

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 18 July 2019 in The Boardroom, Municipal Building*

Present: Councillors Polhill (Chair), D. Cargill, Harris, R. Hignett, S. Hill, Jones, T. McInerney, Nelson, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, G. Cook, D. Parr, I. Leivesley, M. Vasic, M. Reaney , J. Unsworth, S. Wallace Bonner and E. Dawson

Also in attendance: None

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

	<i>Action</i>
EXB12 MINUTES	
<p>The Minutes of the meeting held on 13 June 2019 were taken as read and signed as a correct record.</p>	
<b>RESOURCES PORTFOLIO</b>	
EXB13 REVIEW OF POLLING DISTRICTS AND POLLING PLACES INCORPORATING THE WARD BOUNDARY REVIEW	
<p>The Board considered a report of the Returning Officer, David Parr, on a review of polling districts and polling places, incorporating the Ward Boundary Review.</p>	
<p>The Board was advised that local authorities were required to periodically carry out and complete a review of polling districts and polling places. It was reported that the last review took place in 2015 and since that time, polling stations had been reviewed at election times by the Returning Officer. The report set out details of the three stages of review – the Preliminary Stage, the Proposal Stage and the Consultation Stage.</p>	

Given the nature and imminent timescale of this review, it was proposed to establish a Working Party to undertake the review, reporting to Council on the outcome later in 2019.

RESOLVED: That

- 1) the publication of the notice of the Polling Districts and Polling Places Review, incorporating the Ward Boundary Review, be authorised; and
- 2) a Working Party of 6 Members (4 Labour, 1 Liberal Democrat and 1 Conservative), be appointed to undertake the review of polling districts and polling places, following consultation, as required by the Electoral Administration Act 2006, and make recommendations to the Executive Board.

Returning Officer

EXB14 TREASURY MANAGEMENT ANNUAL REPORT 2018/29

The Board considered a report of the Operational Director, Finance, which presented the Treasury Management Report for 2018/19.

The report updated the Board on activities undertaken on the money market as required by the Treasury Management Policy. It provided supporting information on the economic outlook, interest rate forecast, short term borrowing rates, long term borrowing rates, borrowing and investments, budget monitoring, new long term borrowing and treasury management indicators. It was noted that no debt rescheduling had been undertaken during 2018/19.

RESOLVED: That the report be noted.

EXB15 DIRECTORATE PERFORMANCE OVERVIEW REPORTS FOR QUARTER 4 2018/19

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on progress against key milestones/objectives and performance targets for the first quarter 2019/20.

The Board was advised that the Directorate

Performance Overview Report provided a strategic summary of key issues arising from performance in the relevant quarter for each Directorate, being aligned to Council priorities or functional areas. The Board noted that such information was key to the Council's management arrangements, with the Board having a key role in monitoring performance and strengthening accountability. Performance management would continue to be important in the demonstration of value for money and outward accountability.

RESOLVED: That the report, and progress and performance information be noted.

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB16 FIXED PENALTY NOTICES**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on Fixed Penalty Notice provision.

The Board was advised that three new Regulations had been introduced which had extended the range of offences for which a Fixed Penalty Notice (FPN) could be issued.

The report set out details of each of the new Regulations for Members' consideration, together with a table that set out the FPN amounts specified under legislation for a range of waste related offences. With regards to graffiti and fly-posting, Members considered that that level be set at the maximum allowable under legislation, of £150.

It was noted that reports on the new Regulations and revised FPN provisions had been considered by the Environment and Urban Renewal Policy and Performance Board, which had recommended endorsement by Executive Board.

