued to the accused, then prosecution at court would be the next stage.

The threat of a FPN or a prosecution will not necessarily be sufficient to change the behaviours of those causing the dog fouling problem particularly if the offender is disengaged and/or believes there is little likelihood of being caught. The likelihood of being caught is linked to the times and location of the incidents.

## **3 New Legislation**

New legislation has recently been introduced to support (1) the management of public space on a range of community issues and (2) to enforce responsible dog ownership in order to reduce the problem of stray dogs.

### **3.1 Anti-Social Behaviour, Crime and Policing Act 2014: Public Space Protection Orders**

On 20 October 2014 new legislation came into effect that replaced Dog Control Orders with Public Space Protection Orders (PSPO).

Public Space Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone e.g. requiring dogs to be kept on a lead. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The council can make a PSPO on any public space within its own area.

The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of permission. A local example would be a park or shopping centre.

Enforcement of a PSPO can be by the police, PCSOs or council officers. Non-compliance with an order is an offence which can be dealt with by a

FPN of up to £100 or prosecution if the FPN is not paid (The order can last for up to three years).

Two conditions need to be met before a PSPO can be implemented:

1. That activities carried on in a public place within the authority's area have:
  - i. a detrimental effect on the quality of life of those in the locality; or
  - ii. it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
2. The second condition is that the effect, or likely effect, of the activities:
  - i. is, or is likely to be, of a persistent or continuing nature;
  - ii. is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

The local authority must carry out consultation and publicity before making an Order, which has to include the Chief Officer of Police, the Police and Crime Commissioner and any representatives of the local community they consider appropriate. (The Kennel Club have a specific interest in any orders relating to dogs).

A PSPO lasts for a maximum of 3 years unless extended; they can be varied or discharged during this period.

### 3.2 **The Microchipping of Dogs (England) Regulations 2015**

This legislation requires that all dogs over the age of 8 weeks in England are microchipped by 6 April 2016 and registered with their keepers' contact details. The purpose of the Act is to promote responsible dog ownership and specifically to combat the costs involved in lost and stray dogs.

All keepers, including breeders, must keep their details up-to-date, with the only exemption being where a vet has certified in writing that a dog is unfit to be microchipped.

Before the new requirements come into effect, pet owners or keepers can get their dog's microchipped free of charge in a number of places. Many vets also offer free microchipping as do other animal welfare organisations and some local authorities.

Once the new rules come into effect, if a dog without a microchip comes to the attention of the authorities, its keeper may be served with a notice requiring the dog to be microchipped, and may face criminal prosecution and a £500 fine if they don't comply.

An authorised person, police officer or PCSO will be empowered to enforce this legislation.

#### 4 **A national perspective on dog fouling**

Keep Britain Tidy research estimated the UK dog population at between 6.5 and 7.4 million, producing 1,000 tonnes of excrement per day in 2004. More recent research from the Pet Food Manufacturers Association has put this figure at 9 million in 2014 or 24% of UK households.

Despite a significant dog population, the vast majority of dog owners and walkers are responsible. A recent investigation into barriers to behavioural change in dog walkers categorises five distinct 'Dog walking typologies':

- **'Proud to pick up'** – happy to be seen carrying dog waste, will pick up in all locations and take it home if no bins are available.
- **'It is the right thing to do'** – will pick up in public places but will seek to dispose of the waste as soon as it is practical.
- **'I have done my job'** – if there is no bin available will leave the bagged waste to be dealt with by others.
- **'Only if I have to'** – will only pick up in the presence of other people – likely to discard when no one is looking.
- **'Disengaged'** – will not pick up in any situation even if they are aware of the environmental consequences of their actions.

Research has also demonstrated that dog fouling offenders:

- Are from all social classes but more likely to be male than female.
- Include all age groups with just a slightly higher proportion being between the ages of 18 and 24.
- Only admit that they allow their dog to foul in a public place when pressed.
- All know that they could be fined, but the majority did not believe they would ever be caught.

The targets for influencing behaviour change will undoubtedly include the last three 'typologies' listed above.

The 'I have done my job' can be through continued education of being able to use all litter and dog bins as a disposal option and new signage where necessary on bins.

The 'only if I have to' and 'disengaged' it will be harder to influence a change in behaviour but with targeted campaigns and more community involvement to report offences, the threat of being caught will increase. It is important to recognise that the success of our activity should be measured by a reduction in dog fouling issues rather than

the amount of enforcement activity undertaken. This distinction is important because:

- The people in England fined for failing to pick up after their dog has fallen by almost 20% last year.
- There were 73,824 complaints about dog mess in 2014-15 but 103 councils did not issue any fixed penalties. One council spent £134,000 employing 22 dog wardens on a 12 week trial period but they only issued 26 fines raising £2,080.

The actions undertaken by councils will vary depending upon their specific issues and be a recognition of proportionality, value for money and effectiveness.

## **6 A West Suffolk perspective**

West Suffolk has two Waste Advisors who investigate and manage a range of environmental crime issues including fly tipping, abandoned vehicles, littering, dog fouling, graffiti and waste collection. Actions taken include a range of options from educational activity to enforcement.

Complaints regarding dog fouling are considerably lower than those for fly tipping and abandoned vehicles however one irresponsible dog owner can create a disproportionately high problem (2 piles incidents per day, usually in roughly the same place).

