

COUNCIL  
5 MARCH 2015

Report of the Chief Executive

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## **REFERRED ITEM**

### **SUMMARY**

That Corporate Committee considers a recommendation by the Environment Committee, that met 26 February 2015 regarding the implementation of Public Space Protection Orders.

### **WARDS AFFECTED**

All

### **STRATEGIC LINK**

The Parks and Street Scene Service contribute towards the Council's priority of providing a "clean green and prosperous Dales" and the corporate aims to "improve the quality of life" and to protect and "enhance the environment".

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## **1 REPORT**

### **267/14 – OUTCOME OF CONSULTATION ON PUBLIC SPACE PROTECTION**

The Committee considered a report on the outcome of the consultation exercise and an overview of the comments received, that proposed a recommendation to Council that final agreement be given to the implementation of the Public Space Protection Orders (previously Dog Control Orders) on 1<sup>st</sup> April 2015. The Orders would replace any other legislation or Bylaws that were in force.

On 28 February 2013 the Corporate Committee approved the recommendations of the Street Cleansing and Grounds Maintenance review including the commencement of a programme of education, engagement and enforcement, to ensure that the street scene was protected from littering and dog fouling. On 25 September 2014 Council noted the intention to apply for Public Space Protection Orders subject to the necessary consultation being undertaken and any representations being given full consideration.

The consultation period ran from mid November 2014 through to the beginning of January 2015 and the responses were summarised in Appendix 1 to the report. After reviewing all the responses, a positive outcome of support in respect of the proposed Orders had been received, as summarised in the report.

Following some objections, revisions had been made to take account of concerns and disability issues raised to the Public Space Protection Order for dogs on leads to be replaced with exclusions around the play areas and dogs on leads by direction on some sites, as listed in Appendix 2 to the report.

A revision to Appendix 3 to the report was requested at the meeting. This listed the areas to which the Dog Exclusion Order applied; the areas to which the Dogs on Leads Order applied, and the areas to which the Dogs on Leads by Direction Order applied. In error, an omission had occurred whereby Ashford in the Water Parish Council had requested a Dog Exclusion Order on their site. It was agreed by the Committee that this request be included.

The implementation of Public Space Protection Orders formally enabled the use of fixed penalty notices (FPNs) for dog related issues. It was recommended that the Head of Environmental Services be given delegated authority to authorise appropriately trained officers to undertake the respective duties in respect of litter offences and PSPO enforcement.

Details of the administrative arrangements and monitoring process were set out in the report. It was recommended that the policies outlined in 3.2, 3.3 and Appendix 4 be adopted. A revision was requested to Appendix 4, in that Fixed Penalty Notices will not be issued on person 17 or below.

Prior to the implementation of the orders or issuing of the first penalty notices the District Council would deliver an educational and promotional campaign; details of publicity and promotional work were set out in the report.

It was moved by Councillor Geoff Stevens, MBE, seconded by Councillor Garry Purdy and

**RESOLVED**  
(unanimously)

1. That the outcome of the public consultation undertaken be noted.
- ➔ 2. That Council be recommended to approve the implementation of the Public Space Protection Orders as outlined in Appendix 3, with the addition of a Dog Exclusion Order on the site requested by Ashford in the Water Parish Council, to take effect on 1 April 2015 for:
  - The Fouling of Land By Dog Order
  - The Dog Exclusion Order
  - The Dog on Lead Order
  - The Dog on Lead by Direction Order
3. That the Head of Environmental Services be given delegated authority to authorise officers to undertake associated enforcement duties.
4. That the policies outlined in 3.2, 3.3 and Appendix 4 be adopted, subject to the amendment of Appendix 4 to exclude the issue of Fixed Penalty Notices to persons aged 17 years or less.
5. That the planned publicity and promotional work be noted.