RESOLVED: That the Board

1) note the following Fixed Penalty Notice amounts are set by statute:

- (a) Abandoning a Vehicle - £200;
- (b) Failure to Produce Authority (Waste Transfer

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- Notes) - £300;
  - (c) Failure to Furnish Documentation (Waste Carrier's Licence) - £300;
- 2) approve the following Fixed Penalty Notice amounts that may be set by the Local Authority:
- (a) Littering - £100;
  - (b) Littering from a Vehicle - £100
  - (c) Fly-tipping - £400
  - (d) Graffiti and Fly-Posting - £150;
  - (e) Offences in Relation to Waste Receptacles - £100;
  - (f) Householder breach of 'Duty of Care' Obligations - £200;
  - (g) Contravention of a Public Spaces Protection Order - £100;
  - (h) Failure to comply with a Community Protection Notice - £100;
- 3) approve the following Fixed Penalty Notice amounts discounted for early payment:
- (a) Litter - £75;
  - (b) Littering from a Vehicle - £75
  - (c) Fly-tipping - £300
  - (d) Graffiti and Fly-Posting - £100;
  - (e) Abandoning Vehicles - £120
  - (f) Offences in Relation to Waste Receptacles - £75;
  - (g) Failure to Produce Authority (Waste Transfer Notes) - £250;
  - (h) Failure to Furnish Documentation (Waste Carrier's Licence) - £250;
  - (i) Contravention of a Public Spaces Protection Order - £75;
  - (j) Householder breach of 'Duty of Care' Obligations - £150;
  - (k) Failure to comply with a Community Protection Notice - £75;
- 4) approve that, where Legislation provides discretion for the Council to set the time period for

early payment discount of Fixed Penalty Notices, such time period shall be set as being within ten days.

- 5) delegate authority to the Strategic Director – Enterprise, Community and Resources, in consultation with the relevant Portfolio Holder (as determined by the nature of the offence for which a Penalty Notice relates) to make any future changes to Fixed Penalty Notice amounts and early payment discounts as may be considered appropriate.

**COMMUNITY SAFETY PORTFOLIO, PHYSICAL ENVIRONMENT PORTFOLIO AND ENVIRONMENTAL SERVICES PORTFOLIO**

EXB17 PUBLIC SPACE PROTECTION ORDERS - DOG CONTROLS

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on the introduction of a new Public Spaces Protection Order.

The Board was advised that a consultation exercise on proposals to introduce a new Dog Control Public Spaces Protection Order (PSPO), was completed in the Autumn of 2018. Overall, the results showed support for each of the new proposals set out in Table 1, attached to the report.

The consultation results were considered and endorsed by the Safer Policy and Performance Board, recommending approval to the Executive Board. It was noted that a new Dog Control PSPO would come into force from 1 November 2019. Members noted that the Council would have the ability to vary the dog exclusion and dogs on leads zones contained within the proposed new Order. This would allow proposed zones to be removed and new ones to be added.

RESOLVED: That

- 1) the making of the Dog Control Public Spaces Protection Order, attached to the report as Appendix 1, be approved;
- 2) the Dog Control Public Spaces Protection

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Order comes into effect as of 1 November 2019;

- 3) the Council's existing Dog Control Orders be revoked as of midnight 31 October 2019 to coincide with the commencement of the new Dog Control Public Spaces Protection Order;
- 4) delegated authority be granted to the Strategic Director – Enterprise, Community and Resources, in consultation with the Portfolio Holder for Community Safety, to make variations to the Dog Control Public Spaces Protection Order, but only to the extent of varying where the Dogs on Leads and Dog Exclusion Provisions of the Dog Control Public Spaces Protection Order shall apply, and only in such circumstances where appropriate consultation has been carried out which reveal support for any proposed variation;
- 5) the Fixed Penalty Notice amount for breaching a Dog Control Public Spaces Protection Order be set at £100; and,
- 6) the Fixed Penalty Notice amount for breaching a Dog Control Public Spaces Protection Order be reduced to £75 if paid within 10 days.

EXB18 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the

public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

### **PHYSICAL ENVIRONMENT PORTFOLIO**

#### **EXB19 DISPOSAL OF A PROPORTION OF LAND AT 3MG HBC FIELD**

The Board considered a report of the Strategic Director, Enterprise, Community and Development, on the disposal of a proportion of land at 3MG HBC Field.

RESOLVED: That Executive Board approve the recommendations set out in the report.

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**MINUTES ISSUED: 23 July 2019**

**CALL-IN: 30 July 2019**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 30 July 2019.**

*Meeting ended at 2.10 p.m.*