

Licensing and Regulatory Committee

Minutes of the remote meeting held on Monday 21 September 2020 at 6.00pm, which was broadcast live via the Council's YouTube Channel.

Present: Councillor Heath (Chairman); Councillors Boad, Cullinan, A Dearing, Evans, C Gifford, Grey, Illingworth, Leigh-Hunt, Mangat, Murphy, Norris, Redford, and Syson.

12. **Apologies and Substitutes**

- (a) Apologies were received from Councillor Luckhurst.
- (b) There were no substitutes.

13. **Declarations of Interest**

There were no declarations of interest.

14. **Public Space Protection Orders – Dog Control**

The Committee considered a report from Health and Community Protection providing an update of the pre consultation which had taken place and the impact of the suggestions that had been placed in the public domain prematurely.

On the 8 July 2020, the Licensing and Regulatory Committee noted questions received regarding the Public Space Protection Orders (PSPO) in relation to dog controls and were advised by officers that they would undertake a pre-consultation. The pre consultation would be with Parish and Town Councils and relevant landowners within the District, in order to gain a better understanding of the specific issues affecting local areas, prior to formal proposals coming to the Committee ahead of wider public consultation.

Members had accepted this and disregarded the elements around the Dog Control PSPOs from the report and debate. It was determined that officers should bring a separate report to the Committee on this specific matter at a later date.

Officers contacted relevant stakeholders, in confidence, with a number of suggestions to request their thoughts and feedback in order to consider what measures would need to be included or indeed excluded from a proposed PSPO for dog controls.

Unfortunately, these suggestions were placed into the public forum without context or appropriate explanation against the instructions provided in the pre consultation correspondence.

In addition, a summary of decisions of the Licensing & Regulatory Committee was published to clarify the decisions taken in regard to the published report. Therefore, to understand the decision taken, it relied on the public watching the video of the meeting.

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The combination of these two factors generated significant public misunderstanding and miscommunication in relation to the status of any proposals and the course of action being taken. This resulted in large quantities of negative feedback, including Freedom of Information Requests, complaints to officers and Councillors along with a petition, of over 4000 signatures, opposed to the alleged proposals.

The Council provided correction statements to both local and national media requests.

Despite best efforts (including publishing the draft minutes of the 8 July Committee meeting, social media communications, and direct email correspondence from officers and Councillors), to mitigate and correct the misinterpretation had become the overwhelming narrative.

It was considered almost impossible to conduct a fair public consultation into the PSPOs for Dog Controls in order to make any changes to the existing orders, due to the current proliferation of incorrect information.

As outlined in the report from the 8 July Committee meeting, the legislation for PSPOs outlined that if orders were varied, extended or discharged, there were statutory requirements regarding publishing or publicising this and a consultation process was required.

The existing PSPOs needed to be reviewed by 21 October 2020, and due to the significant risk of the lack of a fair consultation, consideration was given to extending or removing the existing orders and level of consultation required to meet the legislative requirement.

By extending the existing orders, there would be no change to the contents of the orders which had been in place since 2014. Any alterations which had been suggested within the pre-consultation would not be included in the orders.

The report to the Committee in October would include details of the stakeholder consultation, for maintaining the current orders, with a view to renewing them for a period of three years. However, the Council could undertake a wider review of the orders within this time at a point if it wished to.

In terms of alternative options, the existing consultation could move on to a public consultation following a report to Committee, outlining the proposals for the PSPOs, which were reflective of the stakeholder pre engagement activities. However, as outlined within the report, it was not believed that a fair public consultation could be conducted at that time.

In addition, the timeline for such a consultation and report would still require the existing orders to be extended to allow the consolidation of the feedback from the pre consultation process, a suitable public consultation period and the preparation of reports to Committee regarding the adoption and/or amendments required to the revised PSPOs.

Alternatively, a decision could be taken to removal all of the existing orders in relation to dog control. This still required a consultation with relevant

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stakeholders and feedback and collated information suggested that these orders remained valid in as far as the controls they would enact.

The Committee therefore

Resolved that

- (1) a fair public consultation cannot be conducted at this time due to the placement of the suggestions included within the pre consultation information with stakeholders being placed in the public domain, be noted; and
- (2) formal consultation with existing stakeholders to extend the existing [Public Space Protection Orders](#) (PSPO) (formally known as Dog Control Orders), be approved.

(The meeting ended at 6.35 pm)

CHAIRMAN
14 October 2020