



PSPO Proposal Response

In Wales a PSPO is made by county councils or county borough councils. PSPO's can be made by a council if they are satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public place:

1. have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
2. is, or is likely to be, persistent or continuing in nature;
3. is, or is likely to be, unreasonable; and
4. Justifies the restrictions imposed by the notice

Abergavenny has previously had Public Space Protection Orders (PSPO's) implemented, specifically a lower town area restriction on street drinking and carpark specific PSPO in Fairfield and Byfield lane carpark to address Anti-Social Behaviour (ASB) driving issues. There has also previously been a PSPO used at the Skatepark to address ASB. These targeted PSPO's with specified and limited areas have had some success, and all had clear and defined objectives.

Dolydd y Castell / Castle Meadows

Within Grofield ward lies Dolydd y Castell / Castle Meadows a flood meadow area on the boundary of the upper Usk Site of Special Scientific Interest. Castle Meadows is in the care of MCC and is a public park which is also leased for grazing by cattle. For many hundreds of years the meadows were used by Porthmon, the long-distance cattle drovers of Wales, to graze cattle brought to market in Abergavenny or to be driven into England.

Today the Meadows is large enclosed public space popular within the town and with visitors from nearby towns and further afield as part of our Tourism draw factor. As cattle are often present in the meadows, they provide an area where dogs can be exposed to livestock in a controlled fashion within a large enclosed open area. The Meadows currently meet the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas.

A blanket PSPO Order could threaten the unique character and utility of this popular public space. Smaller enclosed areas would be suitable for proposed measures to compel use of leads at all time. Currently Bailey Park and Belgrave Park which contain playing fields are signposted to keep dogs on leads, with enforcement issues. Dolydd y Castell / Castle Meadows does not have playing fields and comparable measures would be inappropriate and disproportionate.



Dog-fouling

Abergavenny Town Council currently directly fund a large number of dog-mess bins at considerable costs and until further tender arrangements are made will continue to do so. MCC Litter bins are suitable for dog mess (as referenced in the 'Any Bin will do' messaging, and a number of new litter bins have recently been installed in Abergavenny including three in the immediate vicinity of Dolydd y Castell / Castle Meadows does. This represents considerable expenditure to encourage responsible disposal of dog mess within the area.

Rhondda Cynon Taff Unitary Authority (RCT) has implemented a number of PSPOs from 2017 which were successful in addressing issues around dogs in public places.

[Public Spaces Protection Order \(PSPO\) Policy | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://rctcbc.gov.uk)

These PSPOs were targeted (for example a specific order for Aberdare Park on dog leads) and other orders banning dogs from all schools, children's play areas and marked sports pitches maintained by the Council.

RCT were also successful in using PSPOs to compel those in charge of dogs to collect and dispose of dog mess but importantly also compelling owners to carry the means (dog mess bags). Including the carrying of means to collect and dispose of dog mess meant Enforcement Officers were able to implement and fine those who ignored the order in a meaningful and targeted way. Enforcement Officer have often had an issue with proving those in charge of specific dogs were liable for dog mess. Fixed penalty notices for those without means to dispose of mess have been effective.

Whether the limited number of Enforcement Officers in Monmouthshire are to be deployed in Abergavenny or trained in use of PSPOs remains to be seen especially in the current budget conditions. Enforcement of unwieldly and PSPOs without clear objectives could compound the issues around lack of enforcement.

Recommendations

- Recommend Dolydd y Castell / Castle Meadows are exempt from any enforcement measure of dogs being on leads to continue to meet the Animal Welfare Act 2006 section 9 requirements.
- Recommend the use of targeted PSPOs and oppose the use of 'Sledgehammer' Authority wide Orders.
- Recommend PSPO's designed to address dog fouling, to incorporate Fixed Penalty notices for not carrying the means (bags) for disposal.

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