



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

Committee JOINT SCRUTINY COMMITTEE

Date and Time of Meeting MONDAY, 19 NOVEMBER 2018, 5.30 PM

Please find below correspondence send by the Committee Chair following the meeting, together with any responses received.

For any further details, please contact scrutinyviewpoints@cardiff.gov.uk

9 **Correspondence Following the Committee Meeting** (Pages 3 - 14)

This page is intentionally left blank

Ref: RDB/RP/PB&MM/19.11.2018

03 December 2018

Councillors Peter Bradbury & Michael Michael,
Cabinet Members for Culture & Leisure and Clean Streets,
Recycling & Environment,
County Hall,
Atlantic Wharf,
Cardiff CF10 4UW.



Dear Councillors Bradbury & Michael,

**Joint Scrutiny: Economy & Culture and Environmental Scrutiny
Committees – 19 November 2018**

On behalf of the Economy & Culture and Environmental Scrutiny Committees I would like to thank you and the officers for attending the Committee meeting on Monday 19 November 2018. As you are aware the joint scrutiny meeting was specially arranged to scrutinise an item on 'Public Space Protection Orders – Control of Dogs'. The comments and observations made by Members on the areas relevant to your portfolios of responsibility are set out in this letter.

Public Space Protection Orders – Control of Dogs

- During his opening statement Councillor Bradbury offered to make the draft proposals for the new Public Space Protection Order on Control of Dogs available for pre decision scrutiny. Members welcome this offer and ask that you arrange for Scrutiny Services to be kept up to date on the development of the new Public Space Protection Order so that they can make arrangements for future Pre Decision Scrutiny.
- At the meeting a councillor explained that he had recently been told by a member of the public that he was no longer allowed to walk his dog in a local park. As you will understand this is clearly incorrect, however, it does illustrate that while the consultation has raised awareness around dog control it has also created some confusion around what is actually

permitted. In order to reduce confusion and to prevent unnecessary disagreements between dog walkers and other park users the Committee believe that it would be sensible to release and promote an interim statement setting out the current position prior to a new Public Space Protection Order being issued.

- Members were very impressed by the organisation and effectiveness of Cardiff Dog Action. It was felt that they had run a sensible, decent and very well organised campaign that had significantly increased participation in the consultation exercise. The Committee commended their work with one Member describing the group as the 'best asset' of the consultation exercise. With this in mind Members feel that the Council should find a way to include Cardiff Dog Action as a key consultee in the remaining stages of the development of the new Public Space Protection Order for Control of Dogs.
- During the meeting a representative from Guide Dogs Cymru stated that the Council should have produced an Equality Impact Assessment on the Public Space Protection Order – Control of Dogs proposals prior to starting the consultation exercise. This he felt might have helped to identify some of the concerns that were later raised by the public and other stakeholders. The Committee agree with this and recommend that an Equality Impact Assessment be completed before any draft Public Space Protection Order proposals are brought forward.
- It would be appreciated if you could confirm how hard copies of the consultation survey were distributed across Cardiff. This should include details of public buildings where hard copies of the survey were held, for example, Hubs and Leisure Centres; how copies were made available in wards without Hubs; the number of survey hard copies received and the number of online survey completions.
- During the way forward a Member asked if any pre testing of the consultation survey questions took place in advance of launching the consultation. I would be grateful if you could confirm if any pre testing took

place, and if it did please provide details of the work undertaken. If pre testing did not take place then the Committee would like assurance that suitable vetting happens before the launch of all future consultation exercises. Taking time to check the wording and context of all questions should produce a smoother consultation exercise and identify how the process might impact upon a wider range of stakeholders.

- A Member commented that lots of very useful information on dog control had been provided during the consultation exercise and that much of it had been in the public domain for some time. He felt that some of the useful ideas provided, for example, the green dog scheme, would have strengthened the consultation. Failure to include these ideas was a missed opportunity for the Council.
- An important part of the scope of the scrutiny was to identify 'potential options that the Council might take to address any concerns about dog control'. In response to this, the Committee suggests that the Council should explore the following ideas:
 - The introduction of the Green Dog Walkers Scheme to Cardiff – one Member suggested that this could potentially be introduced alongside the 'Love Where You Live Campaign'.
 - The roll out of community poo bag dispenser schemes that could be paid for by sponsorship from local companies, for example, veterinary practices.
 - Increased and improved communication on dog fouling and control – this communication should be targeted at key stakeholders including veterinary practices, dog owners groups and social media.
 - Educational campaigns based on dog fouling and control aimed at schools – it is easier to teach lifelong habits at a young age. Councillors who act as governors have an important role to play in encouraging schools to teach about responsible dog ownership.
 - South Wales Police is one of the responsible bodies that holds powers to enforce against dog fouling and other dog control matters. They

should be encouraged by the Council to take more action in enforcing against these anti-social problems.

