

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 14 November 2017 at 6.00 pm.

PRESENT: Councillor R.J. Jackson (Chairman)

Councillors: M.G. Cope, Mrs G. Dawn, P.C. Duncan, Mrs L. Hurst, J.D. Lee, D.B. Staples, Mrs L.M.J. Tift, Mrs A.A. Truswell, I. Walker (substitute), K. Walker and Mrs Y. Woodhead.

ALSO IN

ATTENDANCE: Councillor K. Girling

21. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor N.B. Mison, Councillor I. Walker attended the meeting as his substitute.

22. DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS

The following Members declared their interests.

<u>Member/Officer</u>	<u>Agenda Item No.</u>
Councillor Mrs A.A. Truswell	Item No. 6 – Active4Today – Draft Business Plan 2018/19 and Performance Update. Personal Interest as she was a Director of Active4Today.
Councillors: M.G. Cope and P.C. Duncan	Item No. 7 – Grounds Maintenance Service Level Agreement – Newark Town Council. Personal Interests as they were both Members of Newark Town Council.

23. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman advised that the proceedings were not being audio recorded by the Council.

24. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2017

AGREED that the Minutes of the meeting held on 19 September 2017, be approved as a correct record and signed by the Chairman.

25. DRAFT REVENUE BUDGET FOR 2018/19

The Committee considered the report presented by the Assistant Business Manager – Financial Services in relation to progress made, to-date, on the budget for 2018/19.

The report set out the overall strategy of how the budget was to be developed and the timetable for this. The report provided information as to the continuing financial environment for local government. Reference was also made to the current situation in relation to business rates and the consultation on proposals to allow local government to retain 100% of business rates income locally. Also included in the report was information regarding income from fees and charges; the budget strategy, including base budget; staff costs; employer's superannuation; and provision for inflation. The report also set out that Committees needed to continue to scrutinise their budgets to look for opportunities for further savings with reference also being made to the proposed guideline figure for increases to fees and charges.

The Assistant Business Manager also referred to the process for reporting performance, where business managers will be required to provide forecasts of year end outturn. The performance report to the end of September 2017 will be presented to the next Policy & Finance Committee. A Member thanked the Assistant Business Manager for the changes in reporting performance to the Committee. He requested that a minus sign be included rather than brackets for any income. Clarification was also sought regarding the proposed 'invest to save' initiative. The Assistant Business Manager confirmed that Members and Officers had been asked to look at all budget areas to make savings and to maximise income to enable the Council to meet financial pressures in future years.

AGREED (unanimously) that:

- (a) the Committee undertakes a review of fees and charges in accordance with the Corporate Charging Policy;
- (b) the current draft Committee budget be incorporated into the overall service budget be reported to Policy & Finance Committee at its meeting on 30 November 2017;
- (c) the Business Manager and Chief Officer – Financial Services, continues to formulate budget proposals for formal consultation at the Leisure & Environment Committee meeting on 23 January 2018 for recommendation to Policy & Finance Committee on 22 February 2017; and
- (d) a minus sign be included in the budget reporting rather than brackets for any income.

26. ACTIVE4TODAY – DRAFT BUSINESS PLAN 2018/19 AND PERFORMANCE UPDATE

The Committee considered the report presented by the Director Customers and the Managing Director - Active4Today, which presented the Active4Today Draft Business Plan 2018/19 and provided an update on the Company's latest quarterly performance.

Members considered the report and a Member commented that the work undertaken to reduce the subsidy to Southwell Leisure Centre was welcomed, the report however indicated that the Council donated a number of central services which roughly equated the same figure, which did not compare to how the Authority funded Active4Today. The Director – Customers confirmed that the central charges had been reviewed and a more reasonable sum agreed of around £55,000 - £65,000 per annum.

A Member commented on the pull through of data for user numbers which was not currently taking place as detailed in 3.1 (d) of the report and raised concern regarding this being an underestimate due to computer error. The deprived areas in the district were also raised as the report had stated that the deprived areas for the Dukeries Leisure Centre were under the post code of NG22. It was commented that this information was meaningless as affluent areas were included within that post code. Clarification was also sought regarding the accuracy of the information regarding 30 classes and programmes being facilitated through the programme providing access for over 1500 new customers.

The Managing Director - Active4Today confirmed that the information provided was from Sports England Guidance and mapped to Sports England information.

The Managing Director – Active4Today also confirmed that clarification regarding the classes Active4Today claimed to have delivered would be confirmed by the Sports Development Team and a written response would be provided to Members of the Committee.

Comment was also raised regarding the suggested outcomes at 4.2 – Proposed outcomes for the business plan, of the report. It was felt that they were not outcomes, they were processes. Outcomes should be measurable events.

The Managing Director – Active4Today used an example and informed the Committee that work was being undertaken regarding leisure in the west of the district. High level strategic objectives were trying to be achieved and these were captured within the proposed business plan. Other smaller objectives however, were in place under these, however, these were not reported on, as they were more operational and the focus of the Leisure and Environment Committee was of a strategic nature.

