

**BOROUGH OF POOLE – PLACE OVERVIEW AND SCRUTINY COMMITTEE
– 08 NOVEMBER 2016**

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PLACE OVERVIEW AND SCRUTINY COMMITTEE

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The Meeting commenced at 6.00pm and finished at 8.10pm.

Present:

Councillor Garner-Watts (Chairman)
Councillor Tindle (Vice-Chairman)
Councillors Brooke, Gabriel, Howell, Moore (substitute for Councillor Le Poidevin), Parker and Stribley (from 6.30pm)

In attendance:

Portfolio holders: Councillors Inyegar (from 7.05pm), J Rampton (until 7.30pm) and Potter.

Ward Councillors: 0

Also in attendance:

Kate Ryan, Strategic Director – Place theme

Shaun Robson, Head of Environmental and Consumer Protection
Peter Haiken, Regulatory Services Manager

Nick Perrins, Planning Policy and Implementation Manager
Rebecca Landman, Planning Officer

Lead Petitioners:

Mr W Batten
Mr W R Jones

Members of the Public: 15

POS20.16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Le Poidevin, Pawlowski and Wilkins.

POS21.16 DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

Other non-Statutory Interests

Councillor Brooke declared a non-pecuniary personal interest in his capacity as Chair of the Broadstone Neighbourhood Forum.

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Councillor Gabriel declared that he had been involved through his employment in responding to the incidents concerning Travellers at the Dolphin Leisure Centre Car Park.

Councillor Garner-Watts declared an interest as a member of the Poole Quays Neighbourhood Forum and, as Chair of the Overview and Scrutiny Committee, declared that he would hand over the Chair of the Committee to the Vice-Chairman for consideration of the item and that he would take no part in the Committee's consideration of the item.

Councillor Howell declared an interest as a member of the Poole Quays Neighbourhood Forum.

POS22.16 MINUTES

RESOLVED that the Minutes of the Place Overview and Scrutiny Committee held on 20th July 2016, having been previously circulated, be taken as read, confirmed and signed by the Chairman as a correct record.

POS23.16 FORWARD PLAN

The Forward Plan was presented for consideration and it was agreed that the Plan be amended to better reflect that the progress of Neighbourhood Planning was determined by timetabling issues.

RESOLVED:

That the Forward Plan be noted.

POS24.16 BARRIER AT BRANKSOME RECREATION GROUND CAR PARK.

The Committee was referred to the Council Meeting on 27th September 2016 when Mr W Batten, a resident of Poole, presented a Petition to Council in the following terms:

“We the undersigned request that the Car Park Barrier continues to be locked each evening and re-opened the next morning. This is to prevent the problems we have had in the past with vehicles congregating after dark and anti-social behaviour.”

It was explained that the Council referred the Petition to the Place Overview and Scrutiny Committee for their consideration. The lead petitioner, Mr W Batten, addressed the Committee.

Members noted that in September 2016 the Council had ceased locking and unlocking a number of open spaces across Poole where there was no evidence of need. Branksome Recreation Ground was one of the sites where overnight locking was discontinued. It was reported that the changes resulted in a potential financial saving of £20,000 per annum across the Borough.

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The Committee was informed that the changes were being introduced on a trial basis and would be reviewed after 12 months. The Committee was also informed that no Anti-Social behaviour incidents had been formally reported to the Police since the trial period began although residents locally were concerned about activities in the area. It was noted that firm evidence of mis-use would be required to support any further action.

The Committee also discussed alternative options for arranging for gate locking including the potential for involvement of local residents or Community Groups. As part of taking the longer term view of security in this particular location, it was recognised that any proposals going forward for leasing of the Pavilion building should also be taken into account.

RECOMMENDED

That the decision not to lock Branksome Recreation Ground Car Park continue for the remainder of the 12 month trial period subject to investigating the situation regarding the lease of the Pavilion building and the possibility of a Community Group being willing to take on the locking and unlocking.

Voting : Unanimous

POS25 .16 REVIEW OF GYPSY AND TRAVELLER POLICY

The Committee was referred once again to the Council Meeting on 27th September 2016 when Mr W R Jones, a resident of Poole, presented a Petition to Council in the following terms:

“We the undersigned, ask Poole Borough Council to take measures to prevent Travellers from accessing the Car Park at the Dolphin Sports Centre in Kingland Road, Poole.”

The Council referred the Petition to the Place Overview and Scrutiny Committee for their consideration. The lead Petitioner, Mr J W Jones, addressed the Committee.

In addition to consideration of the Petition, the Committee took a much wider overview of operational policy for controlling unauthorised encampments. Members noted that the policy reflected the current situation within the Borough where there remained insufficient resources nor a suitable location formally to establish a transit site for Travellers within its boundaries.

Members of the Committee received details of security measures in place at specific locations across the Borough and reviewed effectiveness of the measures in the context of recorded unauthorised encampments.

