

COMMUNITIES COMMITTEE

10th March 2020

Present: Councillor James Stanley in the Chair

Councillors A. Amos, Bayliss, Biggs, Cawthorne, Collins, Denham (Vice-Chairman), Griffiths, S. Hodgson, Johnson, Lamb and Stephen

Officers: **Ismene Broad, Private Sector Team Manager**
Alice Davey, Head of Community Services
Lloyd Griffiths, Corporate Director – Homes and Communities
Rhizina Shearer, Projects and Voluntary Sector Lead Officer
Nina Warrington, Head of Strategic Housing

48 Appointment of Substitutes

Councillor Bayliss for Councillor Hassan; Councillor Stephen for Councillor Bisset.

49 Declarations of Interest

The following declarations of interest were made:

Councillor Stephen - item 54 (Review Of The Worcester City Council Additional Houses In Multiple Occupation (HMO) Licensing Scheme) - as the landlord of a property in Worcester.

Councillor Hodgson – item 56 (Worcester City Council Community Grants) – as a member of Worcester Arts Council and the Lyppard Hub.

Councillor Bayliss – item 56 (Worcester City Council Community Grants) – as a Board member of Worcester Festival.

50 Public Participation

None.

51 Minutes

RESOLVED: That the minutes of the meeting held on 29th January 2020 be approved as a correct record and signed by the Chairman.

52 Proposed Committee Performance Scorecard 2020/21

The Committee considered the proposed content of the Policy and Resources Performance Scorecard for 2020/21. The Corporate Director – Homes and Communities presented the report and highlighted the main points. Officers responded to questions from Committee Members on detailed aspects of the report.

In response to a question about the impact of the recent floods on the Tennis in Parks project, Members were informed that the timescale is currently being reviewed with the contractor. Early indications were that this has not slipped as much as anticipated. A briefing note will be circulated to Members in due course.

In response a question about performance indicators shown as "data only" Members were advised that in these cases, setting a baseline has proved difficult but Officers are actively looking at how this can be achieved.

RESOLVED: That the Committee agree the proposed content of the Policy and Resources Performance Scorecard for 2020/21.

53 Draft Worcester City Centre Public Spaces Protection Order (PSPO)

At the meeting on 30th October 2019, the Committee agreed to defer consideration of this matter for Officers to be able to consider and respond to the points raised during the debate at that meeting. The Committee considered a further report from the Corporate Director – Homes and Communities, which aimed to provide clarity around these particular issues and also provide greater detail as to the rationale behind the recommendations.

The Corporate Director presented the report, which included the results of the public consultation, the conclusions drawn from the results and the reasons why certain behaviours were not included in the proposed PSPO. It also explained the approach that will be taken on enforcement.

It was highlighted that the zone proposed for all three elements of the draft PSPO will focus around the City Centre area. This zone had been refined since October's Committee in order to recognise that the three elements proposed are connected primarily to the high footfall areas of the City Centre and are areas likely to suffer from displacement, unlike areas such as Cripplegate Park and Fort Royal Park. One single zone would encourage clarity and consistency for all parties around communications, signage and enforcement.

There was no intention for the draft PSPO to be enforced in a zero tolerance manner. Enforcement will be undertaken in a manner where individuals who are found to be in breach will be offered an opportunity to modify their behaviour in line with the Council's Environment Enforcement Policy.

In the ensuing discussion, the following main points were made:

- The definition of aggressive begging had been formulated based on examples of PSPOs adopted by other local authorities, and taking into consideration advice from Legal Services.
- A monitoring report can be brought to Committee at any time during the 3 year period and it was advised that a report be presented to this Committee updating Members on the first 12 months of the scheme.
- In response to a question about the effectiveness of existing PSPOs, Members were advised that these will be brought to the Committee for review in the next 12 months.

- With reference to instances of urinating and defecating in a public space, Officers advised that no information is held by the Council, but Officers will ask the Police if they have any record of number of incidents they have dealt with.

With reference to monitoring and review, it was proposed and duly seconded that the Committee agree the following additional recommendation:

“That the Committee instructs the Corporate Director – Homes and Communities to draw up procedures for the monitoring and review of the effectiveness and consequential impact of PSPOs, and bring them before the Committee prior to implementation of any PSPO.”

Following a debate on the proposal, the proposer, Councillor Collins, agreed to delete the words “prior to implementation of any PSPO.”

There was a further debate on the proposal, as amended. The Corporate Director advised Members that Officers will draw up a process for monitoring. The Corporate Director further advised Members that no other agency will be involved in the enforcement of the proposed PSPO on aggressive begging. The Corporate Director confirmed that a review can be brought to the Committee after 12 months of operation.

Upon being put to the vote, there were 6 votes for and 6 votes against. On the Chairman’s casting vote, the proposal was lost.

With reference to the definition of Aggressive Begging, as set out in paragraph 2 of the proposed PSPO, Councillor Collins raised a number of concerns about the wording. It was proposed and duly seconded that the wording be amended to read as follows:

“2. Persons are prohibited from aggressive begging within the Restricted Area.