Clarification was sought regarding whether the Sports Development Team provided work within deprived areas. The Managing Director - Active4Today confirmed that this was captured within the appendix II of the report and examples included work with children with behavioural problems was being undertaken. Sport England development funding was also used for this work.

Clarification was sought regarding the Dukeries Leisure Centre and South Forest for the next twelve months and the joint working opportunity with the Newark Leisure Village.

The Managing Director - Active4Today confirmed that South Forest was currently a good news story. The transition for the leisure centre had gone well and had been welcomed by the local community. The membership was predominantly children based and had increased by approximately 40 to 500 over the period of the move. An update report regarding membership would be submitted to the January meeting of the Committee. The Newark leisure village was also discussed; Members were informed that discussions had taken place with the YMCA for joint working. YMCA had been looking at an offer for Cross Fit Training, an activity Active4Today were not currently providing; this may provide an opportunity for joint working with shared financial benefit.

AGREED (unanimously) that:

- (a) the Active4Toady Draft Business Plan 2018/19 be considered;

- (b) the quarter 2 performance be noted;
- (c) Active4Today provides the January Committee meeting with its latest in-year financial position and full year forecast in order that the Committee can form judgements on the appropriateness of the management fee payable in 2018/19;
- (d) Active4Today provides the January Committee meeting with a breakdown of how it is proposing to spend the management fee in relation to Sports Development;
- (e) the proposed aim to reduce the management fee payable to Southwell Leisure Centre Trust to Zero by 2010/21 be approved; and
- (f) clarification regarding the classes Active4Today claimed to have delivered would be confirmed with the Sports Development Team and a written response would be provided to Members of the Committee.

27. GROUNDS MAINTENANCE SERVICE LEVEL AGREEMENT – NEWARK TOWN COUNCIL

The Committee considered the report presented by the Business Manager - Parks & Amenities, which informed Members of the proposed renewal extension of the Service Level Agreement (SLA) with Newark Town Council for the grounds maintenance works of Town Council parks and open spaces.

The new SLA would run for a period of three years commencing on the 1 April 2018 and would be for the sum of £168,489 plus the percentage CPI as at September 2017. The increase in CPI for the period September 2016 to September 2017 was 2.2% and the SLA figure for 2018/19 would thus be £172,196. This sum would be uplifted by the percentage rate of CPI as at September each year, on an annual basis for the remaining period of the SLA. The operational detail and requirement of the new SLA remained the same as the previous agreement.

The Deputy Section 151 Officer had advised that should the SLA not be agreed, the Council would need to seek savings of £172,200.

AGREED (unanimously) that the establishment of a new Service Level Agreement with Newark Town Council for the Grounds Maintenance of its Parks and Open Spaces be approved.

28. PUBLIC SPACES PROTECTION ORDERS

The Committee considered the report presented by the Business Manager Environmental Health & Licensing which reported the findings of the District wide review of the 2007 Dog Control Orders.

The Committees approval was sought to revise the schedules created under the Dog Control Orders and formally publicise and consult on a scheme of revise controls with a view to amending the now Public Space Protection Orders under the new provisions of the Antisocial Behaviour Crime and Policing Act 2014.

Newark and Sherwood District Council utilised the Clean Neighbourhoods and Environment Act 2005 and adopted a scheme of Dog Controls Orders which were last revised on 30 March 2010. The Orders and schedules were provided in Appendix 1 to the report.

It was considered appropriate that the following controls were proportionate and could be adopted as Public Spaces Protection Orders.

Public Space Protection Order 2017, The Fouling of Land by Dogs (Newark and Sherwood District) (Relevant Locations Schedule 1) – The offence under this order would be failing to immediately remove dog feces from land.

Public Space Protection Order 2017, Dogs on Leads by Direction (Newark and Sherwood District) (Relevant Locations Schedule 2) - The offence under this order would be not putting, and keeping, a dog on a lead when directed to do so by an authorised officer, by way of verbal instruction or written request displayed upon the land.

Public Space Protection Order 2017 Dogs on Leads (Newark and Sherwood District) (Relevant Locations Schedule 3) - The offence under this order would be exercising a dog off the lead in certain areas (Churchyards, cemeteries and other areas in need of special consideration).

Public Space Protection Order 2017 Dogs Exclusion Areas (Newark and Sherwood District) (Relevant Locations Schedule 4) - The offence under this order would be permitting a dog to enter land from which dogs are excluded (Children's playgrounds).

Public Space Protection Order 2017 Allowing a dog to be out of control when exercised (Newark and Sherwood District) (Relevant Locations Schedule 5) - The offence under this order would be being unable to control a dog that is exercising off the lead by recalling it.

The report also provided details of the consultation process that had taken place and a timeframe for further consultation and implementation. It was also proposed that the controls and associated offences, which would be punishable by a fixed Penalty Notice set at the rate of £75.

