



# Minutes

## Overview and Scrutiny Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Tuesday, 15 February 2022
Present	Councillors Miss Susan Carey, Peter Gane, Patricia Rolfe, Rebecca Shoob (Vice-Chair) and John Wing
Apologies for Absence	Councillor Gary Fuller, Councillor Michelle Keutenius, Councillor Connor McConville and Councillor Terence Mullard
Officers Present:	Andy Blaszkowicz* (Director of Housing and Operations), Gill Butler* (Chief Officer - Housing), Kate Clark (Case Officer - Committee Services), Andrew Clarke (Senior Area Officer), Ewan Green (Director of Place), Tom Harding* (Neighbourhood Management Senior Specialist), Sue Lewis (Committee Services Officer), Sarah Osborn (Community Safety Specialist), Andrew Rush (Chief Officer Place & Regulatory Services) and Karen Weller (Environmental Protection Senior Specialist)
Others Present:	Councillor Mrs Jenny Hollingsbee

(\* for minute no. 36 only)

### 33. **Declarations of Interest**

There were no declarations of interest.

### 34. **Minutes**

The minutes of the meetings held on 29 November and 7 December 2021 were approved and signed by the Chairman.

### 35. **Minutes of the Finance & Performance Scrutiny Sub Committee**

The minutes of the meeting held on 16 November 2021 and 18 January 2022 were approved and signed by the Chairman.

### 36. **The Use of Fixed Term Tenancies for Council Tenants**

Report OS/21/13 reviewed the use of fixed term tenancies for council housing lettings, to cease using fixed term tenancies and to return to using secure tenancies in the Council's social housing stock.

Members' comments included:

- Good to see robust procedures in place.
- It was noted that rent arrears and other tenancy breaches are dealt with using other mechanisms.
- Tenant engagement for introductory tenancies. Standard action is that a minimum three visits are made in the first year. A suggestion made that a flowchart is produced showing procedures.
- If approved by Cabinet, the next step is to decide whether to let existing fixed term tenancies run their course or to convert these to secure tenancies, a better option for tenants.

Councillor Wing raised a question about private landlords and unsecure tenancies, the Director of Housing and Operations advised this would come under Housing Options rather than the Council's Housing Service, further details would be provided.

Proposed by Councillor Peter Gane  
Seconded by Councillor Miss Susan Carey; and

**RESOLVED:**

- 1. That Report OS/21/13 be received and noted.**
- 2. That this Committee's support be noted for Cabinet to consider approving the amendments to the FHDC Housing Services Tenancy Policy that will allow for the cessation in issuing fixed term tenancies and the reversion to the use of secure tenancies for permanent council housing lettings.**
- 3. That this Committee's support be noted for Cabinet to consider authorising officers to investigate and implement the most effective way to convert existing fixed term tenancies to secure tenancies.**

(Voting: For 5, Against 0, Abstentions 0)

**37. Dog Control Public Spaces Protection Order (PSPO) and Community Safety Anti-social Behaviour PSPO**

Members were taken through the forthcoming proposals to be put in place for the new revised Dog Control Public Space Protection Order and to renew the Community Safety ASB Public Space Protection Order based on the presentation which is attached to these minutes.

Generally the discussion concentrated on Dog Control and beaches. Members comments and questions were as follows:

- Data to be provided on dog fouling and failure to pick up offences It would be helpful for residents to see this information.

- The data could also include numbers of littering offences and other PSPO offences committed..
- Members were advised that numbers and types of FPNs issued are publicised, if court action is taken, then further details are publicised.
- Enforcement officers cover the whole district every day, concentrating on hotspot areas, for example, the Coastal Park.
- Beaches – a possible change from prohibited seasonal areas for dogs to daily timed bans where dogs are prohibited from beaches from 9am to 6pm. This would not affect all beaches. The public consultation would provide views on this. It was also mentioned the publication of other areas to walk dogs in the district along with information leaflets and website updates.
- Bins – more signage is planned and additional staff on patrol during busy seasonal weekends. Dog waste bins are provided within the district, however it is important that all dog owners understand any public bin is a dog waste bin.
- The Senior Area Officer mentioned the proposed launch of the “Responsible Dog Ownership competition – recognising dog owners that pick up after their dogs– given a ticket – win a ”love to shop” voucher. Officers were keen to ensure a continued positive light is relayed to residents and visitors of the district in ensuring restrictions are adhered to.
- Problems had been encountered with motorbikes using play areas in Cheriton as dirt tracks. The Community Safety Specialist said she will look into this problem and explained that this is primarily a Police Matter as they have different powers to stop vehicles, but she would work with the Police to investigate further. Officers reminded members of the importance of reporting offences, including timings, descriptions and photos if possible to help officers be at the right place and time.