The number of complaints received by both authorities in the last three years for dog fouling, fly tipping and abandoned vehicles are listed below:

<b>Year</b>	<b>Complaint</b>	<b>FHDC Incidents</b>	<b>SEBC Incidents</b>	<b>Total Incidents</b>
2012/13	<b>Dog Fouling</b>	<b>24</b>	<b>38</b>	<b>62</b>
	Fly Tipping	280	239	519
	Abandoned Vehicles	91	122	213
2013/14	<b>Dog Fouling</b>	<b>19</b>	<b>48</b>	<b>67</b>
	Fly Tipping	292	206	498
	Abandoned Vehicles	87	114	201
2014/15	<b>Dog Fouling</b>	<b>29</b>	<b>28</b>	<b>57</b>
	Fly Tipping	237	227	464
	Abandoned Vehicles	116	111	227

Within current resources, a range of activities are implemented in an attempt to change the behaviours of those irresponsible dog owners and to deal with incidents that have occurred. This includes reactive and proactive activity.

## 7.1 **Proactive work**

A range of prioritised actions are taken to resolve dog fouling issues which has traditionally included the use of signs, stickers and posters to educate and remind members of the public of the penalties for not cleaning up. More recently, pavement stencils have been used in 'hot spot' locations to remind dog owners to 'clean it up'.

There are also currently 561 dog bins and 907 litter bins across West Suffolk. A new combined dog and litter waste bin is being introduced as part of a replacement program for old or vandalised bins. This new bin is labelled to accept both litter and dog waste; it is more robust, has a larger capacity and eliminates the need for two separate bins to be installed often at the same location. These bins are clearly labelled on all four sides and promotion of these bins will be a part of campaigns and press releases regarding the dog fouling issue.

West Suffolk wide and targeted education is used to reinforce positive behaviours and encourage responsible dog ownership, such as 'No Excuses', 'The Poo Fairy' and the Dogs Trust 'Big Scoop'. These campaigns are supported with the sale of over 500 packs of dog bags at council offices.

## 7.2 **Reactive work**

When a complaint is received the investigating officer will visit the location to gather information from the complainant and other local residents through door knocking, letter deliveries and engaging with passers-by.

The location will be assessed for the appropriate warning signs, stickers and posters and if needed arrangements made for stencils to go on pavements. The number and location of litter and dog bins in the area will also be checked to assess if there is a need for better signage or to relocate any bins if absolutely necessary.

If a complainant knows the identity and address of an alleged offender but does not wish to make a formal statement then a warning letter is sent. If no potential offender can be identified then advisory letters are delivered to nearby houses to ensure local residents are aware of the dog fouling issue and to provide them with the necessary contact details if they see an offence taking place. To issue a FPN we have the burden of proof to be able to prove beyond all reasonable doubt that an offence has taken place.

Patrols of 'hot spot' locations take place if intelligence is received about a particular time period when it is believed that an offence is likely to take place. Officers will patrol on foot, sometimes in hi visibility jackets and if possible with the assistance of the local police or PCSOs monitoring the location and engaging with any members of the public encountered. However these patrols have not been effective in catching offenders to issue any FPNs, a problem which all Suffolk local authorities are encountering when trying to enforce dog fouling legislation.

We encourage the use of social media with complainants and parish

councils to discuss and highlight dog fouling issues; Forest Heath dog foulers and Red Lodge community page are active sources of discussion. Parish councils are also provided with assistance and advice including template articles for publication in local magazines or websites.

### 7.3 **Case Studies**

Different techniques have been used to reduce and resolve several dog fouling issues at the following locations without the need to issue any FPNs:

#### 7.3.1 Chalkstone Estate, Haverhill

Haverhill was the trial location in 2013 for a different approach in highlighting the issue of dog fouling 'hot spot' locations. A stencil was developed to spray a temporary message on a footpath reminding dog owners to 'clean it up'.

This followed work with a local neighbourhood police officer who assisted us in investigating a complaint of persistent dog fouling along Chalkstone Road (an issue which at this location has now been resolved).

Since then the stencils have been used in numerous locations of persistent fouling where our standard notices and signs have been ignored and have been noted to have an impact in raising the issue and reducing incidents.

#### 7.3.2 Great Whelnetham

In February 2015 a concerned resident reported the extent of dog fouling on the footpaths outside several residents' houses and along the route to the local primary school.

Initially increased warning signs and stickers were placed around the village as the provision of bins seemed adequate with a total of 4 dog bins and 3 litter bins throughout the village.

Posters were displayed to promote considerate dog ownership and a letter drop to all residents was undertaken over the course of several weeks to inform them of the issue and giving them details of how to report any offences witnessed.

Although no residents have yet to identify any potential offenders the blatant fouling on the footpaths has been reduced through highlighting the issue to the whole of the village.

#### 7.3.3 St Mary's Academy, Mildenhall

Pupils at St Mary's Church of England Academy in Mildenhall approached the council in July 2013 about an issue they were having on their school grounds.

The issue concerned inconsiderate dog owners throwing bags of dog waste over the school fence and onto the playing fields. The children wanted this stopped so that they could enjoy their playtimes again.



Officers responded by speaking with the children and agreeing to install warning notices and a new dog bin. The children also took part in the launch of that years 'Big Scoop' communication campaign run in conjunction with the Dog's Trust.

