

Overview and Scrutiny Committee

Minutes of a meeting of the **Overview and Scrutiny Committee** held on **Thursday 9 January 2020** at **5.00pm** in **Conference Chamber West (FR1-09), West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

Present: **Councillors**

Chair David Nettleton
Vice Chair Simon Cole

Michael Anderson
Simon Brown
Tony Brown
Mike Chester
Patrick Chung
Terry Clements
Stephen Frost

Diane Hind
Paul Hopfensperger
Lisa Ingwall King
Joe Mason
Jim Meikle
Marion Rushbrook
Ian Shipp

In attendance:

Joanna Rayner, Cabinet Member for Leisure, Culture and Community Hubs

36. **Substitutes**

No substitutions were declared.

37. **Apologies for Absence**

No apologies were received.

38. **Minutes**

The minutes of the meeting held on 14 November 2019 were confirmed as correct record and signed by the Chair.

39. **Public Participation**

There were no members of the public in attendance on this occasion.

40. **Announcements from the Chair Regarding Responses from the Cabinet to Reports of the Overview and Scrutiny Committee**

The Chair informed members he attended Cabinet on 26 November 2019 to present the Committee's report on items it considered on 14 November 2019 and drew relevant points from the report to the Cabinet's attention. In particular discussions were held on the recommendations from the Committee relating to the Draft West Suffolk Strategic Framework 2020-2024.

41. **Management of Events in West Suffolk**

[Councillor Joe Mason declared a non-pecuniary interest as the Chairman of the Haverhill Show.

Councillor Lisa Ingwall-King declared a non-pecuniary interest as an organiser of the Green Fayre, Bury St Edmunds]

The Cabinet Member for Leisure, Culture and Community Hubs presented Report No: OAS/WS/20/001, which the Committee had requested on the Management of Events in West Suffolk's Parks and Open Spaces covering:

- Number/type of events held per year;
- Terms and conditions placed on event organisations;
- Legal frameworks and conditions (national);
- How does the Council ensure event organisers comply with the conditions placed on them, and how was this then enforced.

The Council's parks and public open spaces hosted a range of outdoor events and activities each year. Around 130 events were held in 2019, some of which were held over several days. Attached at Appendix A to the report was a list of events which had taken place in 2019. The events were diverse in nature and as the owner of the land on which these events took place, the Council had a duty of care to ensure that they were appropriately managed.

Attached at Appendix B to the report was the current terms and conditions of hire, which was available on the Council's website. Whilst the Council had a duty of care, as set out in the terms of conditions, the arrangement meant the balance of risk to deliver the events rested with the third-party organiser.

The managerial health and safety processes and protocols which were in place for event management had been reviewed and evolved over the years in line with best practice and national guidance. The Council had a dedicated section in its Health and Safety Policy devoted to event safety and was available on the Council's website.

Attached at Appendix C to the report was a list of complaints received over the last three years for events held in the Council's Parks and Public Open Spaces, which remained low. When complaints were received, they were investigated, and the parks service took reasonable action to mitigate against them happening again in the future.

The Committee was asked to note:

- The number and scale of events held in West Suffolk parks each year and the low number of complaints received compared with the public support for them.
- The terms and conditions and relevant legal frameworks placed on event organisers and the Council's arrangements for enforcement.

The Committee was also asked to make recommendations to the Cabinet Member for Leisure, Culture and Community Hubs to ensure the continuation of these events and that the terms and conditions remained fit for purpose.

The Committee considered the report in detail and asked questions. In particular discussions were held on the income generated from events; adverse weather conditions and whether events have had to be cancelled; whether clean-up costs have had to be enforced; whether complaints received were predominantly from the same people; vehicle movements on event sites; and complying with helicopter legislation, to which comprehensive responses were provided.

In response to a question raised regarding which events listed in Appendix A provided an income, the Cabinet Member agreed to provide a list of which ones generated an income.

In response to a question raised regarding Haverhill Recreation Ground and the conditions attached to it meaning it was unable to charge an entrance fee, which was becoming problematic, the Cabinet Member and officers agreed to exploring charity events and fees with the member outside of the meeting.

In response to a question raised regarding compliments received, the Cabinet Member stated that the service did receive positive feedback and agreed to include this information in any future reporting.

In response to a question raised regarding whether local byelaws might provide the Council with powers to try and stop events from being shut down as a result of complaints, the Cabinet Member agreed to investigate this further.

The Committee was unanimous that there should be more events held across the whole of West Suffolk and in communities. In response the Cabinet Member confirmed that the service wanted to hold more events across West Suffolk and asked if members had any ideas or suggestions to forward them to Damien Parker (Leisure and Cultural Services Manager).

Detailed discussions took place on events held in the Abbey Gardens, Bury St Edmunds, in particular the Nearly Festival. Discussions were held on the concerns raised last year by a small number of nearby residents who complained that they felt the music broke noise regulations.

