

Democratic Services Officer: Carrie O'Connor (Ext. 37614)

6 January 2017

ENVIRONMENT & LEISURE WORKING GROUP

A meeting of the Environment & Leisure Working Group will be held in Committee Room 1 (the Pink Room) at the Arun Civic Centre, Maltravers Road, Littlehampton on **Tuesday 17 January 2017 at 6.00 p.m.** and you are requested to attend.

Members: Councillors; Hitchins (Chairman), English (Vice-Chairman), Mrs Bence, Bicknell, Brooks, L. Brown, Buckland, Cates, Mrs Daniells, Dingemans, Maconachie, Mrs Maconachie, Mrs Neno, Northeast, Oliver-Redgate, Mrs Porter, Purchase, Reynolds, Dr Walsh, Warren, Wells and Wheal

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declaration of personal and/or prejudicial/pecuniary interests that they may have in relation to items on this agenda.

You should declare your interest by stating:

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial/pecuniary interest

You then need to re-declare your interest and the nature of the interest at the commencement of the item or when the interest becomes apparent.

3 MINUTES

To approve as a correct record the Minutes of the meeting held on 1 November 2016 (attached).

4 ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES.

5 LITTLEHAMPTON LEISURE CENTRE UPDATE

A verbal report will be presented at the meeting.

6 ARUN'S PLAY AREA STRATEGY 2017-2027

Arun District Council's current Play Area Strategy 2011-2016 requires review so that an up to date and robust strategy can be adopted by the Council. The strategy will need to align with Council's 2020 Vision.

This report seeks member approval for the overarching aims of the strategy and process which will be undertaken in order to draft the strategy which will then be taken back to the Working Group and Cabinet next Autumn.

7 NO COST LITTER AND DOG FOULING ENFORCEMENT SERVICE TRIAL

Members are requested to recommend to the Cabinet Member for Environmental Services and the Cabinet Member for Leisure & Amenities to authorise participation in a litter and dog fouling trial. There is currently very little street scene enforcement capacity within the Council. The Council has an opportunity at zero cost to participate in a 12 month trial with a trading company wholly owned by East Hampshire District Council (EHDC). The company would use their officers to patrol, thereby increasing enforcement capacity and activity in relation to litter and dog fouling offences.

Note: *Indicates report is attached for Members of the Working Group and Cabinet only and the Press (excluding exempt items). Copies of reports can be viewed on the Council's web site at www.arun.gov.uk or can be obtained on request from the Committee Manager.

‘Subject to Approval at the Next Working Group Meeting’

ENVIRONMENTAL & LEISURE WORKING GROUP

2 November 2016 at 6.00 p.m.

Present: - Councillors Hitchins (Chairman), English (Vice-Chairman), Mrs Bence, Bicknell, Brooks, L.Brown, Mrs Maconachie, Maconachie, Northeast, Oliver-Redgate, Reynolds, Dr Walsh, Warren and Wheal.

[The following Councillors were absent from the meeting during consideration of the matters referred to at the Minutes indicated:- Councillor Bicknell, Minute 18 to 21 (part); Councillors Northeast and Dr Walsh, Minutes 23 (part).]

Councillors Bence, Dendle and Chapman were also present at the meeting.

18. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Buckland, Cates, Dingemans and Mrs Neno,

19. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government’s example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a “Prejudicial Interest” this will, in the interest of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

‘Subject to Approval at the Next Working Group Meeting’

The following Members declared a personal interest in Agenda Item 6, Strategic Vision for Public Conveniences in Arun, as members of their respective Town/Parish Councils:-

Councillors Dr Walsh & Warren, Littlehampton TC
Councillor English, Felpham Parish Council
Councillors Brooks, Maconachie and Reynolds, Bognor Regis TC

20. MINUTES

The Minutes of the meeting held on 6 September 2016 were approved and signed by the Chairman as a correct record.

21. UPDATE ON LITTLEHAMPTON LEISURE CENTRE

The Principal Landscape Officer advised the Working Group that the Project Team had engaged with a wide range of stakeholders and various organisations and, following a public consultation, had put forward plans to Cabinet on 17 October 2016. Cabinet had subsequently approved that the outline design be signed off prior to the submission of the planning application on 25 October 2016.