## **8 Suffolk wide activity**

There is a similar approach to the issue of dog fouling across Suffolk with the main focus being concentrated on non-enforcement based activities aimed at changing behaviours.

In Suffolk only three Local authorities have issued any FPNs for dog fouling in the last three years (Ipswich BC, Suffolk Coastal DC and Waveney DC).

- Ipswich BC only issue FPNs if officers witness an offence, they have issued one this year, two in 2014 and six in 2013.
- Suffolk Coastal DC have issued six since 2011, none have been issued as a result of enforcement patrols.
- Waveney DC has issued none this year, one in 2014 and two in 2013.
- Only Ipswich BC has prosecuted for the offence, one prosecution in each of the last three years.

Suffolk councils are in a similar position to other local authorities throughout the country who cannot rely solely upon enforcement to resolve dog fouling issues. Dog fouling is a problem which requires proactive work and education in the first instance to alter behaviours backed up by enforcement and the possibility of prosecution if required.

## **9 Alternative enforcement options**

### **9.1 DNA Testing**

Barking and Dagenham are set to be the first council in the UK to trial DNA testing in an effort to trace the owners of dogs mess which is not cleared up. A pilot scheme is being planned and if successful the scheme will be rolled out across the borough from September 2016.

A non invasive and painless cheek swab captures a dogs DNA, the result is recorded and an individual profile is created for that particular dog. In the event of offending mess being left behind a small sample is taken and sent for DNA analysis that can be matched with 99.9% accuracy to a registered dog. There is a 1 in 4,000,000 chance that another dog matches in addition to the reported match.

The cost of initial DNA registration is from £29.95 per dog depending on the size of the program and number of dogs registered, the cost for waste matching is £69.95.

A PSPO would need to be in place to designate an area as a location

where only DNA registered dogs were allowed. Using a microchip reader, an officer of the council would be able to identify any microchipped dog within a protected public space to confirm that it was DNA registered as required by the PSPO.

If such a check revealed that:

- the dog was not microchipped, the owner could be served with a notice requiring the dog to be microchipped.
- the dog was not DNA registered; the dog's saliva could be sampled on the spot for registration for which the owner could be charged.

Regular patrols of designated PSPO locations would be required to ensure compliance, potentially in pairs subject to a risk assessment of the activity. These locations would also require adequate signage to inform members of the public that any non DNA registered dogs are excluded from using the designated area.

Unfortunately, DNA testing is completely reliant on the offending owner having submitted their dog's DNA onto a register, therefore if the dog's DNA is not registered, no enforcement measures can be taken. The cost for dog owners to register their animals could be particularly prohibitive if an owner has several dogs. There is a £69.95 fee for DNA sampling which will not trace an owner if they are not registered; several samples may also be needed if there are several incidents which could increase costs with no chance of increasing enforcement.

Other limitations include:

- Dedicated officers would be needed to enforce any PSPO location to ensure compliance which would also restrict access to anyone with unregistered dogs.
- Dog owners may also not be happy to have swabs taken from their dogs for testing which would also require the officers to be trained for on the spot sampling.
- With numerous visitors from outside of the borough or on holiday this may prove detrimental to the number of people choosing to visit a location with such an Order imposed on it.

## **10 Options and actions**

The majority of dog owners are responsible and those that need to change their behaviour can be influenced through education or if necessary enforcement.

Existing methods have had an impact on changing these behaviours although the issuing of FPNs is not a successful enforcement tool due to the difficulty of witnessing an incident.

More partnership working and engagement within the community will prove most effective moving forward supported by the threat of

enforcement if appropriate. A targeted approach will be required for some activities focusing on 'hot spot' locations so that our actions are proportionate to the incidents reported.

There are a range of options and actions available to us that can be developed in order to challenge behaviours through:

- Communications;
- Partnership working;
- Campaigns; and
- Enforcement methods.

#### 10.1 **Communication**

We will continue to increase awareness that dog waste does not have to be put in a red dog bin, any general litter bin or the black household bin can be used. Where necessary new logos will be placed on bins stating that they are for both litter and dog waste disposal. This will ensure that dog owners who do clear up but cannot find bins are aware they can use general litter bins.

Information packs will be sent to parish councils with template articles on dog fouling for local newsletters and/or websites with contact details for reporting any witnessed incidents and other helpful guidance on disposal of dog waste.

We will also to continue to sell dog bags at council offices and other outlets to those customers who prefer to buy their bags from the council.

Guidance for reporting incidents will be developed for all council staff but especially frontline services such as park rangers.

#### 10.2 **Partnership working**

##### 10.2.1 **Paws on Patrol**

We will investigate the possibility of the police introducing their 'Paws on Patrol' scheme to West Suffolk, an initiative for dog walkers to report crime and promote responsible dog ownership. This would include the reporting of dog owners that are witnessed not clearing up.

The following partnership opportunities will have associated resource implications for West Suffolk if implemented.

##### 10.2.2 **Suffolk FA**

We will investigate working with the Suffolk FA to promote football pitches free of dog's mess which we may require joint funding for the cost of advertising materials (approximate cost of £500 per site).

A similar scheme was run in partnership with the Staffordshire FA and Stafford BC; a number of banners were placed between the goal posts and on corner flags with a keep our pitches clean message.

We will investigate the trial use of banners at a local playing field ready

for the start of the new season by liaising with the Parks Department and Suffolk FA.

