

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet Member for Communities**
held on Monday, 20th July, 2015 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillors L Gilbert, Cabinet Member for Communities

Officers

Steph Cordon, Head of Communities

Kim Evans, Licensing Team Leader

Phil Mason, Regulatory Services and Health

Rachel Graves, Democratic Services Officer

6 APOLOGIES FOR ABSENCE

There were no apologies for absence

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present at the meeting.

9 REVISED STATEMENT OF GAMBLING PRINCIPLES

The Cabinet Member considered a report on the Council's Statement of Gambling Principles.

The Gambling Act 2005 required local authorities to prepare and publish a statement of the principles that they proposed to apply when exercising their functions under the Act during the three year period to which the statement applied.

The Council was required to review its existing statement of principles and publish the revised version by no later than 31 January 2016. In preparing a revised statement the Council had to undertake a consultation exercise with stakeholders.

The draft Statement, attached as Appendix 1 to the report, incorporated minor amendments, changes in legislation or practice and a local area assessment. The Statement was considered by the Licensing Committee on 8 June 2015, who approved the content. Approval was sought from the Cabinet Member for the revised statement and to the consultation exercise. The Communities and Overview Committee would also consider

the Statement during the consultation period. Following the end of the consultation period the Statement would be referred back to the Licensing Committee for consideration of any consultation responses. The Statement would then be referred to Cabinet for consideration prior to final approval by full Council.

RESOLVED:

That approval be given to the revised statement and to the consultation exercise.

10 ELECTRIC POOL CARS - GRANT OPPORTUNITY

The Cabinet Member considered a report on a grant funding opportunity for electric pool cars.

The Council currently operated four pool vehicles for general staff usage. The average age of the vehicles was 9 years old and this meant maintenance and reliability were an issue and staff were reluctant to book pool vehicles.

In order to increase car pool usage and the commensurate savings to the Council, there was a need for either higher quality more economical pool vehicles or the provision of additional vehicles.

There was a very short window of opportunity to take advantage of a 75% grant from the Office for Low Emission Vehicles towards two year lease costs for four electric vehicles for the Council's use. The grant was available until 31 July 2015.

The Council had received grant funding in 2014 for the provision of vehicle charging infrastructure both on the Council's estate and in the Borough and five fast charging points has been situated at Macclesfield Town Hall, Westfields, Delamere House and the Library Car Park, Crewe.

RESOLVED:

- 1 That approval be given to the application for grant funding of four electric pool vehicles as a replacement for the existing pool cars.
- 2 That the development of a policy outlining the appropriate use of electric and conventional pool vehicles, and promoting the culture of using pool vehicles where available and suitable over and above the private car, be endorsed.

11 ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

The Cabinet Member considered a report on the Anti-Social Behaviour Crime and Policing Act 2014.

The Anti-Social Behaviour Crime and Policing Act 2014 came into being on 20 October 2014. The Act streamlined fourteen existing powers into seven. These being:

- Civil Injunction
- Criminal Behaviour Order (CBO)
- Community Protection Notice (CPN)
- Public Space Protection Order (PSPO)
- Closure Notice and Closure Order
- Dispersal Power
- Community Trigger
- Community Remedy

Approval was sought for the procedures for Public Space Protection Order and Community Protection Order, which were detailed in Appendix 1 to the report, as there was a current demand for these two powers. Procedures for the other powers would be brought to the Cabinet Member in August for approval.

Fines for breach of both of these powers could entail a Fixed Penalty Notice of up to £100, which once paid would discharge the individual of the offence. It was therefore suggested that, as an Enforcing Council, that the maximum fine of £100 be set without a lower rate for earlier payment.

RESOLVED:

- 1 That approval be given to the procedures set out in Appendix 1 of the report to enable the Council to use these powers effectively and swiftly.
- 2 That approval be given to the setting of Fixed Penalty Notice for breaches of these two powers (PSPO and CPN) at a set fee of £100 (maximum fine).
- 3 That Cabinet be asked to note the decision.

12 PUBLIC SPACE PROTECTION ORDERS

The Cabinet Member considered a report on Public Spaces Protection Orders.

The Anti-Social Behaviour Crime and Policing Act 2014 enabled the Council to follow prescribed procedures to declare a Public Space Protection Order (PSPO) and were designed to stop individuals or groups committing anti-social behaviour in a public place.

Guidance sets out that suitable and sufficient evidence must be established in respect of behaviour to be addressed by a PSPO and once

an evidence base is established, the Council must consult with the Police, the Police and Crime Commissioner and other relevant bodies.

There were currently 5 applications being considered for PSPOs:

- Macclesfield Underpass
- Fairview Car Park, Alsager
- Queens Park, Crewe
- Tesco's Car Park, Crewe
- Poynton Sports Club

The Cabinet Member was requested to authorise formal public consultation in relation to the above applications.

RESOLVED:

- 1 That approval in principle be given to formal public consultation in relation to current initial request for Public space Protection orders (PSPOs) as outlined in the report and to delegate the power to Head of Communities for the decision on public consultation following a full report for each area. Following consultation, if the criteria has been met and evidenced, a full review and paper will be submitted for Portfolio Holder decision, to authorise a PSPO.
- 2 That approval be given for a formal public consultation exercise to be undertaken regarding the PSPO at Poynton Sports Club (at a set date following approval), over a minimum of 4 weeks which is necessary to inform any future decision by the Portfolio Holder.

13 PREVENTING VIOLENT EXTREMISM

The Cabinet Member considered a report on the Prevent Duty under the Counter Terrorism and Security Act.

