

Public Document Pack

Mid Devon District Council

Environment Policy Development Group

Monday, 19 October 2020 at 5.30 pm
Virtual Meeting

Next ordinary meeting
Tuesday, 3 November 2020 at 5.30 pm

Important - this meeting will be conducted and recorded by Zoom only. Please do not attend Phoenix House. The attached Protocol for Remote Meetings explains how this will work.

To join this meeting, please click the following link:

<https://zoom.us/j/97224275346?pwd=czNjUGRHZ2tpV3k5VUhZV3Z2SC9Hdz09>

Meeting ID: 972 2427 5346

Passcode: 025193

One tap mobile

08000315717,,97224275346#,,,,,0#,,025193# United Kingdom Toll-free

08002605801,,97224275346#,,,,,0#,,025193# United Kingdom Toll-free

Dial by your location

0 800 031 5717 United Kingdom Toll-free

0 800 260 5801 United Kingdom Toll-free

0 800 358 2817 United Kingdom Toll-free

Meeting ID: 972 2427 5346

Passcode: 025193

Those attending are advised that this meeting will be recorded

Membership

Cllr B G J Warren

Cllr E J Berry

Cllr W Burke

Cllr D R Coren

Cllr Miss J Norton

Cllr R F Radford

Cllr R L Stanley

Cllr L D Taylor

Cllr J Wright

AGENDA

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies and substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **Virtual Meeting Protocol** *(Pages 3 - 8)*
Members to note the Virtual Meetings Protocol
- 3 **Declarations of Interest under the Code of Conduct**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 4 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
Note: A maximum of 30 minutes is allowed for this item.
- 5 **Minutes of the previous meeting** *(Pages 9 - 14)*
Members to consider whether to approve the minutes of the last meeting of the Group as a correct record.
- 6 **Chairman's Announcements**
To receive any announcements that the Chairman may wish to make.
- 7 **Public Spaces Protection Order** *(Pages 15 - 218)*
To receive a report setting out the key findings from the consultation on a Public Spaces Protection Order (PSPO) for the Mid Devon area which ran from 12 May 2020 to 17 July 2020, to update the Environment PDG (and the Cabinet) on the feedback received from the PSPO public consultation and to seek approval on a Revised PSPO to be made in response to the consultation.

Stephen Walford
Chief Executive
Friday, 9 October 2020

Covid-19 and meetings

The Council will be holding some meetings in the next few weeks, but these will not be in person at Phoenix House until the Covid-19 crisis eases. Instead, the meetings will be held remotely via Zoom and you will be able to join these meetings via the internet. Please see the instructions on each agenda and read the Protocol on Remote Meetings before you join.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by **no later than 4pm on the day before the meeting**. This will ensure that your name is on the list to speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

If you require any further information please contact Carole Oliphant on:
E-Mail: coliphant@middevon.gov.uk

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Mid Devon District Council - Remote Meetings Protocol

1. Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard. The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

2. Zoom

Zoom is the system the Council will be using for the time-being to host remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of the Council or have a Zoom account to join a Zoom meeting.

3. Access to documents

Member Services will publish the agenda and reports for committee meetings on the Council's website in line with usual practice. Paper copies of agendas will only be made available to those who have previously requested this and also the Chair of a virtual meeting.

If any other Member wishes to have a paper copy, they must notify the Member Services before the agenda is published, so they can arrange to post directly – it may take longer to organise printing, so as much notice as possible is appreciated. Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

4. Setting up the Meeting

This will be done by Member Services. They will send a meeting request via Outlook which will appear in Members' Outlook calendar. Members will receive a URL link to click on to join the meeting.

5. Public Access

Members of the public will be able to use a weblink and standard internet browser. This will be displayed on the front of the agenda.

6. Joining the Meeting

Councillors must join the meeting early (i.e. at least five minutes before the scheduled start time) in order to avoid disrupting or delaying the meeting. Councillors should remember that they may be visible and heard by others, including the public, during this time.