The report summarised the top 5 issues that had been raised by the public and Members were provided with more detailed information at the meeting as to how those matters could or could not be taken forward. The provision of temporary seating for galas, etc was being explored and the request for a sauna would be included as a provisional item in the tender process. However, the requests for a splash park type facility would be considered but it was unlikely that this could be accommodated within the building's footprint or the budget.

Members regarded this initiative as an exciting project for Littlehampton and a view was expressed that the design certainly had the wow factor by not looking like a municipal barn type structure. A number of positive comments were made and in the course of discussion some concern was again expressed that a 50m pool had not been considered for the site. Officers reiterated that the cost and site itself prevented that from being a viable option, with the Cabinet Member for Leisure & Amenities also adding that the provision of a seamless service meant that the existing building would not be demolished until the new centre was built, which further inhibited the footprint of the new building.

The Working Group noted the report.

‘Subject to Approval at the Next Working Group Meeting’

22 STRATEGIC VISION FOR PUBLIC CONVENIENCES IN ARUN

(Councillor Dr Walsh redeclared his personal interest as a Member of Littlehampton Town Council and remained in the meeting and took part in the debate.)

Prior to consideration of this item, the Chairman stated that this was a very comprehensive report which had taken into account Members’ views expressed at the previous two meetings. There would now be time to talk to the Towns/Parishes with regard to alternative provision and he thanked the Greenspace & Cleansing Contract & Development Manager for his efforts.

The Greenspace & Cleansing Contract & Development Manager then highlighted to the Working Group the contents of the report and the recommendations that were being taken forward to Cabinet at its meeting on 14 November 2016. In essence, further feasibility work was being undertaken with regard to the provision of public conveniences in the Arun District and a further report would be presented to Cabinet in autumn 2017 seeking a final decision on the future of the facilities referred to in the report, namely

Crown Yard Car Park, Arundel
Ferring Village Green and Ferring Rife, Ferring
Snooks Corner, Felpham
Shrubbs Field, Middleton
North Street, Wick
Avisford Park and West Meads, Aldwick
London Road, Bognor Regis

Members were advised that officers did not necessarily agree with the various comments of the Parish/Town Councils relating to the scoring matrix as those organisations were looking at the provision of public conveniences in isolation with regard to their own areas whereas the District Council had to consider the matter strategically.

The Working Group welcomed the approach now being taken and participated in general discussion on a number of pertinent issues, such as

- Selling sites to the Town/Parish Councils
- A Community Toilet Scheme
- The need for the Council to resolve the ongoing situation relating to the West Beach Café Public Conveniences
- The sites at North Street and Norfolk Gardens, Littlehampton
- Use of public facilities at the new leisure centre

Officers were able to reassure Members on a number of the matters raised and reiterated that the recommendations to be considered by Cabinet allowed for flexibility to review the situation after a year. It was agreed that an update report would be brought before the Working Group in approximately 6 to 7 months time.

‘Subject to Approval at the Next Working Group Meeting’

In considering the recommendations to Cabinet, it was pointed out that recommendation (2) made reference to seasonal opening from 1 October 2016. The Greenspace & Cleansing Contract & Development Manager advised that that was an error and should be 1 October 2017, which would be corrected.

The Cabinet Member for Leisure & Amenities took the opportunity to thank Oliver Handson for his hard work in presenting a comprehensive and balanced report. He also highlighted that this Council would be investing £200,000 per annum for the next three years in the provision of public conveniences in the District.

The Working Group noted the report.

23. SHORT TERM POLLUTION EVENT FORECASTING AT BATHING WATERS

(During the course of discussion on this matter, Councillor Bicknell declared a personal interest as reference was made to Southern Water, of which he was an employee. He remained in the meeting and took part in the debate.)

The Environmental Health Manager presented this report which set out the work of the Council in relation to pollution forecasting which was provided at two of Arun's six designated bathing waters, along with associated signage which was introduced in May 2016. The aim of the forecasting was to protect public health by allowing people to make informed choices about when to enter the sea. The forecasting information provided by the Environment Agency (EA) related to Bognor Regis (Aldwick) and Felpham.

In the course of discussion, a query was raised as to why the two main tourist beaches of Bognor Regis East and Littlehampton were not included - the Environmental Health Manager advised that the forecasting was carried out by the EA, which only provided forecasts for Bognor Regis (Aldwick) and Felpham because these were the only two locations where there was a statistically significant correlation between periods of high rainfall and poor water quality.

