

EXECUTIVE DECISION

made by a Cabinet Member



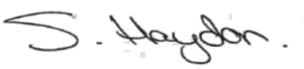
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – CSLCC03 23/24

Decision	
1	Title of decision: Public Spaces Protection Order – Control of Dogs 2023
2	Decision maker: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries' and Crematoria)
3	Report author and contact details: Lindsay McClean lindsay.mcclean@plymouth.gov.uk
4	<p>Decision to be taken:</p> <ol style="list-style-type: none"> 1. That the current Public Spaces Protection Order (PSPO) – Control of Dogs 2020 is replaced with the PSPO – Control of Dogs Order 2023 which: <ul style="list-style-type: none"> • retains the current general restrictions; and • includes a new restriction that a person should be in charge of no more than six dogs at any time in a public place. 2. That the restriction relating to Efford and Weston Mill Cemeteries is changed, such that dogs must be kept on a lead in these areas.
5	<p>Reasons for decision:</p> <ol style="list-style-type: none"> 1. The current PSPO – Control of Dogs 2020 expires on the 19 October 2023 and if this is not replaced dog fouling and dog control measures can no longer be enforced. 2. The Council is satisfied that irresponsible dog walking continues to have a detrimental effect on the quality of life of the local community and that the conditions set out in Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 are met (see Appendix B Briefing Report). 3. A consultation process has been undertaken to explore the views of statutory consultees and the public in relation to dog control in Plymouth and these will be reflected in the PSPO – Control of Dogs 2023.
6	<p>Alternative options considered and rejected:</p> <ol style="list-style-type: none"> 1. No changes to the current restrictions. 2. The removal of all current restrictions. 3. Some changes to specific restrictions, which have been rejected after consultation.

7	Financial implications and risks:		
	When restrictions change at Efford and Weston Mill Cemeteries new signage will be required. Appropriate signs are already available. Installing the signs will be part of ongoing maintenance on the relevant sites. Therefore, there are no financial implications.		
8	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	No	Per the Constitution, a key decision is one which:
		x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
		x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
		x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the <u>Forward Plan of Key Decisions</u>	n/a	
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>Reducing dog fouling is a priority of the Council. Having areas where dog controls are in place improves the safety of all users of the parks and open spaces within the city, relating to the priority on the Corporate Plan: Keeping children, adults and communities safe.</p> <p>Enforcement of these offences is essential to encourage compliant behaviour by dog owners/walkers.</p> <p>If the PSPO – Control of Dogs 2020 is not extended, these offences will not be able to be enforced in Plymouth after 19 October 2023.</p> <p>The PSPO – Control of Dogs 2023 will continue to make dog fouling and not complying with dog control measures an offence.</p>	
10	Please specify any direct environmental implications of the decision (carbon impact)	There is no adverse carbon impact.	
Urgent decisions			
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public? Please type an X into the relevant box	Yes	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X (If no, go to section 13a)
12a	Reason for urgency:		
12b	Scrutiny	Date	

	Chair Signature:			
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision? Please type an X into the relevant box	Yes	X	
		No		(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Tom Briars-Delve (Cabinet Member for Environment and Climate Change) Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure and HR &OD)		
I3c	Date Cabinet member consulted	Cllr Briars-Delve 25 May 2023 Cllr Sue Dann 5 June 2023		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
I5	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell	
		Job title	Director of Public Health	
		Date consulted	28 July 2023	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS43 23/24	
		Finance (mandatory)	CH 21.09.23 1728	
		Legal (mandatory)	LS/00001312/1/AC/2 2/9/23	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)		
Appendices				
I7	Ref.	Title of appendix		
	A	Equalities Impact Assessment		
	B	Briefing Report		

	C	Briefing Report Appendix 1 PSPO Consultation						
	D	Briefing Report Appendix 2 Results of PSPO Public Consultation						
	E	Draft PSPO Control of Dogs						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	X					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature				Date of decision		22.09.2023		
Print Name		Councillor Sally Haydon						