

Public Document Pack



Doncaster Council

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Tuesday, 10th March, 2020 by Cabinet.

Date notified to all Members: Wednesday, 11th March, 2020.

The end of the call-in period is 5.00 p.m. on Friday, 20th March, 2020. These decisions will not be implemented until after this date and time.

Present:

Chair - Mayor Ros Jones (Mayor of Doncaster with responsibility for Budget and Policy Framework).

Vice-Chair - Councillor Glyn Jones (Deputy Mayor, Portfolio Holder for Housing and Equalities).

	Cabinet Member for:
Councillor Nigel Ball	Portfolio Holder for Public Health, Leisure and Culture
Councillor Joe Blackham	Portfolio Holder for Highways, Street Scene and Trading Services
Councillor Nuala Fennelly	Portfolio Holder for Children, Young People and Schools.
Councillor Chris McGuinness	Portfolio Holder for Communities, Voluntary Sector and the Environment.
Councillor Bill Mordue	Portfolio Holder for Business, Skills and Economic Development
Councillor Jane Nightingale	Portfolio Holder for Customer and Corporate Services.

Apologies:-

An apology for absence was received from Councillor Rachael Blake, Cabinet Member for Adult Social Care.

PUBLIC MEETING – SCHEDULE OF DECISIONS

Public Questions and Statements

Mayor Ros Jones read out a question submitted by Councillor Nick Allen:-

'I welcome the Control Public Spaces Protection Order agenda item in this meeting. I think it's good policy. However I would like to know the time frame for making sure adequate signage is introduced. Are ward members going to be consulted about that? I know in Bessacarr ward, certainly in Lakeside around the lake, many local people feel there should be more signage and patrols to help prohibit dog fouling. I would also like to know if this new policy would affect the status of guide dogs in any way?'

In the absence of Councillor Allen, the following written response would be forwarded to Councillor Allen:-

“There will be a full review taking place of all signage relating to the PSPO Dog fouling and control order, once approved by Cabinet. We have linked the signage art work to the dedicated web page, to enable Parish Councils and partner organisations that have land which DMBC maintains to sign up and educate the public who use their facilities. The focus will be very much around education and engagement, with the enforcement linked to intelligence, driven by hot spot data and public reports. We have developed a list of FAQs to support the public’s understanding of the order, which is available through the DMBC web page below.

Officers from the Local Authority who support our partners in enforcement of littering and dog fouling, are tasked with covering the whole Borough in a calendar month, and this is reviewed at a monthly contract meeting where we undertake tasking and review specific hot spot areas. The public and councillors can support us by reporting specific hot spots to the authority to enable these areas to be cleansed, signed and have patrols undertaken. If they witness any dog fouling taking place, and would like to make a statement to the Council, they can do this by reporting online through the online portal, or by email to the Enforcement Team and we will investigate further. It is often a very small minority of the public that spoil it for the rest, and, if intelligence is shared with us, it is likely the issue can be dealt with quicker.

With regard to the question about guide dogs the order states the following:

At all times, unless the dog owner: (a) has reasonable excuse for failing to do so – this will include guide dogs / assistance dogs – would consider incidents on a case by case basis if a disability would make it hard to comply, and, if it does, accept this as a reasonable excuse.

This means that it would not be reasonable for a blind person to pick up after their dog and therefore they are exempt from the order. There is no change as this has always been the case where dog fouling and guide dogs are concerned.”

Councillor Chris McGuinness, Cabinet Member for Communities, Voluntary Sector and the Environment, pointed out that the proposed Public Spaces Protection Order was not a new Policy, but a renewal of the existing PSPO which had been in place since February 2017.

Decision Records dated 25th February, 2020, (previously circulated) were noted.

DECISION 1

1. AGENDA ITEM NUMBER AND TITLE

6. Doncaster Growing Together - Living: Proposed Borough wide Dog Fouling and Control Public Spaces Protection Order Renewal.

2. DECISION TAKEN

Cabinet:-

- (1) noted the outcomes of a consultation on the renewal of the Public Spaces Protection Order for Dog fouling and control across the Doncaster Borough; and
- (2) approved the Public Spaces Protection Order for Dog fouling and control (for a further 3 years), as set out in Appendix 4 to this report.

3. REASON FOR DECISION

Cabinet considered a report introduced by Councillor Chris McGuinness, Cabinet Member for Communities, Voluntary Sector and the Environment, which detailed the outcome of a consultation exercise on the proposed renewal of the Public Spaces Protection Order (PSPO) for Dog Fouling and Control.

The report outlined the response from the Doncaster public and key stakeholders that were strongly in favour of all of the proposed prohibitions. The consultation also confirmed support for action to ensure issues of dog fouling and irresponsible dog control are addressed.