Serious concern was expressed that this initiative would harm the tourist economy at these two beaches. It was queried whether the risk warnings were accurate and a further suggestion made that the forecasting data be verified by sampling and analysis to determine its accuracy. Members were advised that the content of the signs was prescribed by the EA and the Council had to comply with that prescribed content. The Environmental Health Manager also stated that monitoring would have financial and resource implications for the service.

‘Subject to Approval at the Next Working Group Meeting’

The Cabinet Member for Environmental Services made comment that the surface water drainage was coming from a very large inland area which affected these two locations.

The Working Group noted the report.

(The meeting concluded at 7.50 pm)

ARUN DISTRICT COUNCIL

ENVIRONMENT & LEISURE WORKING GROUP – 17 JANUARY 2017

Recommendation paper

Subject : Arun's Play Area Strategy 2017-2027

Report by : Oliver Handson, Greenspace & Cleansing Contract and Development Manager

Report date : 17th January 2017

EXECUTIVE SUMMARY: Arun District Council's current Play Area Strategy 2011-2016 requires review so that an up to date and robust strategy can be adopted by the Council. The strategy will need to align with Council's 2020 Vision.

This report seeks member approval for the overarching aims of the strategy and process which will be undertaken in order to draft the strategy which will then be taken back to the Working Group and Cabinet next Autumn.

Recommendations:

Members are requested to recommend to Cabinet that;

Arun District Council sets out a 10 year sustainable Play Area Strategy based on

- a) Aligning the strategy with the Council's agreed 2020 Vision
- b) The aims identified in section 3 of this report
- c) The process outlined in section 4 of this report

1) INTRODUCTION

- 1.1) Arun's existing Play Area Strategy 2011-2016 requires review. The strategy has provided a focal point for determining priorities for local play provision over the last 5 years.
- 1.2) It is entirely appropriate to review the Play Area Strategy and current provision given the Council's Medium-Term Financial Strategy and 2020 Vision.
- 1.3) The Council's Corporate Priorities and 2020 Vision objectives which underpin the need to revise the strategy are;

- The need to balance our budget and reduce costs
- Offer an improved customer experience
- Provide the best possible services we can afford

2) **Background**

- 2.1) Arun's current provision of play areas varies greatly in terms of quality and play value.
- 2.2) Arun currently manages 89 play areas. These range from large multi age range sites within a larger park or open space to small individual neighbourhood sites within housing developments. A number of skate facilities and multi-use games areas (MUGA's) are included within this overall figure.
- 2.3) Play areas are costly to manage. Because of the risk associated with provision of play areas, significant capital and revenue resources as well as officer time is required to manage them. The capital cost of equipment purchase and installation is also very high.
- 2.4) Current revenue budgets associated with the Council's Play Area Repairs & Maintenance Contract allows for reactive repairs to be carried out by a mobile team each week of the year which allows a reasonable level of management and flexibility of management.
- 2.5) A large number of the poorer quality play areas Arun manages were adopted between 15 and 25 years ago as part of the transfer of open space and play provision from housing development. Best practice and planning guidelines for play area provision within housing developments differed greatly from current guidelines and local authorities were not under the current pressures from austerity measures.
- 2.6) The Council is not currently using available revenue budgets as effectively as it might. Because the Council have a responsibility to manage risk, maintenance is still required on sites which are used infrequently, provide little play value and are therefore unlikely to form part of any future strategy. Weekly formal play inspections mean further staff resources are required to manage such sites
- 2.7) Capital budgets have increased in recent years under the Council's Capital Project Prioritisation Scheme, but only enough to ensure much needed investment in key sites. There has been and continues to be a significant shortfall in capital funding required to sustain Arun's current stock of play areas to a good standard in terms of a rolling programme of refurbishments.

2.8)	Capital estimate required 5 years	£1,375,000
	Capital available 5 years*	£770,000
	Shortfall	£605,000
	Average spend per play area	£15,449

**assumes continued capital commitment of £100,000 per annum for next 5 years & includes known Section 106 sums available for play area refurbishments*

- 2.9) One of the key objectives of the 2011-2016 Strategy was to 'create a stock of good quality play areas where they are needed most, through removing equipment from low priority play areas and returning them to open space. Since 2011 equipment has been removed from 14 low priority play areas. The Council has received very few public complaints regarding these removals.
- 2.10) Despite the work to reduce Arun's stock of low value play areas there remains a need to significantly reduce the overall number in order to achieve a position which could be considered sustainable.
- 2.11) Arun manages a number of good quality and recently refurbished play areas which are significant both on a local level but also on a district wide level in terms of providing a visitor destination. These sites were identified as a priority through the 2011-2016 strategy and many of these play areas have attracted external grant funding to supplement Arun's own investment