The Counter Terrorism and Security Act became law on 16 February 2015. The Act placed a duty on councils to have "due regard to the need to prevent people being drawn into terrorism." This was known as the Prevent Duty. Councils were also required to establish Panels to identify and support those felt to be vulnerable to being drawn into terrorist activity. This was called Channel and the guidance for this came into effect on 1 July 2015.

As a Council, the lead for Prevent already rested with the Community Safety Partnership. The Partnership met on a quarterly basis and had Prevent as a standing agenda item. The Chairs of the Community Safety Partnership, Adults Safeguarding Board and Children's Safeguarding Board had also agreed that preventing terrorism and extremism was something that involved all three Boards.

The Channel Panel would assess to the extent to which identified people were vulnerable to being drawn into terrorism. The Panel would establish

a plan of support to reduce that person's vulnerability and if necessary could consider referring a person to a health or social care provider even if it did not thing that a plan of support was necessary.

The Council needed to ensure that its own buildings were not used to promote extremist views. Filters had already been provided on computers available in libraries to ensure access to extremist websites was blocked.

RESOLVED:

- 1 That the Community Safety Partnership continue to lead on the Prevent Duty on behalf of the Council.
- 2 That the Channel Panel be established and chaired by the Local Authority
- 3 That the Council give consideration to the use of its own buildings to ensure that they do not promote extremist views, as set out in paragraph 1.7 of the report.

14 DEALING WITH PSYCHOACTIVE SUBSTANCES/LEGAL HIGHS

The Cabinet Member considered a report on dealing with Psychoactive Substances, often referred to as legal highs.

Legal highs were causing increasing concern both nationally and across the communities in Cheshire East and with a range of agencies including council services, Police and healthcare professionals. Products sold a 'legal' were alternatives to drugs and were designed to mimic established drugs which were not always legal.

The Government's legislative programme for 2015-16 includes the Psychoactive Substances Bill, which would make it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances.

The Council was working closely with partners to look at the powers available to assist in the control of these substances, including the new tools and powers within the Anti-Social Behaviour Crime and Policing Act 2014.

It has been recommended that the Council contact retailers who had been identified as selling legal highs or alleged to have sold them. As a follow up to a number of visits already made by Trading Standards to these retailers, it was proposed that a formal letter, signed by the Council and Cheshire Constabulary, be served in person on the relevant premises. The letter would remind them of their obligations around the sale of these products with various warnings attached.

RESOLVED:

- 1 That approval be given to continued joint work with partners to develop a joint approach using current tools and powers, to tackle the supply of legal highs and address any community impacts.
- 2 That that the Head of Communities, as Chair of Safer Cheshire East Partnership, sends out a joint letter with the Police to premises believed to be selling legal highs, as exemplified in Appendix 2.
- 3 That Cabinet note the commitment to dealing with this issue.

15 RAISING AWARENESS OF SKY LANTERNS

The Cabinet Member considered a report on raising awareness of the dangers of Sky Lanterns.

Chinese or Sky Lanterns consisted of a paper-covered wire or bamboo frame and an open flame heat source, which lifted the lantern into the air where it could float for miles from the point of release. Once extinguished, the lantern fell back to earth. The lanterns posed a threat to animals, as they could cause injury, suffering and death through ingestion, entanglement and entrapment. Unexpired sky lanterns posed a fire hazard and contributed to the defacement of land by litter and waste.

The Council encouraged shop keepers to not sell sky lanterns in Cheshire East using normal visits to premises by Trading Standards and bans the release of sky lanterns from Council owned land hired for events and activities and as part of a condition of any event licences granted by the Council.

RESOLVED:

- 1 That residents, businesses and event promoters be reminded of the dangers of sky lanterns.
- 2 That the commitment of the Council to banning the release of sky lanterns on Council owned land including this within any events licence granted by the Council be reaffirmed.

16 COMMUNITY HUBS UPDATE

The Cabinet Member considered a report on the development of Community Hubs.

The Council was leading a programme of work along with its partners to develop vibrant and sustainable Community Hubs, which are shaped and developed by local communities, providing the right services in the right

place at the right time. They were a key element of an ambitious programme to empower communities, providing information and access to help for residents.

The Council had secured money from the Government to pilot an approach to community hubs through social franchising. A social franchise in this context was a community business, which re-invested any profits into the community hub, for the benefit of local people.

The main focus of the national pilot was to develop community run health and mental wellbeing services, extending the Children's Centre offer and outreach services across neighbourhoods in Macclesfield through a Community Interest Company.

The Council was also trailing an opportunity to become part of the community hub network and be part of a franchise model with those areas in most need of investment and were up for the challenge. The pilot areas the Council was working with initially are:

- Bromley Farm, Congleton
- Barnies, Crewe
- Lacey Green and Colshaw Farm, Wilmslow
- Longridge Estate, Knutsford
- Moss Rose Estate and South Park Pavilion, Macclesfield
- The Georges Community Centre, Crewe

As part of the new approach, community commissioning was a way forward. Resources and decision making would be handed over to the community hubs, so that they could decide what needs to be done and who was best placed to do it in their community. There had already been a lot of interest from a wide range of organisations, who were working with the Council to develop local community hubs.

RESOLVED:

- 1 That approval be given to the suggested approach to Community Hubs and the initial sub set of priority areas.
- 2 That the social franchise model, outlined in paragraph 11.2 of the report, and how organisations could apply to be community hubs, be approved.
- 3 That the community commissioning pilot be approved.

The meeting commenced at 11.00 am and concluded at 11.30 am

Councillor L Gilbert