

MINUTES

STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

11 OCTOBER 2016

Councillors: Anderson (Chairman)
Birnie
E Collins
Fisher
Hicks
Howard
Matthews
Ransley
Riddick
C Wyatt-Lowe (Vice-Chairman)

Officers:	David Austin	Assistant Director - Neighbourhood Delivery
	Robert Cassidy	Parks and Open Spaces Officer
	James Doe	Assistant Director - Planning and Regeneration
	Susan Lea	Tourism and Marketing Officer
	Katie Mogan	Member Support Officer
	Rebecca Oblein	Strategic Planning & Regeneration Team Leader
	Pennie Rayner	Strategic Planning and Regeneration Officer

Also Attendance:

Councillor Janice Marshall
Councillor Graham Sutton

The meeting began at 7.30 pm

208 **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 21 September 2016 were confirmed by the members present and signed by the Chairman.

209 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors G Adshead, Ashbourn and S Hearn.

Councillor Birnie substituted on behalf of Councillor Ashbourn.

210 DECLARATIONS OF INTEREST

There were no declarations of interest.

211 PUBLIC PARTICIPATION

There was no public participation.

212 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN

None.

213 PARK BYE-LAWS

D Austin briefly introduced the item to members and handed over to R Cassidy who ran through the report. R Cassidy said these byelaws in the parks would help prevent metal detecting, unauthorised boot camps, horse-riding, fires, camping which are becoming issues. The byelaws would be a tool to help combat the problem. B Lisgarten said these byelaws were based on the model laws provided by the government for Local Authorities to use. The proposed draft laws are set out in the report. When the report was presented at CMT, it was felt that the feeding of wild fowl was not dealt with adequately and therefore it is suggested that two drafts are provided: 1) dealing with wild geese and 2) the model byelaws. After the consultation, the Secretary of State must approve the laws. The model byelaws are a framework to use but allow for keeping or deleting laws, there isn't really a process for adding byelaws. Chipperfield Common is a Green Flag park and can be added to the list of parks covered by these byelaws.

Councillor Anderson said this was a break with tradition from the Council's past. It had previously been said that bylaws were not enforceable or workable, that one risked opening a 'pandoras box', and that there was too much detail involved. Members were worried about the desirability or need for the bylaws, and would need some convincing, including evidence that this was the only option left available.

R Cassidy said it was not just about prosecution. It would be a tool to help the public understand the behaviours accepted in Dacorum's parks. Also, it does give the option of a Fixed Penalty Notice for repeat offenders. Other councils have been consulted and the byelaws are to help back up staff.

B Lisgarten said when these byelaws were being drafted other local authorities' websites were looked at. Many of them use byelaws to state what behaviours they expect from visitors and to help celebrate the parks.

Councillor Ransley asked what happens when a public footpath goes through a park covered by these byelaws? Do these laws apply? A large number of children use skateboards through a park in Tring.

B Lisgarten said it is about the behaviour shown whilst using these skateboards. A consultation will take place with youth centres to find out the thoughts of younger people.

Councillor Birnie said he was not happy about the principle of byelaws as they are not suitable in all areas of the borough. How will it be enforced?

R Cassidy said the byelaws would not be enforced literally. For example, one byelaw excludes over 14 year olds from using play equipment. However, if that over 14 year old is well behaved, the byelaw would not be used. If the person over 14 years old is behaving anti-socially, then the laws can be used. They are not a blanket for everyone.

Councillor Birnie said he was not convinced and said this was a level of policing for the Council.

R Cassidy said the police will not act. For example, £6,000 worth of damage was caused to the new play equipment in Randells Park. The byelaws would have been a useful tool to prosecute in this situation.

B Lisgarten said colleagues in other agencies and the police are extremely busy and do not have the resources to deal with these situations. The byelaws are at the discretion of officers. They allow them to educate the offenders about the byelaws or issue a Fixed Penalty Notice. B Lisgarten said the outcome of this report is to agree for the report to proceed, not to decide on implementing byelaws.

