



SPECIAL HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE

MINUTES OF THE SPECIAL MEETING HELD AT PENALLTA HOUSE, TREDOMEN, YSTRAD MYNACH ON MONDAY, 12TH DECEMBER 2016 AT 5.30 P.M.

PRESENT:

Councillor L. Ackerman - Chair
Councillor Mrs P. Cook - Vice Chair

Councillors:

Mrs E.M. Aldworth, A.P. Angel, Ms J. Gale and Ms L. Jones

Cabinet Member: Councillor N. George

Together with:

R. Hartshorn (Head of Public Protection), L. Ross (Senior Environmental Health Officer), C. Forbes-Thompson (Interim Head of Democratic Services), L. Lane (Solicitor) and E. Sullivan (Interim Scrutiny Officer)

Also Present Invited Speakers –

Councillor J. Pritchard (Morgan Jones Ward), Ms D. Duffy (Resident and Dog Owner), Mr Paul Smith (RSPCA) and Mr P. Budd (Bargoed Rugby Club)

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs A. Blackman, M. Evans, L. Gardiner, C.J. Gordon, D.C. Harse, G.J. Hughes, A. Lewis, A. Passmore, J.A. Pritchard and S. Skivens and R. Woodyatt (Cabinet Member for Social Services) and Mr C. Luke (Users and Carers).

2. DECLARATIONS OF INTEREST

Given the wide scope of the proposed order the Legal Officer confirmed that there was no need for any dog or non dog owners present to declare an interest, however should they wish to have said ownership noted could do so.

Councillors L. Ackerman, L. Jones, N. George and Mr R. Hartshorn and Mr L. Ross wished to record that they were dog owners.

REPORTS OF OFFICERS

Consideration was given to the following report.

3. **OUTCOME OF INFORMAL CONSULTATION ON THE PROVISIONS TO BE INCLUDED IN A PUBLIC SPACES PROTECTION ORDER RELATING TO DOG CONTROL**

Rob Hartshorn the Head of Public Protection introduced the report which detailed the outcome of the informal consultation on the provisions to be included in a public spaces protection order relating to dog control.

Members were advised that the informal consultation had been held over a 12 week period and 456 responses had been received from residents and stakeholder groups. It was noted that 92% of the respondents were residents and of that number 65% were dog owners. Each of the restrictions as detailed in sections 4.9 to 4.15 of the Officers report were detailed and the informal consultation responses received for each summarised. It was noted that the greatest difference of opinion identified during the consultation related to the provision 4.15 (excluding dogs from all council owned marked sports/playing pitches) which was not supported by the Kennel Club who reference the Animal Welfare Act in their objection and also referred to the fact that many sports pitches lacked a physical boundary in order to prevent inadvertent straying on to the field area. Residents objecting to this provision had also raised concerns with regard to the lack of green spaces in certain areas of the borough and the impact on those dog owners with mobility problems or transportation issues.

Mr Hartshorn referenced the risks of toxocariasis infection and the importance of safeguarding public health whilst encouraging the use of the authority's sports pitches. The need to make the best use of any measures available to encourage responsible dog ownership was emphasised and the provisions of the order would provide a valuable enforcement tool.

The Chair thanked the Officer for his report and welcomed the invited speakers to the meeting.

The Scrutiny Committee then heard representations from Councillor J. Pritchard and Ms D. Duffy on behalf of local residents and dog owners in the Morgan Jones ward and Mr Paul Smith of the Royal Society for the Prevention of Cruelty to Animals (RSPCA) who spoke in general support of provisions detailed in sections 4.9 to 4.14 but expressed concern in relation to restriction 4.15 (excluding dogs from all council owned marked sports/playing pitches) and urged Members to reconsider the inclusion of this restriction in the order.

Mr P. Budd, Secretary of Bargoed Rugby Club spoke in support of the protection order as presented and specifically for the restriction to exclude dogs from all council owned marked sports/playing pitches, in order to safeguard the health and safety of sports field users.

The Chair thanked the speakers for their attendance and for addressing the committee and sought Members comments on the informal consultation process and the provisions of the order as presented in the Officer's report.

The Committee fully discussed the report and considered each of the provisions in turn. In relation to restriction 4.15, Members expressed concern with regard to its impact on dog owners in more urban areas, where access to green spaces was limited and those with mobility or transport issues. Members were also concerned that responsible owners whose dogs inadvertently strayed onto pitches could be prosecuted under the order but it would still not address those irresponsible dog owners continually failing to control their animals. Clarification was sought in relation to the roles and responsibilities of the Officers who would be making the decisions on when to enforce the order.

Members were advised that robust training would be provided to enforcing Officers, when implementing the order and a common sense approach adopted towards each individual incident. Members also referenced the need to raise public awareness of the changes particularly during the early stages of the order and that consideration is given to increasing dog bin provision in certain areas.

Members also sought clarification with regard to 3G and 4G pitches and whether they would be included in the order, Officers agreed to seek further information from Community & Leisure Services in this regard.

Members noted and accepted the proposals set out in paragraphs 4.9 to 4.14 of the Officers report.

An amendment to recommendation 10.3 was moved and seconded in relation to the provision at paragraph 4.15 of the report to exclude dogs from all council owned marked sports/playing pitches on a seasonal basis according to use and that this proposal be omitted from the next stage of the process and be revisited once the impact of the other provisions can be established and consideration be given to implementing an awareness raising campaign in relation to sports pitches and responsible dog ownership. By show of hands the amendment was carried in noting there were 2 against and 1 abstention. By a further show of hands the amended recommendation was carried and in noting there were 2 abstentions this was agreed by the majority present.

It was moved and seconded that the outcome of the informal consultation relating to dog control findings from the informal dog control order consultation be noted and by a show of hands this was unanimously agreed.

RECOMMENDED to Cabinet that: -

i) restrictions: -

- Excluding dogs from enclosed children's play and multi-use game areas;
- A requirement to place dogs on a lead in all enclosed memorial gardens within the County Borough;
- A requirement to pick up after their dogs on all public land within the County Borough;
- A requirement for dog walkers to carry an appropriate receptacle for dealing with the waste that their dog/s produce within the County Borough;
- A requirement to place a dog on a lead by direction of no more than 2 metres in length when directed to do so by authorised officer, which could include local authority officers, police officers and/or PCSOs;

be included in the draft order and the statutory order making process, including formal consultation be commenced in relation to these restrictions with the outcome reported back to Cabinet for consideration.

ii) the restriction excluding dogs from all council owned marked sports/playing pitches on a seasonal basis be omitted at this stage of the process and be revisited once the impact of the other provisions can be established and consideration be given to implementing an awareness raising campaign in relation to sports pitches and responsible dog ownership.

The meeting closed at 19.08pm

Approved as a correct record, subject to any amendments agreed and recorded in the minutes of the meeting held on 7th February 2016.

CHAIR