The Cabinet Member explained in detail that when the former council transferred the property located within the Gardens, the sales documentation made it clear that noisy public events had been and would continue be held in the Abbey Gardens. The Council had, in partnership with the event organisers, put in place what it considered to be reasonable measures to reduce the impact on neighbouring residents. Whilst last year's Nearly Festival had provoked three people to complain concerns over the festival not taking place on site in the future had provoked a significant number of people to lobby for it's continuation. In response to the feedback, the Council was working closely with the festival organisers on appropriate noise controls to try to reach a satisfactory conclusion for all. She also confirmed the Council was committed to the 2020 Nearly Festival.

Councillor Lisa Ingwall-King commended the report but felt there should be more emphasis on the environment within the terms of conditions of hire (Appendix B) and Event application process. She then tabled a short paper setting out suggestions that included ensuring recycling/composting bins were provided at events; ensuring vegetarian/vegan food was offered; recycled toilet paper and banning the use of single use plastic.

In response to the above suggestions, the Cabinet Member thanked Councillor Lisa Ingwall-King for her comprehensive notes, which were really recognised as good ideas, but before progressing these she would ask the West Suffolk Environment and Climate Change Task Force to consider the suggestions and any implications further.

At the conclusion of the discussions the Committee wished to congratulate the service for all its hard work in overseeing the events held across West Suffolk.

The Committee **noted** the scale of events held in West Suffolk and the terms of conditions and the relevant legal frameworks placed on event organisers and the Council's arrangements for enforcement.

Councillor David Nettleton then moved the recommendation, this were duly seconded by Councillor Ian Shipp, and with the vote being unanimous, it was:

RECOMMENDED:

That the Cabinet Member for Leisure, Culture and Community Hubs be asked to consider further the comments raised during the meeting, and progress as appropriate to ensure the continuation of these events and that the terms and conditions remain fit for purpose.

42. **Cross Authority Task and Finish Group - Citizens Advice (Verbal Report)**

The Chair, Councillor David Nettleton informed the Committee that the Cross-Authority Task and Finish Group held its final meeting on Tuesday 7 January 2020, which Councillor Patrick Chung attended. The final report setting out the group's findings would be available shortly and would be included on the Committee's agenda on 12 March 2020 for its consideration. There being no decision required, the Committee **noted** the verbal update.

43. **Work Programme Update**

The Committee received Report No: OAS/WS/20/002, which updated Members on the current status of its rolling work programme of items for scrutiny during 2019-2020 (Appendix 1).

The Chair reminded members that an Extraordinary Committee meeting had been arranged for Thursday 23 January 2020 at 6pm, for the Committee to consider the report from the Parking Review Group.

Councillor Diane Hind informed members that she felt there was a lack of scrutiny of the Cabinet Members in general by the Committee. She explained

that under the previous Council's Overview and Scrutiny Committee a Cabinet Member was invited to each meeting to give an update on their portfolio, which she felt had worked well and would like to see this introduced again.

In response the Chair and Vice-Chair explained that Cabinet Members were being invited to attend meetings, when there were specific, important issues to be considered. For instance, the Leader attended in June 2019 to present the Annual Report and gave an update on his portfolio; the Cabinet Member for Housing attended in September 2019 and presented the West Suffolk Homelessness Reduction and Rough Sleeping Strategy and at the same meeting responded to wider housing questions which had been submitted in advance of the meeting for the Cabinet Member to provide written responses. The Cabinet Member for Housing would also be in attendance again on 12 March 2020 when Havebury Housing Partnership would be in attendance. The Cabinet Member for Leisure, Culture and Community Hubs was in attendance this evening who had presented the report on the Management of Events in West Suffolk and answered questions comprehensively. The Chair and Vice-Chair felt this new approach had worked extremely well and acknowledged Councillor Hind's comments.

In response to a question raised at its meeting held in November 2019 relating to the proposed Newmarket Cinema, the Democratic Services Officer (Scrutiny) confirmed a written response had been circulated by email to the Committee on 5 December 2019. The Monitoring Officer provided a further update stating that a press release was issued on the 19 December 2019 explaining extra time was needed due to national changes to how authorities fund major projects had meant further work was being carried out by the Council on the financial impact and options for a cinema for Newmarket.

Members then raised concerns regarding how authorities funded major projects and, as a result of the recent interest rate increase by the Public Loans Works Board, what the impact might be on the Council's Asset Management Plan. However, the Committee acknowledged that financial scrutiny of this fell to the Performance and Audit Scrutiny Committee and the Financial Resilience Sub-Committee.

Councillor Lisa Ingwall-King suggested the Committee receives an update and reviews the decision made by the previous Council on the anti-idling campaign and explores if anti-idling zones could be introduced at sensitive locations in the district alongside the campaign. The Committee agreed for this to be included as a future work programme item, following the completion of the work programme suggestion form.

The Committee noted the **update** and that Councillor Lisa Ingwall-King would complete a work programme suggestion form to help inform officers on the scope of the update on the anti-idling campaign.

The meeting concluded at 6.25pm

Signed by:

Chair