

Overview & Scrutiny Committee 29 February 2024

Draft minutes

Present: Cllr Paul Prentice (Chair)
Cllr James Flanagan (Vice Chair)
Cllr Keith Bothwell (present as a substitute)
Cllr Dane Buckman
Cllr Rachel Carnac
Cllr Elizabeth Carr-Ellis
Cllr Liz Harvey*
Cllr Harry McKenzie
Cllr Keji Moses
Cllr Peter Old
Cllr Dan Smith
Cllr Naomi Smith

In attendance: Councillor Alan Baldock - Leader of the Council
Councillor Connie Nolan - Cabinet Member for Community,
Culture, Safety and Engagement

Officers: Suzi Wakeham - Director of People and Place
Marie Royle - Service Director People
Lacy Dixon* - Senior Specialist Community Safety &
Enforcement Manager
Martin Hall - Senior Environment Manager

(*present for part of meeting)

590. Apologies for absence

Apologies for absence were received from Councillor Jeanette Stockley and Councillor Clare Turnbull.

591. Substitute members

Councillor Keith Bothwell was present as a substitute for Councillor Clare Turnbull.

592. Declarations of interest by Members or Officers

In relation to Item 6, Councillors Dane Buckman, James Flanagan, Naomi Smith and Peter Old made a voluntary announcement that they were dog owners - both Peter Old and Naomi Smith walked their dogs at Long Rock.

In relation to Item 7, Councillors James Flanagan and Peter Old made a voluntary announcement that they participated in park runs at Long Rock.

593. Public participation

The Chair advised that there were two public speakers for the meeting who would be heard directly before the relevant item.

594. MINUTES OF THE MEETING HELD ON 25 January 2024 (pages 6-12)

The minutes of the meeting held on 25 January 2024 were agreed as a true record by general assent.

595. Proposed Dog Control Public Space Protection Order (PSPO) 2024

(Alan Atkinson and Gavin Serkin, members of the public, spoke prior to the discussion.)

The Service Director for People introduced the report which outlined the results of the recent public consultation on proposals within the Dog Control Public Space Protection Order. Councillors views were sought on the proposal as part of the formal decision making process.

There were three options available to councillors.

Option 1:

1. The adoption of a new Dog Control PSPO 2024 as set out in Appendix D which included requirements relating to :
 - Dog fouling
 - Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
 - Direction given to place dog on lead
 - Dog exclusion as per locations listed in Schedule 2 of Appendix D
2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D)
3. To NOT include in the new order:
 - 3.1 Dog lead restrictions at the following sites:
 - c. Paths of the Riverside Walk
 - d. The public footpath within Whitstable Cemetery Whitstable
 - 3.2 Dog exclusion at the following sites as there is no longer any play equipment in situ:
 - Play area The Maltings, Enclosed, Littlebourne
 - Play area Black Griffin Lane, Canterbury
 - Sturry Road Community Park Garden Area, Northgate
 - 3.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces.

Option 2 - To reduce, increase or adapt the activities and locations included.

Option 3 - To not create a new Dog Control PSPO.

Councillors discussed the report, asked questions and for clarifications from the officers and Cabinet Members, and made points, including the following:

- A variety of methods had been used for the consultation, including social media, website, public meetings, pop up events and signage.
- The council's website was currently vague on how to appeal against PSPOs and officers agreed to review this.
- It was clarified that the whole of Bridge recreation ground was included.
- There had been no reported incidents of dogs attacking nesting birds at Long Rock, but it was about reducing risks to species. There were no nesting birds due to the amount of disturbance.
- Clear signage would be key to the implementation of the PSPO. Enforcement staff would be made clear on what they were enforcing and there would be an initial grace period.
- The PSPO would be enforced either by third party contractors, the police or nominated council officers. Third party contractors were salaried and there was no incentive to issue PSPOs.
- Contractors would be trained to issue in a measured and consistent manner.
- Officers would receive a monthly breakdown of fines issued by age, ethnicity etc.
- After the consultation had finished, communication was received from Barham Parish Council who wanted their village green requirements downgrade. There would be a need to go out for further consultation if that change was to be made. The Service Director advised this would be picked up separately.
- Was there any compensation to be made in the way of a 'dogs off lead' area if the PSPO was introduced?
- It should be acknowledged that some people were scared of dogs and people's need to exercise their pet should be balanced particularly around other people and children.
- Strategic signage would be needed for areas such as Toddlers Cove, where it was not a clear, bounded area and that was the reason why maps were being included.
- If a member of the public did not have a means to pick up their dog's mess, officers would have bags and could do so.
- Councillors were aware of the particular sensitivities surrounding the Long Rock area and there was a feeling that it wasn't just dog walkers who could cause disturbance.
- It was suggested there were two existing PSPOs covering the Long Rock area that could be applied currently, those who don't have their dog on a lead and those who remove, damage, deface or vandalise or cause harm to any wildlife. This could be applied to those people who do not have their dogs under control.
- As part of the PSPO, it would be good to review the placement of dog waste bins. Residents should also be made aware that dog waste

could be put into 'normal' litter bins. Officers would discuss with the contracts officer.

