

CHANDLER'S FORD PARISH COUNCIL – POLICY AND FINANCE COMMITTEE

17 November 2014 7.00pm

MEETING ROOM 1, DOVETAIL CENTRE, WINCHESTER ROAD

COUNCILLORS PRESENT: Councillor Grajewski (Chairman), Councillors, Atkinson, Boyes, Cox, Johnson, Luffman, Pragnell and Scott.

In Attendance: Duncan Murray (Parish Clerk) and Councillor Foulds

Public Participation:

Ms Smith and Ms Watt of the Dementia Friendly Communities project spoke to members about the initiative that Andover Mind had been appointed to lead by HCC about 20 months previously.

Their presentation concentrated on the isolation people with dementia could feel in the community and how simple adaptations could assist them and help them understand what was going on around them. Members learned that the youngest person diagnosed with dementia in the county was only 27 years old. The project was about providing training in five basic messages that alleviated myths about the disease, helped with communication, reduced carers' concerns when they were out in the community with their cared for. The presentation also mentioned the role a parish council could take in taking the project through its society with its connections to the community and acting as a dementia champion.

If the council was to sign up to the Action Dementia Hampshire Alliance there was a five point action plan which included the Dementia Advice Service based at One Community in Eastleigh. There was a day's training which would enable the council to deliver dementia awareness training direct to its own community.

The Chairman thanked them for their time and presentation and asked the Clerk to progress the ideas if there was suitable interest expressed.

1. APOLOGIES

There were none.

2. DECLARATIONS OF INTEREST

None were declared.

3. TO NOTE THE MINUTES OF THE MINUTES OF PREVIOUS MEETING HELD 13 OCTOBER 2014 AND PREVIOUSLY AGREED AT THE FULL COUNCIL MEETING OF 27 OCTOBER 2014.

Members noted the minutes.

4. MATTERS FOR RESOLUTION

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a) TO DISCUSS AND AGREE A RECOMMENDATION TO COUNCIL AND THE ASSET MANAGEMENT COMMITTEE ON THE ISSUES OF DOGS AND THEIR PROPER CONTROL ON THE PARISH'S RECREATION GROUNDS WITHIN THE FRAMEWORK OF BYELAWS AND THE ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

The Chairman started this item by asking the Clerk to brief Members. The Clerk apologised that the briefing note had been tabled due to his illness the previous week. The issues were the impact of the new Act and whether EBC were intending to make Public Space Protection Orders which would potentially invalidate byelaws made by the Parish Council, thus causing a significant waste of resources and time. The Clerk gave reasoning for the lower impact recommendation that he had made as it would be necessary to demonstrate a lower level intervention had failed, in order to successfully navigate the necessary consultation if byelaws had to eventually be resorted to by the Council.

Members engaged in debate about the availability of dog wardens, existing byelaws sealed by Eastleigh and the contradictory nature of the existing signs stating different levels of fines. It was commented that keeping a dog on a lead wasn't necessarily keeping a dog under proper control. The suggestion of fencing off areas was rejected as it was considered even more unlikely that irresponsible owners would pick up their dog's fouling. The issue of commercial dog walkers and the number of dogs they had at a time, therefore their ability to properly control them was also discussed.

It was proposed and seconded and agreed by all that an appropriate response was that the Clerk have delegated authority to create, produce and then erect signs in the Council's open spaces to remind owners to keep their dogs under proper control as contained in the recommendation on the briefing note for this item.

The RECOMMENDATION to the Asset Management Committee: *"That CPFC needs to wait and be guided by what (if anything) EBC might look to introduce across open spaces in the Borough in the form of PSPOs, having regard to the 2014 Act and its potential implications; to do otherwise would be pre-emptive of any decisions the Borough might make, potentially a waste of resources, and not help consistency across the local area"* was AGREED.

b) TO DISCUSS AND AGREE THE ADOPTION OF A WHISTLEBLOWER POLICY IN LINE WITH THE PROVISIONS OF THE DISCLOSURE IN THE PUBLIC INTEREST ACT 1998.

The Chairman requested that this be deferred until the committee's next meeting as the Clerk's illness meant that the draft policy had not been finished in time for Members to give proper consideration.

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5. FRYERN FUNTASIA EVENTS ACCOUNT UPDATE

The Chairman asked the Clerk to give his report. The gross income for the Funtasia was reported to have amounted to £4935.77 with expenditure of £4927.80 giving an effective surplus of £7.87. The VAT elements were: reclaimable £736.75; and a payable figure of £822.63. In previous years there would not have been a VAT payable amount as the Parish Council had not been VAT registered until this April. It was noted therefore that the stall rental charges in the future had to be considered in terms of VAT liability as well.