- Effective enforcement against dog fouling was described as an almost impossible problem due to the small number of Council staff authorised to deal with the contravention. The Committee recommend that the Council undertake some research to identify local authority best practice in managing dog fouling. Once this is done the information gathered should be used to help improve the Council's approach to managing dog fouling.
- A Member suggested that the Council should undertake further collaborative work with Keep Wales Tidy to help manage and address the problem of dog fouling.
- In response to comments made about the lack of enforcement resources in parks, the Chair of the Economy & Culture Scrutiny Committee would like to remind Cabinet Members of Recommendation 11 from the Economy & Culture 'Funding of Parks' report which is set out below:

Recommendation 11 - *There are no further cuts to the park keeping budget (which covers the park ranger services) and that the Cabinet identifies mechanisms to increase the budget available to park rangers, as their services are vital to ensure Cardiff's parks are safe, secure, well managed, inclusive and of a high quality for the residents and visitors to Cardiff. Members are particularly mindful that park rangers enable Friends Groups to contribute thousands of hours of volunteer time and expertise, which is critical to sustaining the excellence of Cardiff's Parks and Green Spaces.*

Recommendation 11 was rejected in the Cabinet response that explained:

The important role played by the Park Ranger Service is both understood and valued, any growth and / or financial pressures that the service faces will be managed through normal budget processes.

Cabinet cannot allow budget decisions to be tied into specific Scrutiny recommendations.

The Committee supports Recommendation 11 and would like to stress the important role that park rangers play in managing dog fouling.

Reducing the number of park rangers would only contribute to making the dog fouling problem worse.

- When concluding discussion about the success of the consultation exercise in the way forward, Member opinion was divided. Some explained that the purpose of the exercise had been to bring a wide range of consultees to the table to broaden thinking on the subject, therefore, felt that it had been a success. Other Members stated that the consultation exercise had been a missed opportunity because it promoted the idea of a Public Space Protection Order without clearly defining a range of tried and tested options that could be implemented to improve dog control.

I would be grateful if you would consider the above comments and provide a response to the content of this letter.

Regards,



Councillor Ramesh Patel
Chairperson Environmental Scrutiny Committee

Cc:

- Andrew Gregory - Director of City Operations
- Matt Wakelam - Operational Manager, Infrastructure & Operations
- Jon Maidment – Operational Manager, Parks, Sport & Harbour Authority
- Davina Fiore - Director of Governance & Legal Services

- Members of Cardiff's Economy & Culture Scrutiny Committee
- Members of Cardiff's Environmental Scrutiny Committee

Fy Nghyf / My Ref: CM40672

Dyddiad / Date: 30th January 2019

Councillor Ramesh Patel
C/O Member Services
County Hall
Atlantic Wharf
Cardiff
CF10 4UW



Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088
www.caerdydd.gov.uk

County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087
www.cardiff.gov.uk

Annwyl/Dear Ramesh

Joint Scrutiny - Public Space Protection Orders - Control Of Dogs – 19th November 2018

Thank you for your letter dated 3rd December 2018 in relation to the Environmental Scrutiny Committee held on 6th November 2018. For clarity I have produced this response in the same order as the questions were asked in your letter:

During his opening statement Councillor Bradbury offered to make the draft proposals for the new Public Space Protection Order on Control of Dogs available for pre decision scrutiny. Members welcome this offer and ask that you arrange for Scrutiny Services to be kept up to date on the development of the new Public Space Protection Order so that they can make arrangements for future Pre Decision Scrutiny.

Officers will bring the PSPO recommendations to pre-decision scrutiny. A timetable for SMT briefing, Cabinet briefing, pre-decision scrutiny and the formal Council decision will be provided to Scrutiny Officers in early 2019.

The Order for the Public Space Protection Orders will take up to 6 months following the Council decision. The recommendations taken forward to pre-scrutiny will set out the individual controls, how they will communicated via signage and how enforcement will take place.

Following the Council decision, a media programme will be defined utilising social media and communication to dog owner groups to support engaging citizens with the PSPO for dog controls.

