

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
OPERATIONAL SERVICES	OPERATIONAL MANAGEMENT COMMITTEE	8 MARCH 2016	5

APPOINTMENT OF MEMBER WORKING GROUP - PUBLIC SPACE PROTECTION ORDERS

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report outlines the proposal for the establishment of a cross party member working group: 'To investigate the possible use and implications of Public Space Protection Orders at Fylde and to make recommendations on whether they should be used, where they should be used and for what activities they should be used'. Public Space Protection Orders potentially have wide ranging implications enabling a local authority to make an order on any public space if activities carried out have a detrimental impact on the quality of life for the local community, and it is likely these activities will persist. The objective is consider the impact on public open spaces of activities related to dog walking, in particular dogs roaming without a leash and individuals in charge of an excessive number of dogs usually as part of a commercial venture. The cross party working group will consider whether Public Space Protection Orders can mitigate the negative impact from activities on public open spaces and report back to the committee with recommendations.

RECOMMENDATIONS

1. The committee agree to establish a cross party working group to consider the introduction of Public Space Protection Orders across the borough which will report back to the Operational Management committee and make any appropriate recommendations.
2. That the cross party working group established consists of seven elected members with three from the Operational Management Committee, two from the Tourism & Leisure Committee and two from the Environment, Health & Housing Committee
3. That the three representatives from the Operational Management Committee are the Chair and Vice Chair and a further member nominated by the committee.
4. That the Chairs of Tourism & Leisure and Environment, Health & Housing are asked to nominate two representatives from their committee to be part of the cross party working group.

CORPORATE PRIORITIES			
To Promote the Enhancement of The Natural & Built Environment (Place)	√	To Encourage Cohesive Communities (People)	√
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

There have been no previous decisions on this item, the council has not previously approved any Public Open Space Protection Orders.

REPORT

1. For a number of years the Council has considered measures to address problems associated with dogs roaming off leads disturbing, even attacking people or other dogs, and individuals exercising an excessive numbers of dogs, in some areas of the borough on some public open spaces. Concerns over these issues have been raised in response to a number of complaints made by individuals and community organisations. The council has previously considered dog control orders to address the issues however, after consultation and careful consideration no proposals were put forward to introduce dog control orders. Legislation has now changed with the powers that were available through dog control orders becoming part of Public Space Protection Orders under the Anti-social Behaviour, Crime and Policing Act 2014.
2. Complaints about dogs roaming off leads causing distress and concern to others because of a lack of control exercised by the owner have continued to come into the council. The number of professional dog walking services that use parts of the borough to walk upwards of 12 dogs by one person has increased. There is evidence of an influx from adjacent boroughs that have Public Space Protection Orders in place to limit the number of dogs an individual can be responsible for and require a leash in open spaces. The open spaces in Fylde in the rural countryside and on the beaches are desirable locations to walk dogs for both residents and visitors.
3. Public Space Protection Orders are intended, and should only be applied when “*activities carried on in a public place within the authority’s area have had a detrimental effect on the quality of life of those in the locality*”, and “*it is likely that activities will be carried on in a public place within that area and that they will have such an effect*”. This is certainly the case with many of the reports received in relation to roaming dogs and professional dog walkers. The legislation states that the impact of the activity “*is or, is likely to be, of a persistent or continuing nature, or is likely to be, such as to make the activities unreasonable*”. Public Space Protection Orders provide an opportunity to address an ongoing problem in some areas of the borough.
4. Previous discussion, consultation and research into the issue of dogs on leads in public open spaces has revealed a number of different schools of thought and opinion, with different experiences in different locations of the borough. It is a complex and sensitive subject matter which requires appropriate detailed member input through a cross party working group. Although the subject of dogs on leads and professional dog walking activities fall primarily within the remit of the Operational Management Committee it is recognised that the issue also has tourism and environmental health implications. It is therefore proposed that the cross party working group should consist of elected members from the Operational Management, Tourism

& Leisure, and Environment, Health & Housing committees, with the recommendations made by the working group being put before the Operational Management Committee for consideration.

5. The Chairman of the Operational Management Committee has proposed that the cross party working group should have seven members, with three from the Operational Management Committee, and two each from the Tourism & Leisure Committee and the Environment, Health & Housing Committee. It is important to have a political and geographical balance to the cross party working group because of the differences experienced across the borough from dogs off leads and professional dog walkers. The Chairman and Vice Chairman of the Operational Management Committee have both been directly involved with consultation and discussion around dog control orders and Public Space Protection Orders as part of special responsibilities under the former executive governance arrangements at Fylde, and are therefore familiar with the issues. It is proposed that the Chair and Vice Chair of the Operational Management Committee are nominated to the cross party working group along with a third member from the committee.
6. The scope of the cross party working group is: **‘To investigate the possible use and implications of Public Space Protection Orders at Fylde and to make recommendations on whether they should be used, where they should be used and for what activities they should be used.’**

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report.
Legal	There are no implications arising directly from this report.
Community Safety	There are no implications arising directly from this report.
Human Rights and Equalities	There are no implications arising directly from this report.
Sustainability and Environmental Impact	There are no implications arising directly from this report.
Health & Safety and Risk Management	There are no implications arising directly from this report.

LEAD AUTHOR	TEL	DATE	DOC ID
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LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Public Space Protection Orders – the legislation	2014	http://www.legislation.gov.uk/ukpga/2014/12/part/4/chapter/2/crossheading/public-spaces-protection-orders/enacted
Public Space Protection Orders - Dogs	2014	https://www.gov.uk/control-dog-public/public-spaces-protection-orders
Public Space Protection Orders - Blackpool	2015	https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Crime-and-safety/Public-Space-Protection-Orders.aspx

Attached documents

None