The consultation responses evidenced that residents have a clear desire to see the PSPO renewed, with a higher response rate seen (1439) from the original consultation held in 2016 (421), and, in some cases, with higher percentage rates agreeing with individual prohibitions.

The report set out the proposed prohibitions to be renewed. The report confirmed that implementation would be strongly focused on supporting and educating people to be responsible dog owners, taking an enforcement line when deemed necessary and in answer to resident concerns and hotspot identification.

In endorsing the report, Councillor Nigel Ball, Cabinet Member for Public Health, Leisure and Culture, spoke of the need for a cultural change towards dog fouling and control across the Borough. Individual dog owners had a responsibility to clean up after their own dogs.

Further to a question from Councillor Blackham, seeking clarity regarding control of dangerous dogs, it was noted that as part of the renewed provision, this allowed authorised officers to ask dog owners if their dogs were believed to be dangerous, to put the dog on a lead, which is a requirement of the Order.

The Mayor welcomed the report and stressed the need for dog owners to take responsibility because otherwise the Council has to divert resources to deal with these issues, rather than spending on other areas of need.

4. ALTERNATIVES CONSIDERED AND REJECTED

1. Tackle the issues linked to dog fouling and control without specific legislation in place to support management of the behaviour. This is not recommended.
2. Pursue the renewal of the PSPO as an isolated measure with an enforcement focus. This is not recommended.

5. DECLARATIONS OF INTEREST AND DISPENSATIONS

There were no declarations.

6. IF EXEMPT, REASON FOR EXEMPTION

Not Exempt

7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION

Peter Dale, Director Economy and Environment.

DECISION 2

1. AGENDA ITEM NUMBER AND TITLE

7. Encouraging a Smoke Free Generation in Doncaster.

2. DECISION TAKEN

Cabinet agreed:-

(1) that a strong coordinated communications campaign be developed to inspire a smoke-free generation in Doncaster;

(2) to trial and develop smoke-free spaces in a staged way, beginning with those areas that already have strong public support (play parks and park events, schools and school gates, hospital grounds and family-friendly Council events);

(3) that a review at each stage of implementation be as follows:-

Ongoing: develop and implement communications plan

Stage 1: play parks and park events, schools and school gates, hospital grounds and family-friendly council events

Stage 2: Outdoor eating and drinking areas, Pedestrianised areas in town centre, Parks – not just play areas, Smoke-free side-lines

Stage 3: Other Council events

(4) that other stages will be considered after undertaking the above three stages and carrying out due consultation. Future developments will come back to Cabinet for approval; and

(5) that following learning from each stage, and further public consultation, develop further proposals to cover other smoke-free spaces, such as outdoor eating and drinking areas, pedestrianised areas in town centre, parks – not just play areas, children's sporting events, other Council events, public realm connected to public transport (e.g. bus stops), high streets markets.

3. REASON FOR DECISION

Cabinet received a report which outlined an approach to inspire a smoke-free generation in Doncaster. This includes initial proposals to trial some voluntary (not enforced) smoke-free spaces, as part of our overall programme of work.

In presenting the report, Councillor Nigel Ball, Cabinet Member for Public Health, Leisure and Culture, highlighted that smoking is a major public health problem in Doncaster. Around half of all life-long smokers will die prematurely. Each year, an estimated 675 people die early in Doncaster due to smoking; an average of 13 people per week. Smoking is also associated with illnesses that limit daily life, such as COPD (Chronic Obstructive Pulmonary Disease), heart attacks and lung cancer.

Cabinet noted that:

- 19.7% (48,000) of adults in Doncaster smoke. This is the fourth highest rate within Yorkshire and the Humber.
- An estimated 1,300 children and young people start smoking every year in Doncaster. In 2014, three-quarters of smokers aged 16-24 said they began smoking before the age of 18. Children who live with parents or siblings who smoke are up to three times more likely to become smokers themselves than children of non-smoking households.

Councillor Ball stated that in March 2019, the Public Health Team had an external Peer Review of Doncaster's approach to tackling tobacco control. The report highlighted areas of local strengths and opportunities for improvement. This proposal is part of our opportunities for improvement. Evidence suggests a population-wide approach is most effective, within a comprehensive tobacco control programme, to 'decrease tobacco use, reframe social norms and cultural acceptance'.

Furthermore, in 2018, Doncaster's Smoke-free Task Group ran a consultation around people's attitudes towards smoking and smoking in public places. The majority of participants agreed with the proposal for designated voluntary smoke-free spaces, especially areas where there are children present.

Councillor Ball added that the Smokefree Doncaster initiative is one of the local Tobacco Control Strategic goals: 'Children and Young People grow up in a city where smoking is not visible, and future generations are smoke-free'.

