

Public Space Protection Orders and Dogs

I have made enquiries with regards to a Public Space Protection Order for the Hatt recreation field.

I have attached a map indicating the area. The field marked '1' is the area utilised for football and recreation. Until recently the field marked as '2' on the map was unused.

To recap, until very recently local people did not utilise the land at all for dog walking. This was in the main due to old signs being displayed that forbade dogs by order of the Parish Council. Many parishioners had made requests to allow them to walk their dogs on the recreation fields. It was agreed at a local level to allow dogs to utilise the field marked '2', but not field '1'. The issue of dog faeces is obviously an emotive issue, but it appears at this time that the dog owners have acted responsibly and cleaned up after their dogs.

However, it was mooted whether we should have a Public Spaces Protection Order in place, allowing us to exclude dogs from field '1' and to make the fouling of field '2' an offence.

I have been advised by Kevin Brader - Senior Environmental Health Officer - Public Protection at CC that the area in question is already covered by a PSPO which prohibits fouling. This order covers all public access land in Cornwall.

With regards to field '1' (football pitch and play area) and a prohibition for dogs to roam off a lead, it is possible for Cornwall Council to produce a prohibition on our behalf. CC would have to be satisfied that the criteria set under the legislation was satisfied. Information and evidence would have to be provided to support the request for a new PSPO. This could be obtained from complaint logs. It may be advisable for us to request CC to review the information and evidence we hold as well as the requirement. This would allow CC to establish if the implication and making of an order is feasible. CC are happy to do this for a small fee of £50.

If CC are satisfied with the information provided and we choose to proceed they would then look to begin the consultation process. Once the consultation process was completed and they remained satisfied in implementing the Order, a PSPO would then be created and implicated. After this time, appropriate signage would also need to be put in place.

The cost of carrying out the legal work on the above would be approximately £500. There may be additional charges on the consultation, however this would be assessed and a full breakdown of charges would be given on receipt of the pre-app.

An extra £30 per sign plus installation of the same would also be required. Our contact at CC is Eleanor Garraway - Corporate Governance Officer (acting) – Assurance Customer & Support Services.

The Parish Council would need to provide sufficient resource to enforce any new order. Enforcement would have to be carried out by an appropriately qualified person(s) and must not be an elected member.

I have confirmed that volunteers from the local community would be acceptable. In terms of the training requirements, volunteers can be trained on behalf of the parish council. CC provide the training as they have a DEFRA approved training package. The cost of the training and authorisation is £100 per person attending.

I have copied the PC into this in order to give them the full facts now and allow them time to consider a response. It may well be that we need to defer any firm decision until both fields get Local Green Space Designation or alternatively we can confirm that we do not lose the lease.

Cllr Dave Edwards
24 January 2018