ATEBWCH I / PLEASE REPLY TO :

Swyddfa Cymorth Y Cabinet / Cabinet Support Office, Ystafell / Room 518, Neuadd y Sir / County Hall
Glanfa'r Iwerydd / Atlantic Wharf , Caerdydd/Cardiff, CF10 4UW
Ffon / Tel: (029) 2087 2501

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



At the meeting a councillor explained that he had recently been told by a member of the public that he was no longer allowed to walk his dog in a local park. As you will understand this is clearly incorrect, however, it does illustrate that while the consultation has raised awareness around dog control it has also created some confusion around what is actually permitted. In order to reduce confusion and to prevent unnecessary disagreements between dog walkers and other park users the Committee believe that it would be sensible to release and promote an interim statement setting out the current position prior to a new Public Space Protection Order being issued.

An interim statement from myself, was released immediately following the Consultation explaining the position relating to dogs in parks. There has been no correspondence with the Council with regards any ongoing concerns or confusion relating to the consultation on dog controls.

Members were very impressed by the organisation and effectiveness of Cardiff Dog Action. It was felt that they had run a sensible, decent and very well organised campaign that had significantly increased participation in the consultation exercise. The Committee commended their work with one Member describing the group as the 'best asset' of the consultation exercise. With this in mind Members feel that the Council should find a way to include Cardiff Dog Action as a key consultee in the remaining stages of the development of the new Public Space Protection Order for Control of Dogs.

Myself and Officers met with Cardiff Dog Action in January and will continue to work with the group and other groups to engage and communicate the controls to dog owners across Cardiff. I reiterated throughout the consultation process the importance of the Council engaging with key groups in the city to ensure our decisions are appropriate and support what the majority of residents want. This approach will continue as work continues to deliver the Public Space Protection Order for dog controls.

During the meeting a representative from Guide Dogs Cymru stated that the Council should have produced an Equality Impact Assessment on the Public Space Protection Order – Control of Dogs proposals prior to starting the consultation exercise. This he felt might have helped to identify some of the concerns that were later raised by the public and other stakeholders. The Committee agree with this and recommend that an Equality Impact Assessment be completed before any draft Public Space Protection Order proposals are brought forward.

The Equality Impact Assessment will be completed by engaging with Guide Dogs Cymru and other vulnerable user groups. Comments were received as part of the consultation and these will be utilised in the Assessment.

It would be appreciated if you could confirm how hard copies of the consultation survey were distributed across Cardiff. This should include details of public buildings where hard copies of the survey were held, for example, Hubs and Leisure Centres; how copies were made available in wards without Hubs; the number of survey hard copies received and the number of online survey completions.

The consultation response report includes information on how the survey was undertaken and where the survey was available. As part of the report there will be details on the number of respondents and their associated breakdown of how they chose to respond.

The consultation response report will be published on the website and a hard copy will be provided in each Hub for information. Contact will be made with vulnerable user groups to identify any need for other formats such as easy read and braille.

During the way forward a Member asked if any pre testing of the consultation survey questions took place in advance of launching the consultation. I would be grateful if you could confirm if any pre testing took place, and if it did please provide details of the work undertaken. If pre testing did not take place then the Committee would like assurance that suitable vetting happens before the launch of all future consultation exercises. Taking time to check the wording and context of all questions should produce a smoother consultation exercise and identify how the process might impact upon a wider range of stakeholders.

The consultation utilised experience from other consultations that had taken place by the Vale of Glamorgan and Rhondda Cynon Taff. The consultation survey was developed by the team that prepare consultations for Cardiff such as 'Ask Cardiff' to ensure a consistent approach to how surveys are undertaken. The consultation survey document was reviewed by Officers and myself prior to commencement.

We have learnt from the consultation survey and may ask scrutiny to review any similar city wide consultation surveys before commencement.

A Member commented that lots of very useful information on dog control had been provided during the consultation exercise and that much of it had been in the public domain for some time. He felt that some of the useful ideas provided, for example, the green dog scheme, would have strengthened the consultation. Failure to include these ideas was a missed opportunity for the Council.

An important part of the scope of the scrutiny was to identify 'potential options that the Council might take to address any concerns about dog control'. In response to this, the Committee suggests that the Council should explore the following ideas:

- **The introduction of the Green Dog Walkers Scheme to Cardiff – one Member suggested that this could potentially be introduced alongside the 'Love Where You Live Campaign'.**
- **The roll out of community poo bag dispenser schemes that could be paid for by sponsorship from local companies, for example, veterinary practices.**
- **Increased and improved communication on dog fouling and control – this communication should be targeted at key stakeholders including;**
 - **veterinary practices, dog owners groups and social media.**

- o Educational campaigns based on dog fouling and control aimed at schools – it is easier to teach lifelong habits at a young age.
- o Councillors who act as governors have an important role to play in encouraging schools to teach about responsible dog ownership.