Members, including Portfolio Holder, Councillor Mrs Hollingsbee, thanked officers present at the meeting for the information and looked forward to the update at the next meeting in April. Also, thanks was given to all officers who undertake this difficult and challenging work.

Councillor Wing paid particular thanks to Mr Giles Barnard, Senior Area Officer, for the work that he and his colleagues carry out.

Proposed by Councillor Peter Gane  
Seconded by Councillor Miss Susan Carey; and

**RESOLVED:**

**That the information given based on the presentation with regard to the forthcoming proposals to be put in place for the new revised Dog Control Public Space Protection Order and to renew the Community Safety ASB Public Space Protection Order is received and noted.**

(Voting: For 5; Against 0; Abstentions 0)

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# Public Spaces Protection Orders Dog Control & Anti-social Behaviour

Karen Weller – Sarah Osborn  
Environmental Protection Senior Specialist

# What we will cover

- Public Spaces Protection Orders
- Proposed New and Renewed PSPO
- How is it enforced
- Joint Working
- Next Steps
- Question?

# Public Spaces Protection Orders (PSPO)

- In 2014 the Government brought new powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014.
- Public Spaces Protection Orders (PSPOs) sit amongst a broad range of powers and tools to help tackle anti-social behaviours.
- The orders are intended to deal with persistent anti-social behaviour in a local area that is detrimental to the community's quality of life. They do so by imposing conditions on the use of that area to ensure everyone can use and enjoy public spaces without experiencing nuisance and annoyance.
- The duration of the PSPO is 3 years and at any point before expiry the council can extend, vary or discharge it following appropriate consultation.

# New and Renewed PSPOs

## ***Dog Control (New)***

### ***Restrictions remain the same***

- Dogs on leads
- Dogs Restricted/seasonal
- Dog fouling – failure to pick up

### ***Main changes***

- Dogs on leads in all Cemeteries
- Beaches – introducing timed access

## ***Anti-Social Behaviour (Renewal)***

### ***Due to expire June 2022***

### ***Includes 7 measures***

1. Anti-social Alcohol consumption
2. Use of intoxicating substances
3. Urinating/Spitting/Defecating
4. Begging
5. Anti-Social street entertainment
6. Unauthorised street fundraising and marketing (Chugging)
7. Unauthorised Camping



# Enforcing a PSPO

**Patrol the area (Hotspots)**

**Joint Operations**

**Use the 4 E's (warnings)**

- Engage,
- Educate,
- Encourage,
- Enforce

**Issue Fixed Penalty Notice (FPN)**

- *If paid*, case is closed and details held on file for max 5 years (no criminal record)
- *If not paid*, the FPN is jointly reviewed with the police and the case can be progressed to legal
- Court Hearing
- Fine and criminal record given

# Joint Working

- Council and or Police Officers record the information and warnings in their notebooks
- FPN issued and entered onto the case management system and shared with each organisation.
- Locations and complaints are reviewed as apart of the Community Safety meeting matrix
- Joint tasking and Operations Target key locations or times of behaviours.
- The PSPO FPN log is reviewed, this includes the use of other tools under the legislation including:-  
CPW &CPN's, ABC or progression to CBO.

# Next Steps

- Dog PSPO – Cabinet Report 23 February 2022
- Public Consultation – 8 weeks
- ASB PSPO - Cabinet 23 March 2022
- Public Consultation - 8 Weeks
- O/S 28 April 2022 – Feedback in to consultation process

# Questions?



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