### 10.2.3 **Green Dog Walkers**

The Green Dog Walkers (GDW) scheme which was developed by Falkirk council as a non-confrontational, friendly way to change attitudes about dog fouling. Volunteers wear a GDW armband (or their dogs wear the green GDW collar) to show they have "taken the pledge" to always:

- Clean up after their dog
- Carry extra dog waste bags
- Be happy to be approached to 'lend' a dog waste bag to those without
- Be a friendly reminder to other dog walkers to clean up after their dogs

There is license fee of £500 for the artwork and further set up costs dependant on what promotional materials are supplied for this initiative to be developed further in its current format.

We will investigate the use of the scheme in villages or where local community groups exist but this scheme is not viable for widespread use.

## 10.3 **Campaigns**

### 10.3.1 **Clean it Up**

We will develop a campaign to be launched in the lead up to the end of daylight saving time in October when the number of incidents increases with the dark mornings and evenings. This will encourage members of the public to report any incidents they see and remind dog owners of disposal options and FPNs for not clearing up after their dog.

An example of a similar campaign is the Dogs Trust yearly 'Big Scoop' campaign which is run during June to raise awareness of the need for dog owners to clear up.

The following campaigns have additional resource implications.

### 10.3.2 **'We Are Watching You'**

Keep Britain Tidy have developed a 'we are watching you' campaign through the use of glow in the dark posters which have seen a 46% decrease in incidents per site where the posters have been placed.

Suffolk Coastal and Breckland councils have just joined the campaign so no feedback is yet available on the local success of this campaign.

Joining the campaign costs £1,500 which includes the supply of forty A3 glow in the dark posters.

We will review the progress of the campaign at Suffolk Coastal DC and investigate the impact of the campaign. However implementation of the campaign will have a high cost.

## 10.4 **Enforcement**

### 10.4.1 **DNA Testing**

The use of DNA testing is not considered a viable option at this moment as they would significantly restrict public access to any designated locations and would require significant additional resources to implement and enforce.

There may be more benefit for housing associations to make use of this method if they have a specific issue at a specific location and suspect a particular resident. The DNA testing on a smaller scale would be able to confirm or deny suspicions when used specifically to target a localised issue.

It should be noted that success of the scheme is totally dependant upon dog owners registering their dog on the DNA database. If they are not registered there will be no record.

### 10.6.2 **PSPOs**

PSPOs can be introduced for specific measures such as keeping a dog on a lead but any such specific Order would need to be backed up by patrols for it to be visibly enforceable.

Without increasing current resources it is recommended that currently the only PSPO which should be introduced across West Suffolk would be for dog fouling. This would be a transition from the current arrangements through the old legislation and would enable the introduction of the higher level of FPN (£100) instead of the current £50.

This would not require additional resources to respond as it is something we currently enforce (subject to evidence); there would be minimal costs in the initial implementation of the legislation through advertising and consultation.

There would also be do restrictions placed on residents or visitors to public open spaces in West Suffolk.

We will progress the implementation of a PSPO across West Suffolk for dog fouling offences only.

### 10.6.3 **FPN Reward Scheme**

Some local authorities have introduced a 'reward scheme' offering the amount of a paid FPN as a reward to any person reporting someone not clearing up after their dog. There is no cost involved apart from administrating the payments as the fine becomes the reward.

The witness of any dog fouling incident has to be willing to make a statement and go to court if a FPN is not paid. The witness would only receive the reward if the FPN had been paid or for a successful prosecution.

It is recommended that the Council's procedures are amended so that a

reward can be offered for successfully paid FPNs for dog fouling offences. The positive effect is to encourage vigilance. However the issues faced by Officers to identify offenders will still apply and those claiming a reward they will not be able to remain anonymous as they must be prepared to go to court as a witness if necessary.

We will investigate the implementation of a FPN reward scheme for dog fouling offences only.

## **11.0 Summary**

In the context of other environmental crimes, dog fouling is not a significant issue in West Suffolk in terms of the number of occurrences and the majority of West Suffolk dog walkers and owners demonstrate responsible actions on a daily basis. However, dog fouling is an antisocial issue that is particularly offensive to those impacted by it.

There are a number of tools available to and used by the council to change what is in essence a behavioural issue. This includes an extensive network of bins and signs supported by both educational and enforcement activity.

However dog fouling is a localised issue and tends to be dealt with through targeted actions and working with the local community. In order to support this moving forward, the following additional actions will be taken.

1. Investigate introducing 'Paws on Patrol' in West Suffolk;
2. Produce reporting guidance for staff;
3. Investigate a banner campaign for football pitches with Suffolk FA;
4. Launch a 'Clean It Up' campaign in October 2015;
5. Introduce a PSPO for dog fouling offences across West Suffolk; and
6. Consider a FPN reward scheme across West Suffolk for reported dog fouling offences.

It should be recognised that enforcement activity will continue to be applied where appropriate, although reliance on this approach is limited by having sufficient evidence to take action. The nature, timing and location of incidents makes enforcement activity difficult and at this stage it is too early to determine if the introduction of new methods such as DNA testing will improve this.