3.0 Aims for the future

3.1 Key aims of the play area strategy should be;

- Ensure available resources are directed to areas of need and priority
- Create a sustainable stock of good quality play areas which add something to their local environment
- Ensure play areas are accessible to all and provide play value to those using them
- Align provision with accessibility standards set in the Council's Open Space Standards document (supplementary planning guidance)

4.0 How will the Council identify need and set priorities?

4.1 It is proposed that the strategy is based on the following information and data in order to determine need and set strategic priorities

- Monitoring the current use of all play areas for a period of around 1 year
- Public consultation through on-line and hard copy questionnaires
- Town & Parish Council consultation
- Assessment of accessibility, play value and local demographics for all play areas

- 4.2 Once drafted the Play Area Strategy will be presented to the Working Group in the Autumn of 2017 for a recommendation to Cabinet for final approval of the strategy. It is proposed that an update is carried out at the end of the 5th year.

Contact: Oliver Handson, Greenspace & Cleansing Contract & Development Manager
Ext 37955

ARUN DISTRICT COUNCIL

ENVIRONMENT AND LEISURE WORKING GROUP – 17 JANUARY 2017

Recommendation Paper

Subject : No Cost Litter and Dog Fouling Enforcement Service Trial

Report by : Nat Slade, Environmental Health Manager Report date: 15 December 2016

EXECUTIVE SUMMARY

Members are requested to recommend to the Cabinet Member for Environmental Services and the Cabinet Member for Leisure & Amenities to authorise participation in a litter and dog fouling trial. There is currently very little street scene enforcement capacity within the Council. The Council has an opportunity at zero cost to participate in a 12 month trial with a trading company wholly owned by East Hampshire District Council (EHDC). The company would use their officers to patrol, thereby increasing enforcement capacity and activity in relation to litter and dog fouling offences.

RECOMMENDATIONS

Members are requested to resolve to recommend Option 6.1:

To recommend to the Cabinet Member for Environmental Services and the Cabinet Member for Leisure & Amenities to authorise, by way of Individual Cabinet Member decision, participation in a litter and dog fouling enforcement trial, including delegation of enforcement powers to East Hampshire District Council and delegation to officers to enter into an agency agreement.

1.0 INTRODUCTION

- 1.1 All Councils are under pressure to meet increasing community demands with fewer resources. Yet often the simplest low-level partnering solutions can produce some of the quickest most effective solutions.
- 1.2 One of the Arun Priorities 2013-2017 is the level of customer satisfaction with the cleanliness of the District. (Corporate Performance Indicator ESC020).

- 1.3 About 2.25 million pieces of litter are dropped on the streets of the UK every day. Thirty million tons of rubbish is collected from England's streets each year. That's enough to fill Wembley Stadium four times over. The Council receives an average of 50 complaints per month about cleanliness of the streets, and a further 60 per annum specifically about dog fouling.
- 1.4 A very limited amount of targeted dog fouling patrols are currently undertaken by the Council's only part time Dog Warden who has other duties including stray dogs and education on responsible dog ownership. Although a number of Council officers are authorised to issue fixed penalty notices (FPN) for litter offences, no officer is tasked with undertaking patrols in order to identify offences.
- 1.5 The Council agreed in adopting its 2020 Vision in July 2016 that the Council is seeking to offer an improved customer experience whilst becoming smaller and more effective. This trial offers an opportunity to do that and progress another agreed approach within the 2020 Vision; to build better relationships with other organisations and the community.

2 EHDC NO COST LITTER & DOG FOULING ENFORCEMENT SERVICE

- 2.1 East Hampshire District Council has been running a litter and dog fouling enforcement trial via a wholly owned trading company. It aims to provide a zero cost service, returning any surplus to EHDC.
- 2.2 Their trial has been running successfully for nine months in their own district. During this period, they have learnt that as community behaviours change for the better as a consequence of the deterrent effect that the presence of enforcement officers has, they need to expand the geographical area of the trial for it to be able to deliver the desired results.
- 2.3 At no cost to Arun District Council, the Council is invited to join this low risk litter enforcement service trial. It is proposed that the trial would run for twelve months after which, working together and based on the results of the trial, the Councils could decide how they wish to proceed. If Arun wanted to terminate the trial at any point during the twelve months, it only needs to provide one month's notice.