Members considered the report and it was suggested that the formal consultation period proposed to take place on 1 December 2017, be amended to commence in January 2018, this would provide the opportunity for Town and Parish Council's to meet after the Christmas break. A proposed change to Recommendation C was also suggested for the fixed penalty notice of £75 to be reduced to £40 if paid within thirty days, rather than fourteen days as suggested. This would give the public a reasonable period of time to make payment.

Clarification was sought as to which Officers would be able to issue enforcement tickets and whether they would have chip and pin machines to identify the owner of the dog. The Business Manager confirmed that dog wardens, Environmental Health Officers, park wardens and any other employees that had undertaken training would all have the authority to issue fixed penalty tickets to offending people. They would not all carry chip and pin readers, however it was the person responsible for the dog at the time the offence took place, would be issued with the fixed penalty ticket, this person was not necessarily the pet owner. Training sessions were also taking place to train staff for problem areas, although catching the culprits was often difficult as dog fouling often took place early in a morning or late evening.

Clarification was sought regarding whether any of the orders covered horse fouling as that was an issue in Blidworth at the present time. The Business manager confirmed that the orders currently only covered dog fouling, however the Public Space Protection Order could cover wider areas. Further work would be undertaken with the Police to see if there were any other areas of anti-social behaviour to be included into orders. A further report would be submitted to a future meeting of the Committee.

A Member sought clarification as to why the Castle grounds had been included within the category for dogs to be kept on leads and commented that this was an unnecessary addition. The Business Manager confirmed that the land owner/wardens would have been asked during a consultation exercise regarding this. The Castle grounds were Council owned and the warden would have asked for those grounds to be included in the order.

The Business Manager Parks & Amenities confirmed that the Castle grounds were included within a uniform rule, which also included ornamental gardens and church gardens. A discussion took place as to whether the Castle grounds should be removed from the order. The Business Manager Environmental Health & Licensing confirmed that the orders were out for consultation and any comments would be addressed within that formal process. The recommendation sought Committee approval for the Orders and for the consultation to take place.

AGREED (unanimously) that:

- (a) the automatic conversion of existing Dog Control Orders to Public Spaces Protection Orders from 20 October 2017 be noted;
- (b) Members support the proposed Public Spaces Protection Orders as set out in the consultation document and that a formal 6 week consultation period takes place starting on 1 December 2017; and
- (c) the charge applied to a fixed penalty Notice be £75 reduced to £40.00 if paid within 30 days.

(Councillor J. Lee left the meeting at this point).

29. THE FUTURE OF FOOD REGULATION

The Committee considered the report presented by the Business Manager Environmental Health & Licensing which provided details about the plans for the Future of Food Regulation issued by the Food Standards Agency.

In December 2016 the Food Standards Agency (FSA) published a discussion paper entitled 'Regulating our Future' (RoF) which set out an ambition to review the current controls for food safety and regulation and developing new model. The FSA stated that 'The Regulating our Future programme will completely change the way food businesses are regulated and inspected across England, Wales and Northern Ireland. We aim to have a new system in place by 2020.'

Throughout 2017 the FSA had been holding a number of open workshops, Business Forums and publishing newsletters to seek opinions on their proposals and to flesh out how the proposals would work in practice. In July 2017 the FSA published its proposed model for the future. A copy of this was attached as Appendix 1 to the report. The report also set out a commentary on the key points contained on the document and the local impact that the changes may have for Newark and Sherwood.

Members considered the report and commented that dissolving responsibility to private companies would be a retrograde step. The Local Authority provided an independent service; there would be no guarantee with third party companies undertaking the role, as they would be working to the remit of the business and not to that of the Council. Members endorsed the comments of the Business Manager Environmental Health & Licensing and asked that the comments contained within the report be forwarded to the FSA and also include that Members of the Committee would urge for the service to be retained by the Local Authority.

AGREED (unanimously) that the comments of Business Manager Environmental Health & Licensing contained within the report be endorsed by the Committee and a formal response be forwarded to the Food Standards Agency setting out those comments and stating that the Leisure and Environment Committee strongly disagree with FSA proposal and urge that the Environmental Health service for food safety and regulation be retained by the Local Authority.

30. MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE – ANNUAL STATEMENT OF ACCOUNT

The Committee considered the report presented by the Business Manager Financial Services, which presented the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee. The relevant Minute from the 22 May 2017 meeting of the Mansfield and District Crematorium Joint Committee was also appended to the report for information.

A Member sought clarification as to whether residents of Mansfield received a discount for cremations. It was confirmed that a written response would be provided to Members of the Committee.

AGREED (unanimously) that:

- (a) the Annual Statement of Accounts for the Mansfield and District Crematorium Joint Committee be noted; and
- (b) clarification regarding whether residents of Mansfield received a discount for using the crematorium facility be provided in writing to Members of the Committee.

31. HEALTH AND WELLBEING

There were no items to report.

The meeting closed at 7.35pm.

Chairman