# Overview and Scrutiny Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>On-Street Parking - Skyliner Way, Bury St Edmunds – Update</b>	
<b>Report No:</b>	<b>OAS/SE/15/012</b>	
<b>Report to and date:</b>	<b>Overview and Scrutiny Committee</b>	22 July 2015
<b>Portfolio holder:</b>	Alaric Pugh Portfolio Holder for Planning and Growth <b>Tel:</b> 07930460899 <b>Email:</b> <a href="mailto:alaric.pugh@stedsbcc.gov.uk">alaric.pugh@stedsbcc.gov.uk</a>	
<b>Lead officer:</b>	Steven Wood Head of Planning and Growth <b>Tel:</b> 01284 757306 <b>Email:</b> <a href="mailto:steven.wood@westsuffolk.gov.uk">steven.wood@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	To update the Committee on a number of options explored to see whether improvements could be made to alleviate the parking issues in Skyliner Way, Bury St Edmunds.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the report be noted.</b>	
<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>The Committee asked the Head of Planning to write to Suffolk County Council setting out that no parking restrictions should be imposed until all options for a layby had been explored for Skyliner Way, Bury St Edmunds.</li> <li>Suffolk County Council as Highway Authority had completed the survey of the grass verge to establish whether it would be possible to provide a layby to provide on-street parking.</li> <li>The survey carried out by the Highway Authority were inconclusive and further work has been undertaken and will be reported verbally at the</li> </ul>	

	meeting.		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>The Highways Authority are considering an alternative to the proposed layby to create bays to widen the road on the north side of Skyliner Way.</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>Risk/opportunity assessment:</b>	<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>		
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Failure to recognise parking issues	Medium	Continually monitor and provide mitigation through Suffolk County Council and Police	Low
Failure to apply Local and National Parking Standards for new developments	Low	Apply National and Local Parking Policies correctly for all new developments	Low
<b>Ward(s) affected:</b>	Morton Hall Ward		
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	See paragraph 2.1 of the report.		
<b>Documents attached:</b>	Appendix - Map of Skyliner Way. Bury St Edmunds (Overview and Scrutiny Committee – 3 March 2010)		



## **1. Key issues and reasons for recommendation(s)**

### **1.1 Background**

- 1.1.1 The on-street parking problems in Skyliner Way, Bury St Edmunds, were brought to the attention of the Committee at their meeting on 3 March 2010, as a Councillor Call for Action (CCfA) notification made by Councillor Trevor Beckwith. He felt that the Officers, at the time, had not addressed the issue to his satisfaction.
- 1.1.2 The Borough Council had an agency agreement with Suffolk County Council and had responsibility for all highway issues in the Borough including on-street parking controls. The Highway department felt that, in general, an acceptable level of on-street parking helps to reduce traffic speeds and does not create an issue unless the level of parking is such that there is a continuous line of parked vehicles that drivers have to commit themselves to passing without being able to see traffic approaching from the opposite direction. It was felt that the introduction of wholesale waiting restrictions would only move those parked vehicles to other locations.
- 1.1.3 The conclusions reached at the time, was that further consideration should be given to controlling parking by providing additional waiting restrictions to allow breaks in the parking sufficient for vehicles to pull-in to allow a vehicle travelling in the opposite direction to pass. This approach was likely to be more self-enforcing, will maintain an acceptable level of on-street parking that is clearly necessary. Although the lengths of additional waiting restrictions that would be necessary to achieve this were not discussed in detail, this general approach was supported by the Highway Authority and the police.
- 1.1.4 The Borough Council is no longer responsible for highway matters having been transferred back to Suffolk County Council (SCC). The position in relation to on-street parking, in this area, is no different to the position when first considered. The highway position, therefore, is that SCC will take action to address any significant access or safety issues arising from parking on the highway, restrictions were introduced on Skyliner Way when this was considered previously. SCC considers that displacement of parking into residential areas is not a highway issue unless it causes safety or access issues.
- 1.1.5 The Committee, at its meeting on 22 April 2015, acknowledged that it would be expensive to create a layby, but felt this was the most viable option and that any parking restrictions should not be implemented until all options for a layby had been exhausted.
- 1.1.6 The Western Area Highways Manager (SCC) informed the Committee on 22 April 2015, that he was currently investigating the feasibility of creating a layby and was waiting on information regarding the current depth of various utility services, as this would impact on costs if the utility services were not buried deep enough to enable a layby to be created which he would be able to report on at 22 July 2015 Committee meeting.

## **2. Actions and Views of the Highway Authority**

2.1 In 2010, a Traffic Regulation Order was implemented to address the concerns about parking in Skyliner Way. This was as a result of concerns expressed about the ability of two large vehicles to pass each other in the presence of parked cars. Extensive consultation was undertaken at that time with local residents regarding their issues with parking on Skyliner Way, but only a 10% response rate was achieved. These responses were mixed in their views, but it was clear that residents were concerned that if extensive parking restrictions were introduced into Skyliner Way vehicles would displace into the residential areas. Further background to the work undertaken can be found in the following St Edmundsbury Borough Council reports:-

- Overview and Scrutiny Committee - [Report A528](#) – 3 March 2010
- Overview and Scrutiny Committee - [Report B297](#) - 7 November 2010
- Bury St Edmunds Area Working Party - [Report A579](#) - 16 March 2010

At that time the Borough Council was still acting as Highway Agent for Suffolk County Council for Bury St Edmunds.

2.2 The prime consideration of the Highway Authority with regard to allowing on-street parking, is to ensure that it does not create a safety problem or unduly interfere with traffic flow. There is no change currently in the view of the Highway Authority regarding parking in Skyliner Way to alter the restrictions introduced in 2010.