3 BENEFITS

- 3.1 The benefits to Arun District Council of joining the trial include:
 - No cost to Arun District Council
 - Low risk approach
 - Tangible evidence of delivery on Council priorities
 - Follows the 2020 Vision approach
 - A cleaner and more pleasant environment for communities and visitors

- No cost or time spent on procurement
- Jointly agreed trial success criteria
- Transparent approach: weekly reporting to Arun
- Public sector values and ethos

4 END-TO-END SERVICE DELIVERY

- 4.1 Using an experienced and fully qualified team, the trial service is delivered through EH Commercial Services Ltd, an EHDC wholly owned Teckal trading company.
- 4.2 Arun District Council would have a direct line of communication with their Operations Manager, Michelle Green.
- 4.3 Working together with Michelle, Arun District Council will maintain oversight of all operations. The team will use shared intelligence to inform geographical targeting and schedule patrols across the week. This is an opportunity to build relationships with the public and Town and Parish Councils to provide intelligence on litter and dog fouling hot spots.
- 4.4 Ex-police trainers have trained all of the operatives. Training includes, evidence gathering, interview techniques and legislation including PACE.
- 4.5 Utilising the Discharge of Functions by Other Authorities powers granted under Section 101 of the Local Government Act 1972, Arun District Council can delegate the ability to take enforcement action.
- 4.6 The team have an average 87% payment rate and a 99% success rate for prosecutions. Income from the FPN's funds the trial.
- 4.7 The decision to prosecute will remain with Arun District Council, and be made in accordance with Arun's Enforcement Policy for Environmental Health, Private Sector Housing and Environmental Amenities. This is a small number of cases and the cost of prosecution is covered by claiming costs from the court and the FPN. However, in the unlikely event that numbers of prosecutions rise significantly, the cost may need to be covered by Arun District Council. In these rare cases, costs will be discussed on a case by case basis and the decision to proceed will remain with Arun District Council.
- 4.8 Using the latest handheld technology and body worn cameras, with system driven escalation process, reminders and reports, the team will provide an end-to-end Fixed Penalty Notice (FPN) service for litter enforcement to include:
 - Overt and plain clothes, street patrols
 - Issuance of Fixed Penalty Notice
 - Complaints management
 - Payment collection

- Prosecution of non-payment (as directed)

4.9 The Operations Manager, Michelle Green, will provide a weekly report detailing:

- Hours patrolled
- Geographical areas
- Number of FPN's issued
- Trends
- Cases taken to court
- Complaints

5 SUMMARY

- 5.1 All Councils are under pressure to deliver with fewer resources. The litter and dog fouling enforcement trial offers a no cost, low risk opportunity for Arun District Council to try a new way of working and deliver on a corporate priority for its community.
- 5.2 Well-equipped, experienced professionals will deliver the service, with Council oversight maintained through transparency, working together, direct communications and weekly reporting. Joining is quick and simple and after 12 months, the Council will be able to review its approach.
- 5.3 Prior to commencement of enforcement activity the Council would undertake some educational activity (posters, cigarette “stub store” distribution, social media, press release etc.) aimed at raising awareness of the enforcement activity in order to change behaviour
- 5.4 To participate in the trial the Council would need to enter into an agency agreement for the 12 month period, on the basis that it can be terminated at any stage with one month’s notice. Enforcement powers will also need to be delegated to East Hampshire District Council during the trial. Authorisation to participate in the trial can be achieved by way of an Individual Cabinet Member decision with two Cabinet Member signatories because the scope of the trial extends across the portfolios of the Cabinet Member for Environmental Services and the Cabinet Member for Leisure and Amenities.

6 OPTIONS

- 6.1 To recommend to the Cabinet Member for Environmental Services and the Cabinet Member for Leisure & Amenities to authorise, by way of Individual Cabinet Member decision, participation in a litter and dog fouling enforcement trial, including delegation of enforcement powers to East Hampshire District Council and delegation to officers to enter into an agency agreement.

- 6.2 To recommend to the Cabinet Member for Environmental Services and the Cabinet Member for Leisure & Amenities that the Council does not take part in the trial.

Background Papers: **None**

Contact: **Nat Slade, Environmental Health Manager ext: 37683**