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21 March 2019

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,

Environmental Scrutiny Committee – 19 March 2019

On behalf of the Environmental Scrutiny Committee I would like to thank you and the officers for attending the Committee meeting on Tuesday 19 March 2019. As you are aware the meeting scrutinise an item on 'Pre Decision Scrutiny: Public Space Protection Orders – Dog Controls'. 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 – Dog Controls

It was clear during the meeting that both Members of the Committee and witnesses were satisfied at the proposals for the new Public Space Protection Order for the Control of Dogs. They felt that the Cabinet had addressed the main concerns raised during the consultation exercise and had produced a sound set of proposals to address dog fouling in the city.

While the feedback provided was mostly positive, Members and witnesses raised a number of points during the meeting that they felt could improve the new Public Space Protection Order for the Control of Dogs, these are set out below:

- **Exceptions** - The Public Space Protection Order made a number of appropriate exceptions against the application of the policy, for example, excluding the owners of assistance and guide dogs from prosecution.

Therapy dogs were not included on this list, with one witness suggesting that they should be added as an exception. I would be grateful if you could consider adding therapy dogs to the list of exceptions.

- **Enforcement** - While the Committee is pleased at the content of the new Public Space Protection Order for the Control of Dogs, it is not convinced that the Council and its partners has the necessary capacity to deliver the required enforcement to support the new powers. It would be appreciated if you could provide the Committee with a summary of all of the enforcement resources that will be in place when the new Public Space Protection Order is introduced and detail on how the impact of these resources might be maximised. For example, how might the Council address dog fouling that takes place in the evening when most officers have finished work.
- **Education** – It is clear that the new Public Space Protection Order for the Control of Dogs will have an impact on a large number of dog owners and other members of the public. This means that the changes will need to be supported by an initial and ongoing campaign of education and awareness. With this in mind I would be grateful if you could provide the Committee with details of the educational campaign that will support the introduction of the new powers, the distribution channels that will be used and the budget that has been allocated for this work.
- **Clear Definitions** – During the meeting there was some debate around the proposed text for parts of the new Public Space Protection Order, and the importance of using accurate wording to define exactly what the new powers mean. Examples include:
 - The use of the phrase '*the prohibition of dog fouling in all public spaces owned and / or maintained by the Council*' could confuse some residents as it suggests that a dog is prohibited from fouling even if the owner immediately removes the faeces;
 - Clarification on what is deemed a reasonable '*means of clearing dog fouling*';

- An explanation of what might constitute a reasonable length of lead for use in a cemetery.

The Committee accepts that the Council needs to use established legal text to create the new document; however, whenever possible it also needs to accurately define exactly what it is trying to achieve. Getting this right at the outset will help to prevent any future confusion.

- **Bins** – One of the public priorities identified in the consultation exercise was better provision of bins to help reduce dog fouling. Given that this is a public priority, I would be grateful if you could let the Committee know how you plan to address this clearly documented concern.

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

Regards,

A handwritten signature in black ink, appearing to read 'Ramesh Patel', with a stylized, cursive script.

Councillor Ramesh Patel
Chairperson Environmental Scrutiny Committee

Cc:

- Andrew Gregory - Director of Planning, Transport & Environment
- 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 Environmental Scrutiny Committee