

**Policy and Resources Committee
Monday, 4 December 2023**

PART I

**Variation to PSPO Public Consultation result
DCES**

1 Summary

- 1.1 There is a Public Spaces Protection order (PSPO) with restrictions relating to dogs in place throughout the district. One restriction excludes dogs from children's play areas and sports courts.
- 1.2 When the original PSPO was introduced, the play area in Greenfields Avenue, Carpenders Park was omitted from the schedule.
- 1.2.1 Watford Rural Parish Council have requested the area be included in the schedule and the area listed as The Mead, Carpenders Park be removed as it is no longer in situ.

2 Details

- 2.1 Adding or removing an area or restriction from a PSPO schedule must be treated as a variation to the order and a public consultation is required.
- 2.2 Watford Rural Parish Council (WRPC) requested the area be added to the schedule as they have often found dog owners taking their dogs into the enclosed children's play area. When challenged, the dog owners claim to be using the area because it is the only place they can let their dog off lead as it is enclosed. As the area was not included on the schedule, enforcement action cannot be taken against these owners.
- 2.2.1 Following directive from the Associate Director for Customer and Community, a public consultation was carried out from 14th June 2023 – 30th August 2023; with instruction to report the results to the Policy and Resources Committee sitting in December 2023.
- 2.2.2 The response from the public was extremely low, but those that did respond were 100% in favour of adding the Greenfields Avenue play area to the schedule and removing the play area listed in The Mead. The results chart is attached as Appendix A.

3 Options and Reasons for Recommendations

- 3.1 The options available to Committee are:
 - (a) to proceed with the request from the Parish Council, supported by the minimal number of respondents, to include Greenfield Avenue and remove The Mead play areas in the PSPO schedule, or,
 - (b) to keep the schedule as it is.
- 3.1.1 Officers will recommend that option (a) is accepted to provide a consistent approach with children's play areas district wide.

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets. The relevant policies are:
- 4.2 The Community Strategy 2018-2023; The Strategic Plan 2018-2021; The Anti-Social Behaviour Policy.
- 4.3 The recommendations in this report relate to the achievement of the following performance indicators.
- 4.3.1 CP02 – Satisfaction with parks and open spaces
- 4.4 The impact of the recommendations on this performance indicator is:
- 4.4.1 To increase satisfaction with parks and open spaces.

Equal Opportunities, Community Safety, Public Health, Customer Services Centre.

None specific.

5 Financial Implications

- 5.1 There are no changes to the budget or the efficiency gains already agreed by Members. Signs must be placed on the gates of the area advising of the offence and penalty. There are no spare dog exclusion signs so these will need to be purchased, the costs will be met within existing budget.

6 Legal Implications

- 6.1 Advice was sought from the Council Solicitor at the time who advised there were no issues provided the process outlined in the legislation was followed and if approved the schedule will be amended by the Legal team and the amended schedule posted on the Council website.

7 Equal Opportunities Implications

- 7.1 No Impact Assessment required.

8 Staffing Implications

Currently the only officers able to enforce the order throughout the district the Animal Welfare and Licensing Inspector, supported by the Police Community Support Officers (PCSO's) So whilst the PSPO can be enforced it should be recognised that it will be difficult to provide regular visits, as it is across the district.

9 Environmental Implications

- 9.1 Excluding dogs from this area will maintain consistency throughout the district whereby dogs are excluded from all children's play areas. It will make the area a safe place for children to play without risk of injury from a dog or disease from deposits not cleared up.

10 Communications and Website Implications

10.1 The PSPO is available to view on the Council website. If Committee approval is granted the amended schedule will replace the existing one.

11 Risk and Health & Safety Implications

11.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council’s duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

11.2 The subject of this report is covered by the Environmental Protection service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Dogs will continue to be at large in children’s play areas	A child may be injured by a dog or falls ill through contact with dog faeces	PSPO Use of FPN’s and CPN’s	Publicise the restrictions of the PSPO and the enforcement powers of the Council	6

11.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely Remote ↓ Likelihood	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4



Impact Score	Likelihood Score
4 (Catastrophic)	4 (Very Likely (≥80%))
3 (Critical)	3 (Likely (21-79%))
2 (Significant)	2 (Unlikely (6-20%))
1 (Marginal)	1 (Remote (≤5%))

11.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

12 Recommendation

12.1 That, to provide consistency with dog exclusion areas throughout the district:

Committee approve the inclusion of the Greenfields Avenue, Carpenders Park children's play area to the Public Spaces Protection Order schedule excluding dogs from the area, and,

The children's play area at The Mead, Carpenders Park is removed from the Public Spaces Protection Order schedule excluding dogs from the area.

That public access to the report be immediate.

Report prepared by: Sandling, Animal Welfare and Licensing Inspector

Data Quality

Data sources:

Public Spaces Protection Order Schedule

Data checked by:

Jennie Probert, Environmental Strategy Manager

Data rating: Tick (✓)

1	Poor	
2	Sufficient	✓
3	High	

Background Papers

Anti-Social Behaviour, Crime and Policing Act 2014

Three Rivers District Council Public Spaces Protection Order

APPENDICES / ATTACHMENTS

Appendix A – copy of the results of the consultation