

**PWYLLGOR CRAFFU
LLE, CYNALIADWYEDD A NEWID HINSAWDD
31 GORFFENNAF 2024**

**DIWEDDARIAD AR GYFER YSTYRIED GORCHYMYN DIOGELU
MANNAU AGORED CYHOEDDUS YCHWANEGOL AR GYFER
GORCHMYNION CŴN SIR GAERFYRDDIN.**

Y Pwrpas:

Rhoi diweddariad ar y dull o ymdrin â Gorchmynion Diogelu Mannau Agored Cyhoeddus yn seiliedig ar y dystiolaeth sydd ar gael ynghylch baw cŵn ar gaeau chwaraeon.

GOFYNNIR I'R PWYLLGOR CRAFFU:-

Ystyried gwybodaeth a chymesuredd y dull arfaethedig o ymdrin â Gorchmynion Diogelu Mannau Agored Cyhoeddus ar gyfer baw cŵn ar gaeau chwaraeon.

Adolygu'r opsiwn a argymhellir i fynd i'r afael â materion Ymddygiad Gwrthgymdeithasol sy'n Gysylltiedig â Chŵn.

- Darparu templed tystiolaeth (pecyn cymorth PSPO) i ddisgrifio natur a maint y broblem mewn lleoliadau penodol i gefnogi gorchmynion ychwanegol a allai fod yn briodol.
- Ystyried cyflwyno Hysbysiad Cosb Benodedig am y drosedd o beidio â gallu glanhau ar ôl eich ci mewn manau cyhoeddus.

Y Rheswm/Y Rhesymau

Argymhellwyd yng nghyfarfod Craffu Lle, Cynaliadwyedd a Newid Hinsawdd ar 24 Tachwedd 2022 i gyflwyno gwaharddiad ledled y Sir o gŵn yn mynd i gae chwaraeon wedi'i farcio a chyflwyno Hysbysiad Cosb Benodedig am y drosedd o beidio â gallu glanhau ar ôl eich ci. Mae'r adroddiad hwn yn rhoi diweddariad i'r aelodau a'r opsiynau sydd ar gael i'r awdurdod yn seiliedig ar gyngor cyfreithiol.

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Cyngorydd Aled Vaughan Owen – Yr Aelod Cabinet dros Newid Hinsawdd, Datgarboneiddio a Chynaliadwyedd

Cyfarwyddiaeth:

Lle a Seilwaith

Enw Pennaeth y

Gwasanaeth: Daniel W John

Awdur yr Adroddiad:

Michael Roberts

Swyddi:

Pennaeth Seilwaith Amgylcheddol

Swyddog Polisi Ansawdd yr
Amgylchedd Lleol

Cyfeiriadau e-bost:

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EXECUTIVE SUMMARY

PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE

31ST JULY 2024

UPDATE FOR THE CONSIDERATION OF ADDITIONAL PUBLIC SPACE PROTECTION ORDER (PSPO) FOR CARMARTHENSHIRE DOG ORDERS

1 SUMMARY REPORT.

- 1.1 On the 24th November 2022 the Scrutiny Committee recommended the introduction of an additional Countywide Public Spaces Protection Order to ban dogs from a defined sports pitches located within the county and the introduction of a fixed penalty notice for the offence of not having the means of cleaning up after their dog.
- 1.2 A review has been undertaken to gather the existing data of the problems and extent of dog related anti – social behaviour to support the introduction of an exclusion order of dogs from Marked sports pitches, the data gathered shows the number of complaints received in 2023 – 24 was just 183, and no complaints were received of dog related ASB occurring on playing fields or sports pitches.
- 1.3 A review was also undertaken of the previous consultations to see how many respondents raised the issue. It shows that a number of respondents have raised the issue over the years, although the number of responses which do so is quite low. It should be noted that this historical evidence is a number of years old and therefore of limited value (See appendix A).
- 1.4 Current data held by Carmarthenshire County Council.

The table below show the number of Fixed Penalty Notices and prosecutions taken by the authority since the introduction of the Public Spaces Protection Order 2016.