2.3 The construction of the new relief road is likely to change the dynamic of traffic along Skyliner Way and this may result in a need to further restrict parking here. The project team for the new road are alive to this possibility and may in time offer a view on the need for this. It may be that this could not be fully assessed until the new road is open to traffic. Even then the new developments in this area may mean it is some time before the full impact of additional traffic is known, assuming no other changes are introduced.

2.4 One suggestion for removing parking from the carriageway of Skyliner Way is to create parking bays in the adjacent wide verge. Recently trial holes have been dug in the verge which proved to be inconclusive with regard to the presence of services. Further work will be carried out and a verbal update will be given at the meeting. Provided as suggested there are no services in the south side verge then it would be relatively straightforward to create a layby. A 100m long layby would cost in the region of £25,000.

2.5 If the additional investigations demonstrate that there is insufficient verge to incorporate the layby fully within the south side verge then an alternative considered is the creation of build outs on the carriageway to create the bays and widen the carriageway by approximately one metre on the north side as this would be sufficient to allow two way HGVs albeit below normal standard width for this road. Investigations however have shown the presence of an electricity cable within this verge which would hinder the widening, it would also result in the relocation of the lighting columns here and the estimated cost is in the region of £30,000. Even if full widening is not possible on the south

side of the road a 1 metre widening may be possible. It should be noted that the highway authority has not confirmed if this arrangement is acceptable.

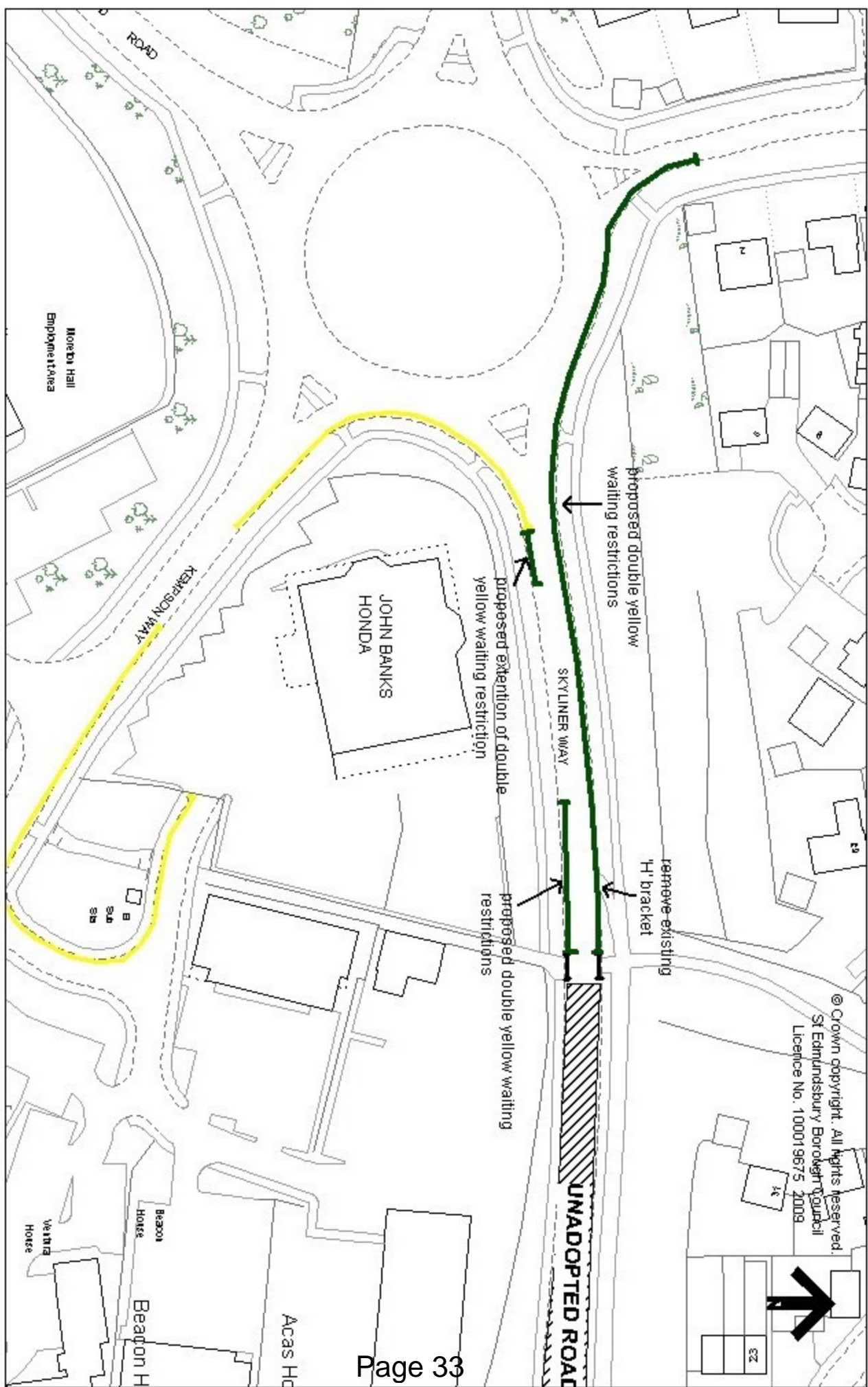
### **3. Funding**

- 3.1 The Highway Authority does not regard the provision of parking as part of its function, but will endeavour to manage such parking as can be permitted on the highway. As a result, it does not provide any direct funding for provision of parking places. However the Borough Council has recently been invited to submit bids to the On-Street Parking Account held by the Highway Authority. Bids have to be submitted by 31 July 2015, whilst the emphasis is for bids for the provision of off-street car parks, there is no reason why the Borough Council should not submit a bid to implement verge parking in Skyliner Way.