For the purposes of this Order Worcester City Council defines aggressive begging as:

- a) Loitering or approaching people within 5 metres of a cash machine, or pay station, or any such place where members of the public could reasonably feel vulnerable, to making a financial transaction, having their money, bank cards, wallets or purses on display; or
- b) Any other behaviour that, in all the relevant circumstances, a reasonable person could regard as intimidating and designed to cause a member of the public to offer money to a person not known to them.

This prohibition shall not apply to any authorised collections made on behalf of registered charities or other approved organisations with the express prior written consent of the Authority.”

Upon being put to the vote, there were 6 votes for and 6 votes against. On the Chairman’s casting vote, the amendment was lost.

The Committee then proceeded to consider the recommendations, as set out in the report. Some Members expressed the view that the proposals were proportionate and should be supported. The view was also expressed that the proposed wording of the PSPO, particularly in relation to aggressive begging was not meaningful and could not be supported as proposed.

The Committee proceeded to vote separately on each of the three elements of the proposed PSPO. Upon being put to the vote, all were agreed as set out in the report.

RESOLVED: That the Committee agree:

- 1. to note the contents of the report and in particular the results of the public consultation exercise at Appendix 1;**
- 2. to approve the undertaking of a 4 week public consultation exercise in respect of the draft City Centre PSPO at Appendix 2, which will include:**
 - a) Prohibition on the Intentional Feeding of Gulls**
 - b) Prohibition on Aggressive Begging**
 - c) Prohibition on Dangerous Cycling & Skateboarding; and**
- 3. to provide delegated authority to the Corporate Director (Homes and Communities) in consultation with the Chair & Vice Chair of Communities Committee to consider the outcome of the consultation exercise referred to in 1.2 above and to finalise and implement the City Centre PSPO.**

Councillors A. Amos and Bayliss requested to be recorded as voting for the recommendations. Councillor Collins requested to be recorded as voting against.

54 Review Of The Worcester City Council Additional Houses In Multiple Occupation (HMO) Licensing Scheme

The Committee considered a report on a proposal for the declaration of a City-wide Worcester City Council Additional HMO Licensing Scheme for a period of 5 years commencing on 1st September 2020.

The Corporate Director – Homes and Communities presented the report and explained that, following approval of the report presented at Committee in October 2019 on an evaluation Scheme, a public consultation exercise was undertaken and the results were presented in this report.

The preferred option was to re-declare a City-wide Additional HMO Licensing Scheme in Worcester to ensure that both management and property standards of existing HMOs are maintained and that new HMOs to the market are also of a similar standard. The preferred option was consistent with the findings of both the evaluation report and public consultation exercise.

In the ensuing discussion, an amendment was proposed and duly seconded that the Scheme should be re-declared to cover only St. John, Bedwardine, St. Clement, Cathedral and Arboretum, on the grounds that the majority of HMOs in Worcester are concentrated in the areas identified.

Members proceeded to debate the amendment. Some Members expressed support. It was commented that not all privately rented properties are HMOs, and that there are other regulatory requirements that apply to HMOs.

Other Members expressed the view that a City-wide scheme should remain in place, as this provided a consistent approach and the consultation demonstrated substantial support for retaining a City-wide scheme.

The Corporate Director – Homes and Resources informed Members that there was a total of 800 licensed HMOs under the current scheme, of which 714 were in the Wards identified in the amendment.

In response to a question, Members were advised that legal advice had been sought on the proposed amendment. The advice was that it was appropriate to consider the amendment, on the basis that the consultation had made reference to both a City-wide and a Ward-specific scheme.

Upon being put to the vote, there were 6 votes for and 6 votes against the amendment. On the Chairman's casting vote, the amendment was agreed.

RESOLVED: That the Committee agree:

- 1. to note the contents of this report and in particular the results of the public consultation exercise which are attached at Appendix 1; and**
- 2. to approve the re-declaration of a Worcester City Council Additional HMO Licensing Scheme in the following areas for a period of 5 years which would commence on 1st September 2020:**

St. John, Bedwardine, St. Clement, Cathedral, Arboretum.

Councillor Denham requested to be recorded as voting against.

55 Review of the Worcester City Council Housing Assistance Policy

The Committee considered a report on proposed changes to the Housing Assistance Policy. The Head of Strategic Housing presented the report and explained the background to the proposal. She responded to questions from Committee Members.

RESOLVED: That the Committee agree:

- 1. to note the contents of the report and in particular the changes proposed to the Worcester City Council Housing Assistance Policy outlined in para 3.1 – 3.3 of the report; and**
- 2. to approve the draft Worcester City Council Housing Assistance Policy 2020, attached at Appendix 1 to the report.**

56 Worcester City Council Community Grants

The Committee considered a report on a proposal to streamline the current grants process. The Projects and Voluntary Sector Lead Officer presented the report and explained the background and the proposed revisions and responded to questions from Members.

Members expressed support for the proposal, which would streamline the grants process by building on the work undertaken by the Task & Finish Group in 2018/19.

A question was asked about the buildings management fee agreed with Worcester Community Trust Officers. Officers advised that details can be provided by way of a written response.

RESOLVED: That the Committee endorse the revised approach to administering community grants proposed to commence on 1st April 2020.

57 Any Other Business

None.

Duration of the meeting: 7.00p.m. – 9.16p.m.

Chairman at the meeting on
22nd July 2020