Table A : No of FPN's and Prosecutions taken by Carmarthenshire County Council.

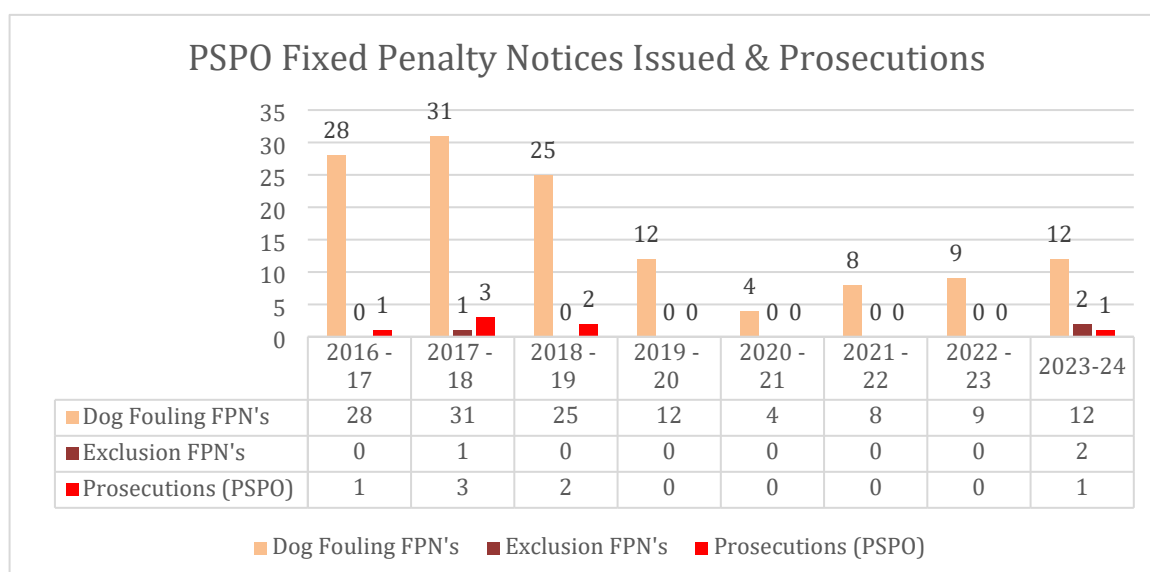
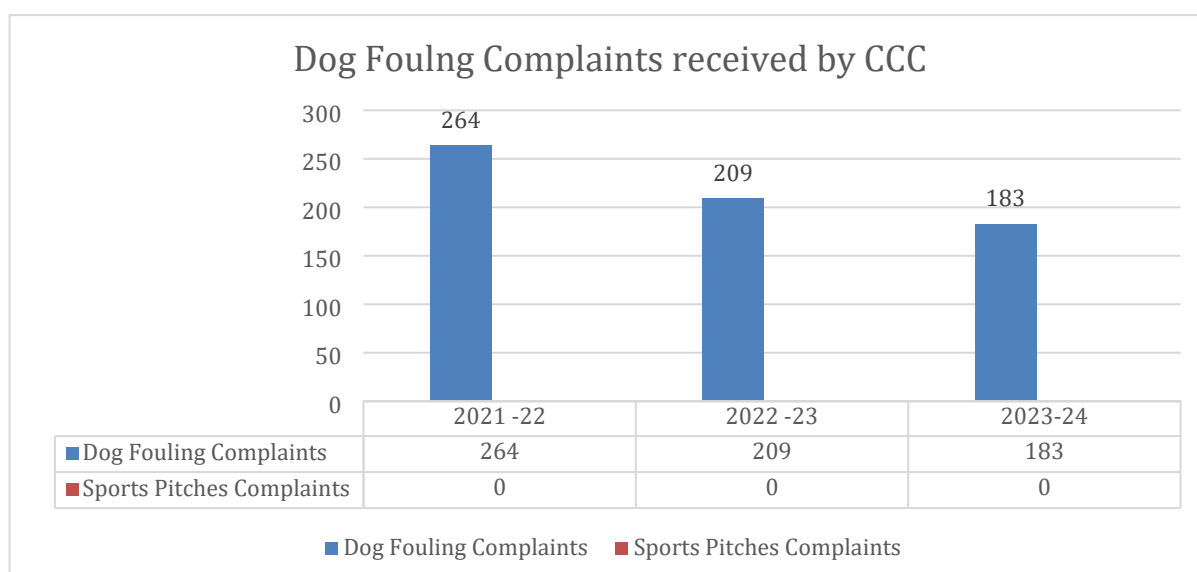


Table B: Number of complaints received by CCC for the 2021 and 2024 period.