The Council has already signed up to Falkirk Council's Green Dog Walkers Scheme.

<http://www.falkirk.gov.uk/services/bins-rubbish-recycling/rubbish-litter/dog-fouling/green-dog-walkers.aspx>

This allows Cardiff Council to utilise the scheme in Cardiff including using the graphics and literature which has been seen as good practice. This will be implemented under Cardiff Council's 'Love Where You Live' campaign.

We met with Cardiff Dog Action in January and will continue to work with the group and other groups to look at schemes to support good dog ownership behaviours across Cardiff. This will include reviewing ideas suggested by scrutiny above.

South Wales Police is one of the responsible bodies that holds powers to enforce against dog fouling and other dog control matters. They should be encouraged by the Council to take more action in enforcing against these anti-social problems.

South Wales Police can enforce against dog fouling. Following the implementation of the PSPO for dog controls Officers will engage with the police to provide an opportunity for training in relation to the controls and how police, such as PCSO's, can support improving anti-social behaviours.

Effective enforcement against dog fouling was described as an almost impossible problem due to the small number of Council staff authorised to deal with the contravention. The Committee recommend that the Council undertake some research to identify local authority best practice in managing dog fouling. Once this is done the information gathered should be used to help improve the Council's approach to managing dog fouling.

Enforcement against dog fouling is extremely difficult and therefore the recommendations for the PSPO will include a control relating to dog owners having a means to remove and dispose of dog fouling. This will allow Officers and other partners to ask dog owners to identify that they have the means of removing or depositing of dog fouling such as a bag. This proactive approach to enforcement will send a key message to dog owners with regards their responsibilities and behaviours.

A Member suggested that the Council should undertake further collaborative work with Keep Wales Tidy to help manage and address the problem of dog fouling.

Cardiff Council has a Partnership with Keep Wales Tidy. The 'Love Where You Live' Officer will work with Keep Wales Tidy as we proceed to get key messages out to citizens across Wales. This will link with the progression of the Green Dog Walkers Scheme.

In response to comments made about the lack of enforcement resources in parks, the Chair of the Economy & Culture Scrutiny Committee would like to remind Cabinet Members of Recommendation 11 from the Economy & Culture 'Funding of Parks' report which is set out below:

Recommendation 11 - There are no further cuts to the park keeping budget (which covers the park ranger services) and that the Cabinet identifies mechanisms to increase the budget available to park rangers, as their services are vital to ensure Cardiff's parks are safe, secure, well managed, inclusive and of a high quality for the residents and visitors to Cardiff. Members are particularly mindful that park rangers enable Friends Groups to contribute thousands of hours of volunteer time and expertise, which is critical to sustaining the excellence of Cardiff's Parks and Green Spaces.

Recommendation 11 was rejected in the Cabinet response that explained:

The important role played by the Park Ranger Service is both understood and valued, any growth and / or financial pressures that the service faces will be managed through normal budget processes.

Cabinet cannot allow budget decisions to be tied into specific Scrutiny recommendations.

The Committee supports Recommendation 11 and would like to stress the important role that park rangers play in managing dog fouling. Reducing the number of park rangers would only contribute to making the dog fouling problem worse.

Cardiff Council has finite resources and therefore difficult decisions relating to the placement of resource have to be made. The Cabinet have committed to ensure frontline services continue to support the street scene across Cardiff and therefore any reductions in resources in these areas will only take place where impacts are limited.

Following the implementation of the PSPO for dog controls Officers will monitor and review the associated enforcement for the PSPO. This will identify whether the controls need to be developed further in 3 years time (A PSPO is reviewed and renewed every 3 years to ensure it is relevant) to support effective and efficient enforcement.

When concluding discussion about the success of the consultation exercise in the way forward, Member opinion was divided. Some explained that the purpose of the exercise had been to bring a wide range of consultees to the table to broaden thinking on the subject, therefore, felt that it had been a success. Other Members stated that the consultation exercise had been a missed opportunity because it promoted the idea of a Public Space Protection Order without clearly defining a range of tried and tested options that could be implemented to improve dog control.

I would like to thank scrutiny for your review. The process has supported a connection and engagement with Cardiff Dog Action and other dog groups that will now facilitate ensuring the positive communication of dog control in terms of improving behaviours. Further to this I have committed to meeting Cardiff Dog Action and other groups regularly to look at other opportunities to support dog ownership and behavioural improvements.

Yn gywir
Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Bradbury', with a long horizontal flourish extending to the right.

Y Cynghorydd / Councillor Councillor Peter Bradbury
Aelod Cabinet Dros Ddiwylliant a Hamdden
Cabinet Member for Culture & Leisure