

WYRE FOREST DISTRICT COUNCIL
OVERVIEW & SCRUTINY COMMITTEE
HELD REMOTELY
THURSDAY, 4TH MARCH 2021 (6PM)

Present:

Councillors: M J Hart (Chairman), S J Chambers (Vice-Chairman), N J Desmond, P Dyke, C Edginton-White, S Griffiths, A L L'Huillier, S Miah, T L Onslow, S E N Rook and D R Sheppard.

Observers

Councillors: G W Ballinger, J F Byng, R H Coleman, H E Dyke, I Hardiman, F M Oborski MBE, C Rogers and P W M Young.

OS.72 Apologies for Absence

Apologies for absence were received from Councillor M Rayner.

OS.73 Appointment of Substitutes

Councillor P Dyke was a substitute for Councillor M Rayner.

The Chairman announced that following the changes to the political balance agreed at Council in February, the membership of the Committee had been increased from 10 to 11, and he was pleased to welcome Councillor A L'Huillier onto the Committee.

OS.74 Declarations of Interests by Members

No declarations of interest were made.

OS.75 Minutes

Decision: The minutes of the meeting held on 4th February 2021 be confirmed as a correct record and signed by the Chairman.

Councillor P Young joined the meeting at 6.13pm.

OS.76 Public Participation

The Chairman announced that five members of the public had registered to speak in relation to agenda item 6 - Review of Public Space Protection Orders and Results of the Consultation Process. He advised that Cath Pedwell was unable to attend and Linda McKenzie would read the statement on her behalf.

The Chairman invited each of the registered speakers in turn to address the Committee.

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Linda McKenzie: *I'd like to start by quoting The Local Government Association Workbook on Scrutiny which says that you have been elected by your local community to represent them and their needs that you bring a different perspective to the decision making process to that provided by the council executive or officers. I would therefore request that my questions are answered by an elected Councillor. I would like an elected Councillor to take responsibility and to be accountable for their decisions please.*

The Workbook also says "The scrutiny committee gathers evidence on issues affecting local people and all scrutiny work must add value. It must make a positive contribution to the lives of local people. The Dog Limit PSPO fails on every requirement and expectation stated in that workbook. On the evidence question there is no evidence that has been offered that these multiple dog owners in this district have ever caused a reportable incident or allowed their dog to foul without picking up after them. So if there is no negative impact in the first instance there is no positive impact under the PSPO and absolutely no evidence to support the PSPO or indeed in my opinion any limit on the number of dogs at all. Do you know what shocked me to the core about the Council's decisions? It is the victimisation of innocent dog owners who own multiple dogs and professional dog carers, without any evidence to support their decision. I cannot believe that a local authority wants to victimise a minority group. The Council have wrapped up a load of emotionally charged issues and then lumped them in with owners of more than a couple of dogs. You vilified them and made them enemies of the people with this PSPO dog limit. Any dog related incidents are covered in law whether that's fouling or an out of control dog. I don't believe that you should be meddling in the lives and stopping people going about their lawful and harmless business of walking multiple dogs.

British law rests in the hands of the Police. Please remove this extra unnecessary layer of bureaucracy which victimises innocent people. The dog limit adversely impacts just 10 people in this district. You don't know those 10 people. 10 people that you don't know because they've never brought themselves to your attention. 10 people who've done nothing more than own some dogs and walk them. 10 people that you have decided to target and victimise. 10 people that you have greatly impacted, and my question is why?

Linda McKenzie on behalf of Cath Pedwell: *Under the 10 principles of public life and in particular the following principles: objectivity - members should make a decision on merit; openness – members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions. Mrs Pedwell would like to understand how this PSPO was deemed by the Council and its authority to be necessary in the Wyre Forest area when there has been no evidence of any detrimental effect of walking multiple dogs or any number on the quality of life in the locality. In fact, of the 900 plus responses received to the online dog control order survey review consultation to increase the number of dogs a person can have under their control had a clear majority of 63% in favour of 6 dogs. However, Mrs Pedwell says there was not an option in the survey for more than 6. There was no option of no limit. She believes that the majority would have agreed to use the existing British law whereby walking any amount of dogs is not considered to be unreasonable, hence Wyre Forest District Council's PSPO without any evidence to support the need for it have put this PSPO in place erroneously. Therefore, I see no justification for such a restriction outlined in the PSPO and I request that this PSPO dog limit is removed altogether*

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Lisa Taylor: *PSPO's were implemented for Councils to deal with antisocial behaviour which have had a detrimental effect on the quality of life for those in the local community within defined areas.*

During all of the meetings and information provided by WFDC and the police, there was no evidence produced of reported antisocial behaviour from owners of multiple dogs. It appears that the PSPO was instigated because of ill-informed personal views from a minority of councillors, and an anecdotal story provided by one of those who witnessed an elderly lady being tripped up by 5 dogs which was not reported as "the lad walking the dogs has learning difficulties".

No detrimental effect to the community was proven to implement the PSPO. However, in the 5 months it has been in place, an extreme minority of owners of multiple dogs have experienced severe detrimental effects to their everyday life affecting their social and personal lives and more importantly their mental health. Our local petition that was presented at a meeting asking to rescind the PSPO 3 dog limit received over 2,900 signatures, over 850 of which were from WFDC/neighbouring area residents. I respectfully request that my questions are answered by an elected councillor and not a council executive or officer.

My question is How exactly was this PSPO initially justified and in particular how was it justifiably implemented disproportionately across the whole of the district?

My supplementary question is What is the justification to not only victimise the extreme minority of owners of multiple dogs within their district, who have never caused an issue and who are now experiencing a severe detrimental impact on their everyday lives, and to also ignore over 850 residents' views especially as revenue from such a minority is extremely unlikely to be raised?

Wayne Greenwood: *Thank you for inviting me to attend. This is a topic I am very interested and concerned about and so I appreciate the opportunity to ask questions directly to this committee. Hardworking taxpayers in Wyre Forest will want to know why their locally elected members are pursuing policies that appear to have little to do with the mandate and strategy that they were elected to deliver. Having reviewed the council's core strategy and local plans I can see no logical alignment whatsoever with the objectives set out in these delivery commitments which you have made people living in the area.*

Therefore, I ask on what rational basis can the committee justify the decision to use public money to enact and enforce a scheme of little to no public value, which unfairly targets a minute number of law abiding households, and which bears no relation to the genuine needs and priorities of the community, particularly at a time when the council is running a significant financial deficit?

My supplementary question is, given this current financial crisis the average person paying council tax and expected to foot the bill for this makes no sense for it to pursue schemes which fritter away precious limited resources. There are not insignificant costs in administration time putting together a proposal of this nature, not to mention the costs of running a proper public consultation, and the signage and enforcement costs that will follow. All good money which could have been far more wisely spent elsewhere to the greater benefit of more people in our community.

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Therefore, it will be of a great interest to all local people expected to foot the bill for this and who want to know the answer to exactly how much the council has had to spend in developing, considering, consulting and enforcing this scheme which does not reflect their local priorities?

Marianne Salmon: *There was no evidence was offered by either Wyre Forest District Council Enforcement Officers or by West Midlands Police so I wondered why Wyre Forest District Council feels the need to have a limit on the number of dogs that can be walked by any one person?*

The Chairman thanked the public speakers for their participation.

OS.77

Review of Public Space Protection Orders and Results of the Consultation Process

The Committee considered a report from the Community Services Manager to decide whether the Council should make any changes to Public Space Protection Orders (PSPOs) following the review after a 6-month period of implementation and results of the consultation process.

The Community Services Manager presented the report. She explained that the Cabinet decided in July 2020 to make a district-wide Dog Control PSPO and PSPOs restricting alcohol consumption in Bewdley and Stourport-on-Severn. It also committed to undertake a review within 6 months after the orders came into force in October 2020. She added that over 900 responses were received for the online dog control order survey and almost 300 responses were received in relation to the alcohol restrictions.

Having heard the public participation in relation to the Dog Control PSPO, a full discussion ensued. The Committee acknowledged that the number of dogs that one person may have under their control was a very emotive issue; however, there was a clear steer from the consultation results in favour of increasing the numbers.

In response to some of the comments and questions raised the Cabinet Member for Economic Regeneration, Planning and Localism confirmed that it was a requirement of the legislation regarding PSPOs that the authority had to review them every 3 years. There were no additional costs incurred as the statutory process was undertaken with existing resources. She stressed that PSPOs were not introduced to make money; they are done to look after the areas they cover. She confirmed that enforcement was actively taking place across the district.

In relation to the evidence for the number of dogs, she explained that, when the original public consultation was undertaken, people were asked what they thought was a reasonable amount, and the responses came back with those figures. It was not about looking to victimise any particular group of dog owners, or any part of the population. She said that dog control PSPOs were in place in many major towns and cities across the Country.

The Cabinet Member said that she was concerned to see on a social media site that it appeared that people from out of the area were being encouraged to take part in the Council's consultation review; she said she hoped that the responses the authority had received were from residents living within the district as the PSPOs

relate to the Wyre Forest district and not any other areas.

The majority of the Committee agreed that the current limit was too prescriptive and, having had regard to the evidence from the Kennel Club and the guidance from the Department for Environment, Food and Rural Affairs (DEFRA), members agreed to recommend that the number should be increased from 3 to 6.

Agreed: The Overview and Scrutiny Committee recommend to Cabinet:

That no changes are made to the alcohol orders in Bewdley and Stourport-on-Severn but that the Dog Control PSPO should be amended to substitute 6 for 3 in relation to the limit of dogs that one person may have under his or her control, in line with the consultation response.

Councillors T Onslow and R Coleman left the meeting at this point.

OS.78 Work Programme

The Committee reviewed the work programme for the remainder of the municipal year. The Chairman advised that confirmation had been received that representatives from the Environment Agency would be attending the April meeting to give an update on the investigation into the circumstances which led to the compromise of the temporary barrier at Beale's Corner, and for any other matters they confirmed that they will attend the May meeting.

The Chairman invited the Committee to take the opportunity to consider whether there were any other statutory bodies that should be invited to the April meeting, it was agreed that representatives from Worcestershire County Council and Severn Trent be invited to provide an update.

OS.79 Press Involvement

The Chairman advised that the update from the Environment Agency and other statutory bodies on the flooding issues would require publicity.

OS.80 Any Other Business

The Chairman advised that, since the last meeting, Councillor M Rayner had been appointed to Cabinet which meant she was no longer a member of the Overview and Scrutiny Committee.

He reminded members that at the last meeting she had been appointed as Chairman of the Fireworks Review Panel. Therefore the Committee were asked to appoint a replacement.

Agreed: Councillor S Miah be appointed as the Chairman of the Fireworks Review Panel.

There being no further business, the meeting ended at 7.39pm.

The full meeting is available for viewing on the Council's website <https://www.wyreforestdc.gov.uk/53298>