N.B. No warning letter / community protection notices have been issued by the authority for dog related anti-social behaviour issues.

- 1.5 Legal Advice has stated that any PSPO needs to be evidence based, and a proportionate response to the problems which are occurring. From a legal perspective it is deemed that we currently have insufficient evidence at present to sufficiently demonstrate that the introduction of a County Wide PSPO to address this problem is disproportionate.

- 1.6 Also, at present the authority does not have sufficient data on all community owned playing fields / sports pitches currently used in the county of Carmarthenshire. Further work will be required to identify these assets working with communities to identify areas that are maintained privately but are accessible to the public.
- 1.7 Based on the current available evidence available our recommendation are as follows:-
- To engage with communities and sports groups to facilitate further evidence gathering through the provision of a PSPO toolkit.
 - Maintain the use of existing powers to address the current problems.
 - Working with the community to develop site specific PSPO's based on evidence and proportionality to address the issue, once the evidence is gathered and provided by the Town / community Councils or sports group.
- 1.8 A PSPO toolkit has been developed for sports groups / town and community councils etc to support their action plan of gathering evidence of dog related ASB activities taking place on marked sports pitches, the toolkit will ensure a consistent approach in gathering evidence to support any enhanced orders that are appropriate to tackle the problem at specific sites.
- 1.9 The PSPO Toolkit will allow sports Groups / Town and Community Councils to records incidents in a consistent manner as part of the evidence gathering electronically (epicollect system) or using paper audit sheets.
- 1.10 The Local Environmental Quality Team will provide guidance and support to all the Sports Groups / Town & Community Councils who want to undertake the evidence gathering exercise.
- 1.11 It is recommended that the evidence gathering exercise should be conducted for a minimum period of eight weeks.
- 1.12 The PSPO toolkit will include the following information.

Appendix B – PSPO Evidence gathering Toolkit guidance.

Appendix C – FAQ – Evidence gathering for PSPO's

Appendix D – Summary of PSPO Application process.

2. SUGGESTED NEXT STEPS

1. Roll out the dog fouling PSPO toolkit to the Community Council / sports groups to gather evidence within an agreed timeframe to evidence the extent of the problems within a specific area, the evidence gathered will support or negate the requirement for site specific PSPO's.

2. Encourage sports Groups / stakeholders to provide greater intelligence to evidence the extent of the dog related anti-social behaviour to aid the enforcement team to undertake targeted action, whilst developing an enhanced PSPOs based on the evidence gathered.
3. Consider the merits of the Introduction a new Fixed Penalty Notice for the offence not having the means of cleaning up after their dog in public spaces.

DETAILED REPORT ATTACHED?

**No
Appendices A-D**

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Dan John Head of Environmental Infrastructure

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
YES	YES	NONE	NONE	NONE	NONE	NONE	YES

1. Policy, Crime & Disorder and Equalities

This matter falls within Community Safety and Public Health Policies and Initiatives. These proposals will support the Council's aims with regard to reducing environmental Crime and Safeguarding Public Health.

2. Legal

Expansion of the PSPO (Dog Control Orders) is not a legal duty but is a discretionary power. However, where appropriate and there are benefits in extending the current order, then this would be done in compliance with all the relevant legislation and in consultation with the Council's Legal Services Department

8. Biodiversity and Climate Change

Cleaner public spaces can encourage more people to use them for recreational activities like walking, cycling, or spending time in nature. This can indirectly support biodiversity by reducing pressure on more remote natural areas.

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED

YES

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE