

## **Consultation Results 2020**

### **Introduction and Background**

The existing dog control PSPO has been in place since 20th October 2017. This has been reviewed and an amended proposed new PSPO was produced and publically consulted on between 21/01/18 and 23/02/18. Full details of that PSPO, consultation and results are available at

<https://www.conwy.gov.uk/en/Resident/Environmental-problems/DogIssues/Dog-Control-Orders/Dog-Control-Public-Space-Protection-Order-Consultation.aspx>.

The results of the consultation and comments received, together with additional representations, were considered by Members of the Economy and Place Overview and Scrutiny Committee on 05/02/20 and the Councils Cabinet on 11/02/20.

Cabinet RESOLVED (see item 775) –

“That the new draft Public Space Protection Order (PSPO) of the report be approved, subject to a further one month consultation on the changes proposed, with the following amendment:-

(i) Remove (t) (North Wales Golf Club (i) excluding the footpaths traversing the course) from Schedule 3 – Dog Excluded (Year Round Prohibition) and include within Schedule 5 – Dogs on Leads.”

The proposed new PSPO was therefore amended to incorporate the above with some further changes incorporated, following Member requests, as agreed by the Portfolio Holder for Regulatory and Housing Services, Cllr Charlie McCoubrey. A final proposed new PSPO, was produced and a second statutory and public consultation was undertaken between 01/07/20 and 28/07/20 on only the proposed changes, amendments and additions to the original New Draft Order.

### **Consultation**

Between 01/7/20 and 28/07/20 the Council consulted publicly only on the proposed changes, amendments and additions to the original New Draft Order that in turn created the proposed new PSPO.

To ensure a fair and extensive consultation, notices were placed at all of the affected locations. Details were posted on the council's website and on corporate social media as well as advertised in the press and on the corporate digital information boards. There were direct mailings to statutory consultees, elected members, Town and Community Councils and other relevant groups, to advise and invite engagement/comments.

### **Consultation Results**

A total of 153 responses were received as a result of the public consultation, **Appendix 1** gives the results in a full breakdown.

The results of the consultation and comments received have been considered and are as follows:

### **SCHEDULE 3 – DOGS EXCLUDED (YEAR ROUND PROHIBITION)**

#### **2(k) Top Llan Road Playing Field, Glan Conwy**

Following a local public vote, Glan Conwy Community Council requested that this area be removed from the list of locations which were proposed to have year round dog exclusions. The reasons given were to ensure at least 1 of the 2 open green spaces in Glan Conwy may be available for responsible use by dog owners.

The removal of this area from the proposed new PSPO was supported by 53% of respondents. It is therefore proposed that this area is not included as an area dogs are excluded from in the proposed new PSPO.

#### **2(k) Llanrwst Road Playing Field, Glan Conwy**

Glan Conwy Community Council requested that this location be included as an area dogs are permanently excluded from because there have been many complaints regarding the presence of dog fouling on the playing field. A children's play area, although fenced, is also located there. Despite the erection of signs, dog fouling still continues.

The inclusion of this location in the proposed new PSPO was however was not supported by 50% of the respondents. It is therefore proposed that this area is not included as an area dogs are excluded from in the proposed new PSPO.

#### **2(p) Llanelian Community Field, Llanelian**

Llanelian Community Council had asked that this location be included as a dog exclusion area because of persistent dog fouling. Educational and promotional work aimed at ensuring responsible dog ownership had been undertaken by both the Community Council and officers from Regulatory & Housing Services, but dog fouling still persisted.

The inclusion of this location in the proposed new PSPO was however heavily not supported with two petitions objecting to this control submitted and with 56% of the respondents stating they did not support such. It is therefore proposed that this area is not included as an area dogs are excluded from in the proposed new PSPO.

#### **4(n) The Llandudno / Craig Y Don Community Paddling Pool**

This area was initially proposed to be covered by a dog exclusion, however during the first public consultation dog owners expressed concern that they would then not be able to access the public toilets or use the café there if dogs were excluded permanently. It was felt necessary that some form of dog control was required in the location due to the high footfall expected and the numbers of children playing. It was therefore proposed that the area be included as a dogs on leads area.

The inclusion of this location as a dogs on leads area was supported by 60% of respondents. It is therefore proposed that this area is included as an area dogs must be on a lead in the proposed new PSPO.

#### **2(t) Colwyn Bay Beach – the area of the beach between the low water mark and promenade wall between the most seaward point of the Porth Eirias promontory and eastern side of the Colwyn bay pier line**

Considerable regeneration works have taken place along Colwyn Bay with much expenditure used to create the new beach at Porth Eirias. The section of the new beach to the east of the

pier is a dry beach meaning it is unwashed by the tide so any waste deposited by animals or people at this location remains in situ until physically removed by the Council  
Only 15% of respondents supported this proposal, with 19% of respondents not answering the question and 66% of respondents objecting to the proposal a majority of whom were dog owners.

On considering the response results for this location, whilst noted, it is thought necessary and proportionate to balance the needs of dog and non-dog owners in this location, and to enable and ensure the benefits of the new Colwyn Bay beach amenities be realised for all.

It is therefore proposed that this area is included as an area dogs are permanently excluded from in the proposed new PSPO for the following reasons;

- The beach is a dry beach, unwashed by the tide
- The area of beach proposed is considerably smaller than the previous long standing exclusion zone in existence since the introduction of by-laws some 25 years ago
- The Council have received 10 complaints from members of the public who were unable to access the beach with their families due to the presence of dogs in just July and August of 2020
- To counter balance the proposed permanent exclusion zone on this small area at Porth Eirias, the Council has removed the previous seasonal exclusion zone at Rhos on Sea opposite the Cayley Promenade thus leaving the expanse of beach from the west side of the pier in Colwyn Bay until the dry beach at Rhos on Sea free for dog owners to utilise year round.
- There is a dry beach in Rhos on Sea that is subject to a permanent exclusion of dogs for the reason that it is unwashed by the tide.

## **2(v) Minafon Community Field, Old Colwyn**

This former open green space had been previously used for dog walking and was an area for which regular complaints were received in relation to uncontrolled dogs and dog fouling, limiting its effective use by all in the community. It adjoins Ysgol T Gwynn Jones and the issue became so bad that the children at the school designed their own posters which were made into signs and erected around the location in an attempt to encourage responsible dog ownership. ERF have now converted this former open green space to a family friendly park and adventure area for children to use, with bench seating, picnic benches and a wild flower meadow of pollinators. The site abuts the school and is used by the children during term time. On this basis and due to the previous record of irresponsible dog ownership in the area, a request was received from ERF that a year round dog exclusion be put in place, so that the new park can be effectively used and enjoyed without the issue of uncontrolled dogs and dog fouling being present.

Only 22% of respondents supported this proposal, with 27% of respondents not answering the question and 51% of respondents objecting to the proposal a majority of whom were dog owners.

On considering the response results for this location, whilst noted, it is thought necessary and proportionate to balance the needs of dog and non-dog owners in this location, and to enable and ensure the benefits of the new amenities be realised for the purpose intended.

It is therefore proposed that this area is included as an area dogs are permanently excluded from in the proposed new PSPO for the following reasons;

- The request has been made by ERF the Department within the Council who are responsible for street cleansing and in particular the regular cleansing of dog fouling from this location in previous years.
- Following the conversion of this area by ERF into a family friendly park and adventure space with nature reserve, the area is now used by pupils of the local school for their educational purposes. This brings the location into Schedule 3 of the proposed new PSPO as with all previous and draft PSPOs. Schedule 3 part 1(f) states dogs should be excluded permanently from all recreational fields associated with educational establishments.

### **2(w) Proposed Rhos on Sea Woodland/Biodiversity area, Brookfield Drive, Rhos on Sea**

A new wooded area is proposed to be created in the area described above. In order for the benefits of this new area to be fully realised a local member had proposed that dogs be excluded permanently.

The inclusion of this location in the proposed new PSPO was however not supported with 57% of the respondents stating they did not support such. It is therefore proposed that this area is not included as an area dogs are permanently excluded from in the proposed new PSPO.

## **SCHEDULE 4 – DOGS EXCLUDED (SEASONAL PROHIBITION)**

### **1(a) Kinmel Bay – the area of beach between low water mark and the promenade between the entrance to the beach from the car park St Asaph Avenue, Kinmel Bay and the first entrance to the beach from the promenade near Woodside Avenue, Kinmel Bay**

The Towyn & Kinmel Bay Town Council made representations that they would want to see the seasonal dog restriction removed from the area of beach described in the original proposed new PSPO which was consulted on, so there would then be no seasonal or any other dog exclusion in place at that location.

The effect of this would mean that it may not be possible for that area to continue to have a Blue Flag Seaside Award.

The results show that 38% of respondents supported this proposal, with however 32% of respondents not answering the question. The local M.S. did respond with a strong objection to the proposed removal stating

“I think obtaining a blue flag is more important than allowing people to walk their dogs on the beach in Towyn and Kinmel Bay. I have not received any objections to the current seasonal restrictions from local residents”.

It is therefore proposed that this location is included as an area dogs are seasonally excluded from in the proposed new PSPO.

**3(d) Penmaenmawr – the area of the beach between the low water mark and the promenade from the east side of the café situated on the promenade and the slipway associated with the sailing club.**

Penmaenmawr Town Council advised during the first consultation they wanted the seasonal dog exclusion as existing to remain in place in the same location it had been since 2012 rather than the relocation of such proposed during the first consultation.

The amended wording for the location was thus the subject for the consultation rather than the seasonal exclusion itself which remained supported following the first consultation.

Of the respondents 27% supported this proposal, with 34% of respondents objecting to the proposal however 39% of respondents did not answer this question.

On considering the response results for this location, whilst noted, it is thought necessary to remember that this was consulted on as a minor wording amendment for the location as requested by the Town Council which would mean the seasonal dog exclusion zone as was previously, would remain in situ.

It is therefore proposed that this area is included as an area dogs are seasonally excluded from the proposed new PSPO.

**3(e) Llanfairfechan – the area of beach extending between the low water mark and the promenade between the main slipway and the river mouth (but not to include the slipway).**

Llanfairfechan Town Council advised during the first consultation they wanted the seasonal dog exclusion as existing to remain in the same location as it had been since 2012 rather than the relocation of such proposed during the first consultation.

The amended wording for the location was thus the subject for the consultation rather than the seasonal exclusion itself which remained supported following the first consultation.

Of the respondents 27% supported this proposal, with 32% of respondents objecting to the proposal however 41% of respondents did not answer this question.

On considering the response results for this location, whilst noted, it is thought necessary to remember that this was consulted on as a minor wording amendment for the location as requested by the Town Council which would mean the seasonal dog exclusion zone as was previously, would remain in situ as the original location was more beneficial for disabled access to the beach.

It is therefore proposed that this area is included as an area dogs are seasonally excluded from as worded above in the proposed new PSPO.

**SCHEDULE 5 – DOGS ON LEADS**

**4(d) Trinity Avenue Playing Field Llandudno; excluding the (demarcated) area designated for dog exercising.**

Complaints from members of the public and representations from Local Members have been received that dog owners are not keeping their dogs under control at this location and that dog fouling is an issue.

Educational and promotional work aimed at ensuring responsible dog ownership has been undertaken by both the local Members and officers from Regulatory & Housing Services, but the issues still persist in that area.

As a result a local Member made a request that this area be included as an area dogs must be on a lead excluding a demarcated area designated for exercising dogs.

Of the respondents 49% supported this proposal, with 23% of respondents objecting to the proposal, 28% of respondents did not answer this question.

It is therefore proposed that this area is included as an area dogs must be on a lead excluding the demarcated area designated for dog exercising in the proposed new PSPO.

#### **4(e) Owain Glyndwr Playing Field, Kinmel Bay; excluding the (demarcated) area designated for dog exercising**

Complaints from members of the public and representations from Towyn & Kinmel Bay Town Council had been received that dog owners were not keeping their dogs under control at this location and that dog fouling was an issue.

Educational and promotional work aimed at ensuring responsible dog ownership had been undertaken by both the Town Council and officers from Regulatory & Housing Services, but the issues still persist in that area.

Towyn & Kinmel Bay Town Council therefore made a request that this area be included as an area dogs must be on a lead excluding a demarcated area designated for exercising dogs.

Of the respondents 41% supported this proposal, with 24% of respondents objecting to the proposal, 35% of respondents did not answer this question.

It is therefore proposed that this area is included as an area dogs must be on a lead excluding the demarcated area designated for dog exercising in proposed new PSPO.

#### **4(u) Public footpaths traversing North Wales Golf Club, Llandudno**

North Wales Golf Club who own their land and which is currently covered by a dogs on leads PSPO requirement, had asked that the land be included as a permanent dog exclusion area because of persistent dog control issues, complaints of fouling and for the health and safety of dog walkers and club members alike.

The exclusion of dogs from the club owned land was supported in the first consultation however as a result of complaints received and Cabinet resolution 775, it was determined that dogs could not be excluded from the public footpaths that traverse the club land.

As such it was proposed that the public footpaths be included in the proposed new PSPO as a dogs on leads location.

Of the respondents 40% supported this proposal, with 32% of respondents objecting to the proposal, 28% of respondents did not answer this question.

It is therefore proposed that the public footpaths are included as an area dogs must be on a lead in the proposed new PSPO.

#### **4(q) Llanfairfechan Recreation Ground and Land surrounding the Boating Lake to the start of the bridle path, Llanfairfechan**

The Llanfairfechan Town Council did not support the location described in the first consultation. For clarity, they instead asked that the dogs on leads area did not extend as originally proposed to the Western Boundary of the property known as "Kingswood". Instead, they asked that the boundary stop at the start of the Bridle Path

The amended boundary for the location was thus the subject for the consultation rather than the control that dogs must be on a lead itself which remained supported following the first consultation.

Of the respondents 30% supported this proposal, with 34% of respondents objecting to the proposal, 36% of respondents did not answer this question. It is of note that one local member did offer a strong objection to the proposal.

Based on the results of both the first consultation and the second consultation with neither proposed boundaries being supported it is proposed that the boundary of the location should revert to that previously made in 2012, that being the western boundary of the property known as Gorsefield, included as an area dogs must be on a lead in the proposed new PSPO.

### **2(t) The pathway between Glan Yr Afon Road and Old Mill Road Dwygyfylchi**

Complaints from members of the public and representations from a local member had been received that dog owners were not keeping their dogs under control on this pathway and that dog fouling was also an issue.

It was therefore proposed during the first consultation that the pathway should be included as a location that dogs must be on a lead. This proposal was not supported by the local member who asked following representation made that the requirement for dogs to be on a lead in this location be removed from the proposed new draft order.

The removal of this location as an area that dogs must be on a lead was thus the subject for the consultation which was supported by 45% of respondents.

It is therefore proposed that the pathway between Glan Yr Afon Road and Old Mill Road Dwygyfylchi is not included as an area dogs must be on a lead in the proposed new PSPO.

### **2(u) The pathway between Conway Old Road and Old Mill Road, Dwygyfylchi**

Complaints from members of the public and representations from a local member had been received that dog owners were not keeping their dogs under control on this pathway and that dog fouling was also an issue.

It was therefore proposed during the first consultation that the pathway should be included as a location that dogs must be on a lead. This proposal was not supported by the local member who asked following representation made that the requirement for dogs to be on a lead in this location be removed from the proposed new draft order.

The removal of this location as an area that dogs must be on a lead was thus the subject for the consultation which was supported by 49% of respondents.

It is therefore proposed that the pathway between Conway Old Road and Old Mill Road Dwygyfylchi is not included as an area dogs must be on a lead in the proposed new PSPO.

### **2(v) The pathway from Ysguborwen Road to the garage adjacent to the A55/Maes Y Llan, Dwygyfylchi**

Complaints from members of the public and representations from a local member had been received that dog owners were not keeping their dogs under control on this pathway and that dog fouling was also an issue.

It was therefore proposed during the first consultation that the pathway should be included as a location that dogs must be on a lead. This proposal was not supported by the local member who asked following representation made that the requirement for dogs to be on a lead in this location be removed from the proposed new draft order.

The removal of this location as an area that dogs must be on a lead was thus the subject for the consultation which was supported by 47% of respondents.

It is therefore proposed that the pathway from Ysguborwen Road to the garage adjacent to the A55/Maes Y Llan, Dwygyfylchi is not included as an area dogs must be on a lead in the proposed new PSPO.

#### **4(w) Queens Gardens, Colwyn Bay**

Following representations, the Bay Of Colwyn Town Council asked that the above area be included as a dogs on lead area. This request followed a vicious dog attack on a working guide dog by an uncontrolled dog, off its lead.

This proposal was supported by 46% of respondents with 28% objecting and 26% not answering this question.

It is therefore proposed that Queens Gardens are included as an area dogs must be on a lead in the proposed new PSPO.

#### **4(v) Proposed footpath surrounding proposed Rhos on Sea Woodland/Biodiversity area, Brookfield Drive, Rhos on Sea**

A new wooded area is proposed to be created in the area described above with a footpath surrounding the woodland/biodiversity area. In order for the benefits of this new area to be fully realised a local member had proposed that dogs must be on a lead on this footpath.

The inclusion of this location as a dogs on leads area in the Amended Final New Draft PSPO was however not supported with 40% of the respondents stating they did not support such.

It is therefore proposed that this area is not included as an area dogs must be on a lead in the proposed new PSPO.

#### **Next Steps**

Economy and Place Overview and Scrutiny Committee

Monday 12<sup>th</sup> October 2020 at 5.30pm

<https://modgoveng.conwy.gov.uk/ieListDocuments.aspx?CIId=939&MIId=8256&Ver=4>

Cabinet

Tuesday, 13 October 2020 2.00 pm

<https://modgoveng.conwy.gov.uk/mgCommitteeDetails.aspx?ID=171>