7. Starting the Meeting

At the start of the meeting, the Member Services Officer will check all required attendees are present (viewing the participant list) and that there is a quorum. If there is no quorum, the meeting will be adjourned. This applies if, during the meeting, it becomes inquorate for whatever reason.

The Chair will remind all Members, Officers and the Public that **all microphones will be automatically muted**, unless and until they are speaking. This prevents background noise, coughing etc. which is intrusive and disruptive during the meeting. The Hosting Officer will enforce this and will be able to turn off participant mics when they are not in use. Members would then need to turn their microphones back on when they wish to speak.

8. Public Participation

Participation by members of the public will continue in line with the Council's current arrangements as far as is practicable. However, to ensure that the meeting runs smoothly and that no member of the public is missed, all those who wish to speak must register **by 4pm on the day before the meeting**. They should email their full name to Committee@middevon.gov.uk. If they wish to circulate their question in advance, that would be helpful.

At public question time, the Chair will invite the public by name to speak at the appropriate time. At that point, all public microphones will be enabled. This means that, to avoid private conversations being overheard, no member of the public should speak until it is their turn and they should then refrain from speaking until the end of public question time, when all microphones will be muted again. In the normal way, the public should state their full name, the agenda item they wish to speak to **before** they proceed with their question.

Unless they have registered, a member of the public will not be called to speak.

If a member of the public wishes to ask a question but cannot attend the meeting for whatever reason, there is nothing to prevent them from emailing members of the Committee with their question, views or concern in advance. However, if they do so, it would be helpful if a copy could be sent to Committee@middevon.gov.uk as well.

9. Declaration of Interests

Councillors should declare their interests in the usual way. A councillor with a disclosable pecuniary interest is required to leave the room. For remote meetings, this means that they will be moved to a break-out room for the duration

of this item and will only be invited back into the meeting when discussion on the relevant item has finished.

10. The Meeting and Debate

The Council will not be using the Chat function.

The Chair will call each member of the Committee to speak - the Chair can choose to do this either by calling (i) each member in turn and continuing in this way until no member has anything more to add, or (ii) only those members who indicate a wish to speak using the 'raise hand' function within Zoom. This choice will be left entirely to the Chair's discretion depending on how they wish to manage the meeting and how comfortable they are using the one or the other approach.

Members are discouraged from physically raising their hand in the video to indicate a wish to speak – it can be distracting and easily missed/misinterpreted. No decision or outcome will be invalidated by a failure of the Chair to call a member to speak – the remote management of meetings is intensive and it is reasonable to expect that some requests will be inadvertently missed from time to time.

When referring to reports or making specific comments, Councillors should refer to the report and page number, so that all Members of the Committee have a clear understanding of what is being discussed at all times.

11. Voting

On a recommendation or motion being put to the vote, the Chair will go round the virtual room and ask each member entitled to vote to say whether they are for or against or whether they abstain. The Member Services Officer will announce the numerical result of the vote.

12. Meeting Etiquette Reminder

- Mute your microphone – you will still be able to hear what is being said.
- Only speak when invited to do so by the Chair.
- Speak clearly and please state your name each time you speak
- If you're referring to a specific page, mention the page number.

13. Part 2 Reports and Debate

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance must ensure that there is no other person present – a failure to do so could be in breach of the Council's Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Member Services Officer will, at the appropriate time, remove them to a break-out room for the duration of that item. They can then be invited back in when the business returns to Part 1.

Please turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

14. Interpretation of standing orders

Where the Chair is required to interpret the Council's Constitution and procedural rules in light of the requirements of remote participation, they may take advice from the Member Services Officer or Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

15. Disorderly Conduct by Members

If a Member behaves in the manner as outlined in the Constitution (persistently ignoring or disobeying the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting), any other Member may move 'That the member named be not further heard' which, if seconded, must be put to the vote without discussion.

If the same behaviour persists and a Motion is approved 'that the member named do leave the meeting', then they will be removed as a participant by the Member Services Officer.