6. TO RECEIVE APPLICATIONS FOR GRANT FUNDING:

a) EASTLEIGH NEIGHBOURHOOD WATCH ASSOCIATION

Members discussed the application form received from Neighbourhood Watch and commented that the previous year they had provided a grant at 50% of the requested intervention which had been matched by the LAC. However Members expressed their surprise at the level of cash at bank available to Eastleigh Neighbourhood Watch and gave careful consideration to the application which was for newsletter publication costs.

It was decided after debate that it would not be appropriate to give a grant considering the bank balance unless the funds requested were to be restricted to increasing the scope of the Neighbourhood Watch areas and numbers of households involved in the scheme.

It was AGREED to NOT TO SUPPORT a grant as applied for but the Council would welcome a grant application that would help with sponsoring growth of the scheme in the parish.

7. TO NOTE THE FINANCIAL REPORTS:

- I. SAGE RECONCILIATIONS FROM 19/09/2014 TO 18 OCTOBER 2014 (MOST RECENT BANK STATEMENTS);**
- II. TO AGREE THE PAYMENTS MADE AND TO AUTHORISE PAYMENTS DUE, TO SIGN CHEQUES.**

The SAGE bank reconciliations were AGREED. Members asked about the £14,000 to Hampshire Police and were told that this was agreed full year PCSO salary contributions. The Clerk was also able to inform Members that £5,540.25 had been received from EBC as a 50% contribution to the asset transfer legal costs incurred by the parish.

The payments made were AGREED and signed by the Chairman.

8. MATTERS TO BE TAKEN TO THE NEXT AGENDA OF THE COMMITTEE

The Whistleblower Policy, the parish aspirations list and draft budget were to be taken to the next agenda.

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The Council's Chairman also reported that, having had an approach from the school, to ensure all children at the Fryern Lantern Parade in December would be included at an expensive time of the year for parents, she had agreed within the framework Financial Regulations (4.1) and the General Power of Competence that the Council would sponsor the lanterns.

9. DATE AND TIME OF THE NEXT MEETING

This was agreed as the 19 January 2015 the venue to be confirmed.

That being all the business the meeting closed at 8.15 p.m.

Chairman.....

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Briefing Note: For Policy and Finance Committee 17 November 2014

Dogs and Recreation/Play Areas

1. The issue of dogs not being under proper control in the Parish's recreation areas was brought up at the Parish Council Meeting of 27 October during public participation and was to be referred to the Asset Management Committee (AMC).
2. However there are potential legal/policy issues that need to be addressed and thus the matter needs to come to Policy and Finance first so that the AMC may be properly informed before that committee can look to what influence or restrictions it might lawfully exert on the Council's recreation grounds and play areas.
3. The legal framework has recently changed.
4. The Anti-Social Behaviour Crime and Policing Act 2014 came in to effect in October 2014 and it simplifies a lot of issues which came under Byelaw provision as well as within the previous statutory framework.
5. The intention of the 2014 Act is to speed up the process of prosecution by fixed penalties rather than court summons.
6. It includes powers (inter alia) for Local Authorities to control public spaces through Public Spaces Protection Orders (PSPOs) and dangerous/out of control dogs.
7. Parish Councils are NOT empowered at the current time to issue PSPOs.
8. Any orders for public spaces in Chandler's Ford would require EBC to make the order and consult with the Parish Council if it was to extend the order to the Parish Council's land.
9. PSPOs can be used for imposing conditions on the use of public open spaces such as restricting alcohol and ensuring dogs are kept under control (on leashes in children's play areas, limiting the number of dogs an individual can exercise in a public space at one time, and not attacking assistance dogs etc).
10. If a nuisance is detrimental to the local community's quality of life PSPOs may be made; however 'the authority must have particular regard to the rights of freedom of expression and freedom of assembly and association before making a public spaces protection order.'
11. Parish Councils can make Byelaws under either the Open Spaces Act 1906 or the Public Health Act 1875, subject to approval by the Department of Communities and Local Government. The General Power of Competence does not give any additional legal framework for a Parish Council to seal Byelaws.
12. The 2014 Act makes any potential provision of Byelaws by a Parish Council over its open spaces wholly redundant if EBC are going to make PSPOs affecting the same land.

Recommendation: That CPFC needs to wait and be guided by what (if anything) EBC might look to introduce across open spaces in the Borough in the form of PSPOs, having regard to the 2014 Act and its potential implications; to do otherwise would be pre-emptive of any decisions the Borough might make, potentially a waste of resources, and not help consistency across the local area.

The extent to which I would suggest the Parish Council could act is to design and produce notices to be displayed in each recreation ground (and play area) reminding owners of their lawful responsibilities.