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SKYLINER WAY, BURY ST EDMUNDS

-  = existing H brackets
-  = existing double yellow waiting restrictions
-  = proposed double yellow waiting restrictions



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# Overview and Scrutiny of Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Work Programme Update</b>	
<b>Report No:</b>	<b>OAS/SE/15/013</b>	
<b>Report to and date:</b>	<b>Overview and Scrutiny Committee</b>	22 July 2015
<b>Chairman of the Committee:</b>	Diane Hind Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 07890 198957 <b>Email:</b> <a href="mailto:diane.hind@stedsbc.gov.uk">diane.hind@stedsbc.gov.uk</a>	
<b>Lead officer:</b>	Christine Brain Scrutiny Officer <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:Christine.brain@westsuffolk.gov.uk">Christine.brain@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	<p>1) To update the Committee on the current status of its rolling work programme of annual items for scrutiny during 2015-2016 and current Task and Finish Groups running (<b>Appendix 1</b>);</p> <p>2) To remind Members to complete the Work Programme Suggestion Form when submitting future items for potential scrutiny (<b>Appendix 2</b>).</p>	
<b>Recommendation:</b>	<p><b>Overview and Scrutiny Committee:</b></p> <p><b>That, Members <u>note</u> the current status of the work programme and the annual items expected during 2015-2016;</b></p>	
<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	
<b>Documents attached:</b>	<p>Appendix 1 – Current Work Programme and Task and Finish Group</p> <p>Appendix 2 - Work Programme Suggestion Form</p>	

## **1. Key issues and reasons for recommendations**

### **1.1 Rolling Work Programme**

1.1.1 The Committee has a rolling work programme, whereby suggestions for scrutiny reviews are brought to each meeting, and if accepted, are timetabled to report to a future meeting.

1.1.2 The work programme also leaves space for Call-ins and Councillor Calls for Action. The current position of the work programme for the next few months is attached at **Appendix 1** for information.

### **1.2 Member Work Programme Suggestion Form**

1.2.1 Attached at **Appendix 2** is the Member Work Programme Suggestion Form, which Members are reminded to complete when submitting future items for potential scrutiny.

1.2.2 This enables suggestions received to be considered by the Committee at each meeting.



## Overview and Scrutiny Committee Rolling Work Programme (St Edmundsbury Borough Council)

The Committee has a rolling work programme, whereby suggestions for scrutiny reviews are brought to each meeting, and if accepted, are timetabled to report to a future meeting. The work programme also leaves space for Call-ins and Councillor Calls for Action.

Description	Lead Officer	Details
<b>9 September 2015</b>		
Portfolio Holder Presentation	TBC	The Portfolio Holder has been invited to give a short presentation / account of their portfolio and answer questions from the Committee.
Outcome of Review of Christmas Fayre	Market Development Officer	The Task and Finish Group to report back to the Committee on the outcomes of the Christmas Fayre Review.
Cabinet Decision Plan	Scrutiny Officer	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Scrutiny Officer	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.
<b>11 November 2015</b>		
Portfolio Holder Presentation	TBC	The Portfolio Holder has been invited to give a short presentation / account of their portfolio and answer questions from the Committee.
Car Parking Review	Car Parks Manager	The Review Group to report on its findings to the Overview and Scrutiny Committee.
Skyliner Way, Bury St Edmunds	Head of Planning and Growth	Quarterly progress report in relation to the recommendations made by the Committee at its meeting held on 3 September 2014
Directed Surveillance (Quarter 2)	Monitoring Officer	To scrutinise the Council's use of its surveillance powers.
Cabinet Decision Plan	Scrutiny Officer	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Scrutiny Officer	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.

<b>Description</b>	<b>Lead Officer</b>	<b>Details</b>
<b>13 January 2016</b>		
Portfolio Holder Presentation	TBC	The Portfolio Holder has been invited to give a short presentation / account of their portfolio and answer questions from the Committee.
Skyliner Way, Bury St Edmunds	Head of Planning and Growth	Quarterly progress report in relation to the recommendations made by the Committee at its meeting held on 3 September 2014
Directed Surveillance (Quarter 3)	Monitoring Officer	To scrutinise the Council's use of its surveillance powers.
Cabinet Decision Plan	Scrutiny Officer	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Scrutiny Officer	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.
<b>9 March 2016</b>		
Portfolio Holder Presentation	TBC	The Portfolio Holder has been invited to give a short presentation / account of their portfolio and answer questions from the Committee.
Cabinet Decision Plan	Scrutiny Officer	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Scrutiny Officer	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.
<b>20 April 2016</b>		
Portfolio Holder Presentation	TBC	The Portfolio Holder has been invited to give a short presentation / account of their portfolio and answer questions from the Committee.
Skyliner Way, Bury St Edmunds	Head of Planning and Growth	Quarterly progress report in relation to the recommendations made by the Committee at its meeting held on 3 September 2014
Directed Surveillance (Quarter 4)	Monitoring Officer	To scrutinise the Council's use of its surveillance powers.
Cabinet Decision Plan	Scrutiny Officer	To peruse the latest Decision Plan for items on which it would like further information or feels might benefit from the Committee's involvement.
Work Programme Update	Scrutiny Officer	To receive suggestions for scrutiny reviews, appoint Task and Finish Groups for these reviews and indicate review timescales.

