

# **Responses to the consultation on the draft Order**

## **1. Community Councils**

Community Council employ staff to maintain and look after their public open spaces. They asked if they could be authorised by Cardiff to enforce the PSPO on the sites listed within their Community council boundary.

### ***Response***

The legislation (s.68 of the 2014 Act) says that an FPN may be issued by a police constable or an 'authorised person', defined as 'a person authorised for the purposes of this section by the local authority that made the order'. The reference to a 'person' may include a non-Council officer, such as a community council employee.

Training of Community Council employees and authorisation in writing would be required to support enforcement by a community council employee.

## **2. Tongwynlais Community Council and St Fagans Community Council**

The Community Councils would like the fine set at £250.

A higher fixed penalty amount would be more of a deterrent and more likely to encourage dog owners to pick up and dispose of dog waste correctly, which is a problem we are currently encountering within our village. The Community Councils would like the fine set at £250.

### ***Response***

A Public Space Protection Order supports the issuing of a £100 on the spot fine (a 'Fixed Penalty Notice'). The fixed penalty cannot be more than £100. However, the current arrangements do allow for a summons to court to be issued for breach of the order if the Council considers it appropriate, for example, for persistent offenders where multiple FPNs have been issued, where a fine of up to £1,000 can be imposed by the court.

## **3. Birchgrove Primary School Governing Body**

Confirm our support for not allowing dogs on schools premises, other than those registered service and support dogs

### ***Response***

Noted.