Councillor Matthews said the report states that it is just Green Flag parks that will be covered by these byelaws. He said there is a boot camp that uses Canal Fields in Berkhamsted and when the byelaws cover this park, they will then just move onto another park not covered by the byelaws. He feels the byelaws should be imposed on all parks or not at all. He hoped that the byelaws would be enforced and managed with common sense.

R Cassidy said he had felt the byelaws had been taken out of context and they will not be used to prosecute everyone.

Councillor Hicks asked who could enforce the byelaws.

B Lisgarten said the removal of offenders can be done by officers of the Council or the police.

Councillor Hicks asked if there was a public consultation on these byelaws as he felt the public would not be happy with some of the ones proposed. For example, he felt the byelaw stopping the feeding of ducks would be unpopular.

R Cassidy said this was an important byelaw for the Water Gardens where significant investment has been made and the area had previously been destroyed by Canadian Geese.

Councillor E Collins was concerned about the byelaw regarding damaging trees and shrubs if ball games were being played. If the tree is that important, it shouldn't be in a park where ball games are bound to be played.

R Cassidy said it was about common sense. Recently, £25,000 has been spent on bedding plants and so the byelaws are about protecting the Council's assets.

Councillor C Wyatt-Lowe suggested implementing these byelaws across the borough and perhaps changing the language of the byelaws. There is far too much "cannot". There should be a positive element in the language to tell people they cannot do something but also encourage people to use the parks.

R Cassidy agreed and said it takes small minority to ruin the parks for the large majority to enjoy.

Councillor Birnie asked if other land owners like the Boxmoor Trust had been consulted.

B Lisgarten said these byelaws will only apply to Council owned land.

Councillor Riddick said if Chipperfield Common was to be included, then there are some sensitivities in that area. In recent years, the land has held a fireworks display and has caused friction with the local Parish Council. Are officers of the Parish Council able to enforce these byelaws?

B Lisgarten said no, only enforcement officers can enforce the byelaws that have the proper accreditation and training. The Parish Council can make reports to the Council however; this may be too late to collect evidence. Events on council property need a licence.

Councillor Matthews thought drones should be included.

B Lisgarten said an extensive conversation was had about including drones but as technology advances, it may not cover it. We can include in the draft and see what the Secretary of State says.

Councillor Anderson asked what the Portfolio Holder thought of the comments made by the committee.

Councillor Marshall thanked members for their comments. The point about choosing positive language was a good one and that softer language might encourage more

people to use the parks. The byelaws are essentially a tool to deal with situations when people are using the park in an unreasonable manner. It is not intended to make Dacorum Borough Council a police state.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee supported further consideration of the implementation of these byelaws subject to three conditions:

1. That they are applied to the whole Borough, and not to cherry-picked parks.
2. That common sense is used in their enforcement.
3. That they are backed up with action, i.e. properly enforced.

214 TOURISM SERVICE UPDATE & TOWN CENTRE UPDATE

P Rayner introduced the report and said the focus was on retail and the delivery of the Town Centre Strategy:

- The acquisition of the Marlowes Shopping Centre by Capital and Regional will bring in £53 million investment.
- The Town Centre Partnership is looking into the feasibility of a business improvement district.
- Work is ongoing with the market to ensure it continues to be vibrant after the regeneration works.
- Vacancy rates dropped in the Town Centre from 16.5% in October 2014 to just 6% in July 2016. The national average is 10.1%.
- There has been a lot of independent investment. Little Beans play Café, PEP &Co and Cappuccios for example.
- There are two large events planned before the end of the year: the Halloween Party in the Old Town at the end of October and the Christmas Light Switch on in the Town Centre in November.
- Pinpointer Media have been appointed to manage town centre promotional bookings.