- It was noted that some people would find it hard to judge a 2 metre lead.
- There was confusion about the existing rules at Long Rock as signs had been defaced or removed.
- Any new suggestions would need to be considered by Cabinet and then go back out for consultation before Council made their decision.
- If the PSPO was introduced, there would be no change at Long Rock.
- There was currently a dog free area around the Oyster Bay Trail which could be difficult to manage. The officer advised that areas would not be fenced, but adequate signage would be in place.
- It was felt that seasonal restrictions may be difficult to manage and to understand. Seasonality might work for birds but there were other species affected too.

Following discussions regarding Long Rock, councillors agreed to vote separately on that area.

It was proposed, seconded and when put to a vote unanimously agreed to:

Recommend (to Cabinet):

1. The adoption of a new Dog Control PSPO 2024, excluding the **Long Rock area**, as set out in Appendix D which includes requirements relating to :
 - Dog fouling
 - Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
 - Direction given to place dog on lead
 - Dog exclusion as per locations listed in Schedule 2 of Appendix D
2. To include the new site of Bridge Recreation Ground as a dog exclusion area (as set out in Schedule 2 of Appendix D).
3. To attach site maps to locations listed in Section 2 of this report, to ensure boundaries and areas that restrictions apply are clear.
4. To NOT include in the new order:
 - 4.1 Dog lead restrictions at the following sites:
 - a. Paths of the Riverside Walk
 - b. The public footpath within Whitstable Cemetery Whitstable
 - 4.2 Dog exclusion at the following sites:
 - Play area The Maltings, Enclosed, Littlebourne
 - Play area Black Griffin Lane, Canterbury
 - Sturry Road Community Park Garden Area, Northgate
 - 4.3 The requirement of a person in charge of a dog on land to which the order applies, to produce (if asked to do so by an officer) a suitable means to pick up, remove and appropriately dispose of dog faeces

Record of voting:

For the proposal (12): Councillors Keith Bothwell, Dane Buckman, Rachel Carnac, Elizabeth Carr-Ellis, James Flanagan, Liz Harvey, Harry McKenzie, Keji Moses, Peter Old, Paul Prentice, Dan Smith and Naomi Smith.

Against the proposal (0):
Abstained from the proposal (0) :

The following recommendation was then proposed and seconded.

The adoption of a new Dog Control PSPO 2024, **for Long Rock area only**, as set out in Appendix D which includes requirements relating to :

- Dog fouling
- Dog on lead of no more than two metres as per locations listed in Schedule 1 of Appendix D
- Direction given to place dog on lead
- Dog exclusion as per locations listed in Schedule 2 of Appendix D

When put to a vote it was believed that there was an equality of four votes for and four against the proposal, with three abstentions. The Chair declined to use his casting vote and it was agreed that the report to Cabinet should reflect the vote taken with numbers to demonstrate the split views - along with all comments made by the Committee.

Subsequently it was realised that the vote was five votes for and four against, with three abstentions. The actual vote is reflected in the minutes.

Record of voting:

For the proposal (5): Councillors Keith Bothwell, James Flanagan, Keji Moses, Peter Old and Dan Smith.

Against the proposal (4): Councillors Dane Buckman, Elizabeth Carr-Ellis, Harry McKenzie and Naomi Smith.

Abstained (3): Councillors Rachel Carnac, Liz Harvey and Paul Prentice.

(Councillor Liz Harvey arrived during the officer introduction for this item.)

596. Long Rock Management Plan

The Senior Environment Manager introduced the report detailing the Long Rock Management Plan following public consultation.

There were three options detailed within the report which were:

Option 1: Cabinet approves the adoption of the Long Rock Management Plan and its implementation.

Option 2: Cabinet does not approve the adoption of the Long Rock Management Plan but supports its implementation.

Option 3: Cabinet does not approve the adoption or implementation of the Long Rock Management Plan or its implementation.

Councillors discussed the report, asked questions and for clarifications from the officers and Cabinet Members, and made points, including the following:

- Councillors welcomed the management plan and congratulated the officers.

- It was noted that there wasn't a Friends Group set up and it was suggested that local councillors might like to help get one established.
- It might be possible to treat the whole coastline as linked areas going forward. Officers already worked closely with foreshore and engineering teams.
- Officers would welcome support from local councillors to build upon emerging relationships with residents.
- The public had previously not been keen when previously consulted about a possible footpath at the site but this may be something that a Friends group could consider going forward.
- It was hoped an information leaflet could be produced summarising the Management Plan.
- Signage was also being reviewed and would hopefully be installed at the site shortly.

It was proposed, seconded and when put to a vote unanimously agreed:

TO RECOMMEND (to Cabinet) that the Long Rock Management Plan be adopted.

Record of voting:

For the proposal (12): Councillors Keith Bothwell, Dane Buckman, Rachel Carnac, Elizabeth Carr-Ellis, James Flanagan, Liz Harvey, Harry McKenzie, Keji Moses, Peter Old, Paul Prentice, Dan Smith and Naomi Smith.

Against the proposal (0):

Abstained from the proposal (0) :

597. Any other urgent business to be dealt with in public

There was no business under this item.

598. Exclusion of the press and public

599. Any other urgent business which falls under the exempt provisions of the Local Government Act 1972 or the Freedom of Information Act 2000 or both

There was no business under this item.

Meeting closed at 20:28