A smoke free generation means the population level of prevalence of smoking is 5% or less in all groups.

It was noted that in February 2020, *Smokefree Action* produced a Roadmap to a Smokefree 2030, which sets out what the UK Government must do in order to achieve a Smokefree 2030.

It was noted that the aims of this proposal are:-

- i. **Reduce smoking prevalence** – in particular as part of the smoke-free generation – stopping starting.
- ii. **Decreasing the opportunity for children to see adults smoking around them** – children are more likely to start smoking if they see smoking around them, and tend to overestimate the proportion of people who smoke.
- iii. **Making smoke-free the social norm** - potentially reducing the likelihood for

young people to start smoking, and motivating smokers to cut down or to quit.

- iv. Protecting the environment and saving money by **reducing tobacco-related litter.**
- v. Provide opportunity for **public acceptance of voluntary smoke-free locations.**

To conclude, Councillor Ball commended the report for approval by Cabinet.

Cabinet welcomed the approach to encourage a smoke free generation in Doncaster and voluntary smoke free spaces for good health.

4. ALTERNATIVES CONSIDERED AND REJECTED

1. Do nothing different – this will not help the Council to narrow health inequalities, or reduce smoking-related harm and death to the extent that is set out in the Strategy and targets.
2. Start with a different type of smoke-free space – the order has been suggested, based on experience from other areas and levels of public support in Doncaster, but could be altered.
3. Do the whole programme at once – the Council do not have the capacity to do all of this at once, and are likely not to get public support for too many changes at once. Also, by running a staged approach, the communications lasts longer and therefore has more impact.

5. DECLARATIONS OF INTEREST AND DISPENSATIONS

There were no declarations.

6. IF EXEMPT, REASON FOR EXEMPTION

Not Exempt.

7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION

Rupert Suckling, Director of Public Health.

DECISION 3

1. AGENDA ITEM NUMBER AND TITLE

8. Adult Sexual Health Services Retender.

2. DECISION TAKEN

Cabinet:-

- (1) agreed the proposed new sexual health delivery model for Adults;
- (2) agreed to the commencement of a tender process to find a suitable provider or providers to deliver Adult Sexual Health Services in Doncaster, subject to

the proposed contract length for all lots to be 3 years, with the option to extend for a further 2 years; and

- (3) approved the delegation of the contract award to the Director of Public Health, after consultation with the Portfolio Holder and subject to compliance with the Council's Standing Orders.

3. REASON FOR DECISION

Cabinet considered a report introduced by Councillor Nigel Ball, which sought approval of a new delivery model for the commissioning of adult sexual health services in Doncaster, via a tendering process.

Local authorities are mandated to commission comprehensive open access sexual health services, including free sexually transmitted infections (STIs) testing and treatment, notification of sexual partners of infected persons, free provision of contraception, and sexual health aspects of psychosexual counselling.

It was noted that sexual Health services in Doncaster are currently provided by Doncaster and Bassetlaw Teaching Hospitals (DBTH) as a primary provider. DBTH subcontract with Rotherham, Doncaster, and South Humber Trust (RDaSH) and some primary care providers, to provide a range of contraception options. Psychosexual therapy services are currently provided by Leger Therapy Services Limited.

Councillor Ball reported that the current contract to deliver adult sexual health services in Doncaster will end on 31st March 2020. All contract extension options have been exhausted.

Whilst the current sexual health services in Doncaster are rated highly by service users, and benchmark well compared to other services, the retender is an opportunity to increase access in communities and localities, and offer more choice on how, and when, people access sexual health care.

It is proposed that the tender should be split into 3 'lots':

- Community provision;
- Specialist provision; and
- Psychosexual therapy provision.

The new model will increase opportunities for individuals to self-manage their own health and well-being through an improved online/digital offer, and have better access to locally based provision, utilising primary care and other community providers to greater effect.

The Mayor and Cabinet welcomed the report, subject to the proposed contract length for all lots to be 3 years, with the option to extend for a further 2 years.

4. ALTERNATIVES CONSIDERED AND REJECTED

1. Option 1 – To retender sexual health services for adults using current service delivery model.

2. Option 2 – To retender sexual health services for adults using new service delivery model.
3. Option 3 – Do nothing.
4. Option 2 is the preferred option.

5. DECLARATIONS OF INTEREST AND DISPENSATIONS

There were no declarations.

6. IF EXEMPT, REASON FOR EXEMPTION

Not Exempt.

7. DIRECTOR RESPONSIBLE FOR IMPLEMENTATION

Rupert Suckling, Director of Public Health.

Signed.....Chair/Decision Maker