S Lea gave members an update on the tourism service:

- In 2013, the tourism role became available to maximise the impact of tourism in Dacorum.
- 47 businesses have joined the Tourism Partnership, generating £8,000 income.
- There have been successes with marketing and there is an increase of traffic on the website.
- The Canal and River Trust and Red Lion Pub in Nash Mills have partnered up, resulting in the pub acquiring more land.
- A new tourism map has been produced. 37,000 copies were printed with 35,000 distributed across the South East of England.

- Hertfordshire Tourism is now worth about £1.9 billion and Dacorum Tourism is valued at £230 million, making up 12% of total tourism in Herts.
- A hotel survey was done to understand occupancy rates. In 2014, the average occupancy was 73% and in 2015, this increased to 77%.
- Enjoy Dacorum has played a key role in increased footfall and spending into the area. From April 2017, Enjoy Dacorum will be contracted out to Visit Herts which is hoped will take the project to the next level.

Councillor Birnie was concerned about the decrease in markets stalls and asked why they were positioned the way they were.

P Rayner said they are working closely with the market. New paving was laid which brought some restrictions. The preference was to have the stalls in a linear fashion but the feedback was that it didn't have the feel of a market so now trialling bunching the stalls towards the north of the Marlowes and new gazebos bought.

Councillor Birnie asked if the tourism officer will be contracted out to Visit Herts along with the service.

S Lea said yes, possibly for a two year period with an extension to four years. Herts LEP contracted their tourism to Gotoplaces who own and run Visit Kent. This has been very successful and will be the same model for Hertfordshire. By contracting it out, they can reach different strategic partners that the Council cannot.

Councillor Birnie asked the Portfolio Holder if he was concerned that attention to detail would be lost.

Councillor G Sutton said that Sue Lea had done excellent job in promoting Dacorum. It is now important to seek expertise from elsewhere. There is a slight concern that people do not know where Dacorum is and there is a need to target individual towns not as an umbrella. There is a tremendous amount to offer and build on.

Councillor Birnie said there are local hotspots county wide which will not be getting the attention they deserve.

Councillor G Sutton thinks it is important to take Hertfordshire as a whole, one town can feed and build strength of another.

R Oblein said they will agree with Gotoplaces on the delivery. The team will manage events and tourism partnership.

Councillor C Wyatt-Lowe said the Town Centre Partnership needs a new focus. There are a large number of residents in the in Town Centre, are you going to be encouraging them to take part?

P Rayner said the Town Centre Partnership does have resident representatives that work with officers. It is important to find the right forum which is something that can be taken away and worked on.

Councillor C Wyatt-Lowe said it was important to include residents and focus on providing things that residents want and this needs effective resident representation. Also, whilst building work has been ongoing, the footfall counters have not been working. When they are switched on again, there should be a significant increase due to the regeneration works.

P Rayner said they did have the historical data to compare new figures too. The counters are being checked to make sure they are in the correct position and no street furniture is in the way.

Councillor Hicks thought linking Hertfordshire together was a good idea. Will the Visit Tring website link into Herts?

S Lea said a lot of work had been done with Tring. Visit Herts are up to date with all the work done and ongoing by Dacorum and they are keen to listen and continue with these projects.

Councillor G Sutton thanked the team for their hard work and it is encouraging to see an increase in footfall in the car parks. The Town Centre has only been completed for a few months and is already vibrant.

Councillor Anderson proposed that the committee support the ongoing efforts by the team.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee note the report.

215 HOUSING AND PLANNING ACT IMPLICATIONS

J Doe said the Housing and Planning Act Implications report had been delayed. It is due to go to Cabinet in November so the report should hopefully be before this committee at the November meeting.

J Doe gave a brief update on the hearing into the Site Allocations. The purpose is to look at the detail of the Local Plan which follows on from the Core Strategy in 2013. There is no date yet for when the report will be received but it normally takes a few weeks after the hearing closes.

216 WORK PROGRAMME 2016/17

It was agreed by the committee to move the Housing and Planning Act Implications to the meeting on 22nd November and the Two Waters Update be moved to the meeting on 6th December.

The Meeting ended at 8.40 pm