Viewed by reference to specific incidents over the year, there was discussion about relationships with Dorset Police. There was a view that the criteria and the triggers applied by the Police were sometimes unduly restrictive upon the use by the Police of their powers under Section 61 of the Criminal Justice Act. There was also discussion about the risks that were increasingly being faced by

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Council staff who were called on to deal with incidents and to respond to members of the public faced with incursions in their locality.

The discussion raised a number of wider issues around detailed Gypsy and Traveller policy and practice. The view of the Committee was that these issues could best be discussed initially by a smaller 'Study Group' with a reference to report back to the Committee with recommendations to Cabinet. There would be the opportunity to examine best practice from elsewhere and to develop a greater understanding of the complexities around these issues.

The subject of a formal transit site for Travellers within Poole, which had been considered by Council in December 2015, would, however, be outside the scope of the 'Study Group'. The Committee was of the view that there

The Committee also considered that the specific issues raised in the Petition should be addressed, in the first instance, through the 'Study Group'.

RECOMMENDED

That the Cabinet be requested to

i. Establish a 'Study Group' comprising five members of the Place Overview and Scrutiny Committee (including the Chairman of the Committee) to review current Gypsy and Traveller policy and practice and report back to the Place Overview and Scrutiny Committee with recommendations to Cabinet;

ii. Instruct the 'Study Group' to investigate whether or not to instigate enhanced security measures at Kingland Road Car Park, as raised in the Petition submitted to Council on 27th September 2016;

iii. Request the Chief Executive to make representations to the Chief Constable of Dorset Police requesting:

- More Police support during episodes of Community tension that occasionally arise from Traveller encampments;**
- Direct communication links between Council Officers and Police operational command for such incidents;**
- That Dorset Police use powers under Section 61 Criminal Justice Act to remove encampments when there is significant Community tension and levels of anti-social behaviour;**

iv. Request the Portfolio Holder for Environment and Consumer Protection, Councillor John Rampton, to make representations at National Government level supporting the arguments set out in paragraph 2.1.3 above and regarding particularly the situation within the Borough of Poole which, as a relatively small Borough, does not of itself, have the

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resources nor a suitable location formerly to establish a transit site for Travellers within its boundaries.

Voting : Unanimous

POS26.16 Councillor Garner-Watts, having declared an interest in the following item, stood down from the Chair and took no part in the in the Committee's consideration of the item.

Councillor Tindle, Vice-Chairman, in the Chair.

POS27.16 POOLE QUAYS NEIGHBOURHOOD FORUM

The Committee received a copy of the modified Neighbourhood Plan and the Report of the Independent Examiner dated 23rd September 2016 as well as the Council's draft Decision Statement.

The detailed next steps as set out in the Regulations were set out and explained.

It was reported that the Examiner had found that, subject to the modifications set out and listed for Members, the Plan met the basic conditions and other requirements to proceed to the Local Referendum stage of the process. The Examiner had also recommended that the Neighbourhood Area was the appropriate area within which to hold the Referendum.

Members expressed their congratulations to the Poole Quays Forum for the hard work put into the Plan preparation and recognised the level of public engagement achieved.

There was discussion around the importance of good communications in support of the Referendum process although it was recognised that this was primarily a role for the Poole Quays Forum. The Committee was reminded that anything done needed to comply with complex Regulations and constraints governing the Referendum and that particular care needed to be taken to stay within the terms of these rules. It was noted that there was some Government funding available to the Council to support the work required in organising the Referendum.

RECOMMENDED

That the Council be requested to

i) Agree the modifications to the Poole Quays Forum Neighbourhood Plan recommended by the Independent Examiner in the report dated 23rd September 2016 (Appendix 1);

ii) Accept the Examiner's modifications and additional minor modifications to the Poole Quays Forum Neighbourhood Plan agreed between the Poole Quays Forum and Planning Officers as set out in the tables in the draft Decision Statement (Appendix 2);

iii) Agree with the Examiner’s recommendation that the Poole Quays Forum Neighbourhood Plan as modified meets the Basic Conditions;

iv) Agree that the Neighbourhood Plan as modified (Appendix 3) can proceed to Referendum and then publish this decision through issuing the Decision Statement;

v) Agree that any further minor changes to the Plan be delegated to the Head of Planning & Regeneration Services including Building Consultancy in consultation with the Portfolio Holder for Planning and Regeneration and subject to consultation with an appropriate representative from the Poole Quays Forum;

vi) Agree that publication of the formal Decision Statement be delegated to the Head of Planning & Regeneration Services including Building Consultancy;

vii) Agree, always within the scope of the Neighbourhood Planning Regulations, to support promotion and publicity of the Plan undertaken by the Poole Quays Forum.

Voting : Unanimous

POS28.16 Councillor Garner-Watts in the Chair.

POS29.16 URGENT BUSINESS

There were no items of Urgent Business.

CHAIRMAN