Futures items to be programmed at a later date

1. Future Developments for Regional Transport in West Suffolk (A1307) – Progress Report.
2. Update on North West and North East Haverhill including Haverhill Town Centre Master Plan.
3. Decisions Plan: West Suffolk Operational Hub: Joint Scrutiny with Forest Heath District Council: Early September 2015
4. Decisions Plan: Local Housing Investment Options: Joint Scrutiny with Forest Heath District Council: Scrutinise the full business case September / October 2015

### Current position of Overview and Scrutiny Task and Finish Groups

	<b>Title</b>	<b>Purpose</b>	<b>Start date</b>	<b>Members appointed</b>	<b>Estimated End date</b>
1.	New Housing Development Sites (Joint Scrutiny Review)	To jointly review with Forest Heath District Council the unacceptable length of time taken by housing developers to bring highways, footpaths, landscaping and open space up to adoption standards on new developments.	August 2013	<u>St Edmundsbury</u> Diane Hind Angela Rushen Jim Thorndyke	TBA
			<b>Progress updates</b>	23 January 2014	
2.	Christmas Fayre	To review the Christmas Fayre and to adopt a five year operational plan.	June 2015	<u>St Edmundsbury</u> Terry Buckle Patrick Chung Jeremy Farthing Richard Rout Clive Springett Frank Warby	TBA



**Suggestion for Scrutiny Work Programme Form  
(To be considered by the Overview and Scrutiny Committee)**

<b>Suggestion from:</b>

<b>What would you like to suggest for investigation / review?</b>
Please continue on a separate sheet if necessary

<b>What are the main issues / concerns to be considered?</b>
Please continue on a separate sheet if necessary

<b>Would this review benefit from a "West Suffolk" approach (i.e. joint scrutiny by both Councils), or is it relevant only to your council?</b>

<b>Who is responsible for providing this service, or tackling the issue in question?</b>
<b>Have you spoken to them, and if so, what was the response?</b>
<b>What is the Portfolio Holders view on this issue?</b>
<b>What would be the likely benefits and outcomes of carrying out this investigation / review?</b>
<b>Estimated Committee and officer resource implications (eg research group, one-off report, dedicated meeting etc)</b>
<b>Suggested witnesses, documentation and consultation</b>

<b>Will this investigation / review contribute to one or more of the Council's Strategic Priorities? If so, which (please tick)</b>	
<b>Increased opportunities for economic growth</b>	
<b>Resilient families and communities that are healthy and active</b>	
<b>Homes for our communities</b>	

<b>Will this investigation / review contribute to the achievement of one or more of the commitments within the Council's Strategic Plan 2014-2016? If so, which (please tick)</b>	
<b>Increased opportunities for economic growth:</b>	
1. Benefit growth that enhances prosperity and quality of life.	
2. Existing businesses that are thriving and new businesses brought to the area.	
3. People with the educational attainment and skills needed in our local economy.	
4. Vibrant, attractive and clean high streets, village centres and markets.	
<b>Resilient families and communities that are healthy and active:</b>	
1. A thriving voluntary sector and active communities who take the initiative to help the most vulnerable.	
2. People playing a greater role in determining the future of their communities.	
3. Improved wellbeing, physical and mental health.	
4. Accessible countryside and green spaces.	
<b>Homes for our communities:</b>	
1. Sufficient housing for current and future generations, including more affordable homes; improvements to existing housing.	
2. New developments that are fit for the future, properly supported by infrastructure, and that build communities, not just housing.	
3. Homes that are flexible for people's changing needs.	

<b>Will this investigation hit one of the essential elements of a scrutiny review when analysing potential scrutiny reviews? If so, which (please tick)</b>	
<b>Public Interest:</b> The concerns of local people should influence the issues chosen by overview and scrutiny.	
<b>Impact (Value):</b> Priority should be given to issues that make the biggest difference to the social, economic and environmental wellbeing of the area, and which have the potential to make recommendations which could lead to real improvements. The outcome must also be proportionate to the cost of carrying out the review in terms of staff and councillor time.	
<b>Relevance:</b> Overview and scrutiny must be satisfied that an issue identified for review is relevant and does not duplicate existing work being undertaken elsewhere by various Working Groups, Cabinet, partners etc.	
<b>Partnership working or external scrutiny:</b> The focus of scrutiny is moving towards joint action and community leadership, so anything which offers this opportunity should be given serious consideration.	

<b>Would you like to be involved in the investigation / review?</b>	
Yes	No
<b>Date of request:</b>	<b>Signed</b>

**Please return this form to the:**

Scrutiny Officer, Forest Heath District Council, College Heath Road, Mildenhall, Suffolk, IP28 7EY

Email: [Christine.brain@westsuffolk.gov.uk](mailto:Christine.brain@westsuffolk.gov.uk)

Updated: July 2013

Updated: June 2014 (Revised West Suffolk Strategic Priorities)

Updated: March 2015 (Amended as a Joint Form)