16. Disturbance from Members of the Public

If any member of the public interrupts a meeting the Chair will warn them accordingly. If that person continues to interrupt or disrupt proceedings the Chair will ask the Member Services Officer to remove them as a participant from the meeting.

17. After the meeting

Please ensure you leave the meeting promptly by clicking on the red phone button to hang up.

18. Technical issues – meeting management

If the Chair, the Hosting Officer or the Member Services Officer identifies a problem with the systems from the Council's side, the Chair should either declare a recess while the fault is addressed or, if the fault is minor (e.g. unable to bring up a presentation), it may be appropriate to move onto the next item of business in order to progress through the agenda. If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be adjourned until such time as it can be reconvened.

If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer, shall explore such other means of taking the decision as may be permitted by the Council's constitution.

For members of the public and press who experience problems during the course of a meeting e.g. through internet connectivity or otherwise, the meeting will not be suspended or adjourned.

19. Technical issues – Individual Responsibility (Members and Officers)

Many members and officers live in places where broadband speeds are poor, but technical issues can arise at any time for a number of reasons. The following guidelines, if followed, should help reduce disruption. Separate guidance will be issued on how to manage connectivity – this paragraph focusses on the procedural steps. Joining early will help identify problems – see paragraph 6.

- Join public Zoom meetings by telephone if there is a problem with the internet. Before all meetings, note down or take a photograph of the front page of the agenda which has the necessary telephone numbers. Annex 1 to this protocol contains a brief step-by-step guide to what to expect
- Consider an alternative location from which to join the meeting, but staying safe and keeping confidential information secure. For officers, this may mean considering whether to come into the office, subject to this being safe and practicable (childcare etc.)
- If hosting a meeting via Zoom (briefings etc.), consider creating an additional host when setting up the meeting. The additional host can step in if the main host has problems – remember that without a host, the meeting cannot close and any information on the screens will remain on view
- Have to hand the telephone number of another member or officer expected in the meeting – and contact them if necessary to explain the problem in connecting
- Officers should have an 'understudy' or deputy briefed and on standby to attend and present as needed (and their telephone numbers to hand)
- For informal meetings and as a last resort, members and officers may be able to call another member or officer in the meeting who can put the 'phone on loudspeaker for all to hear – not ideal, but it ensures some degree of participation and continuity
- Member Services will hold a list of contact details for all senior officers

Phone only access to zoom meetings

(Before you start **make sure you know the Meeting ID and the Meeting Password**) – Both of these are available on the agenda for the meeting

Call the toll free number either on the meeting agenda or on the Outlook appointment (this will start with 0800 --- ----)

(Ensure your phone is on 'speaker' if you can)

A message will sound saying *"Welcome to Zoom, enter your meeting ID followed by the hash button"*

- **Enter Meeting ID followed by #**

Wait for next message which will say *"If you are a participant, please press hash to continue"*

- **Press #**

Wait for next message which will say *"Enter Meeting Password followed by hash"*

- **Enter 6 digit Meeting Password followed by #**

Wait for the following two messages:

"You are currently being held in a waiting room, the Host will release you from 'hold' in a minute"

Wait.....

"You have now entered the meeting"

Important notes for participating in meetings

Press ***6** to toggle between **'mute'** and **'unmute'** (you should always ensure you are muted until you are called upon to speak)

If you wish to speak you can **'raise your hand'** by pressing ***9**. Wait for the Chairman to call you to speak. The Host will lower your hand after you have spoken. Make sure you mute yourself afterwards.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ENVIRONMENT POLICY DEVELOPMENT GROUP**
held on 8 September 2020 at 5.30 pm

Present

Councillors

B G J Warren (Chairman)
E J Berry, W Burke, D R Coren,
Miss J Norton, R F Radford, R L Stanley,
L D Taylor and J Wright

Also Present

Councillor(s)

R J Dolley, F W Letch, C R Slade and Ms E J Wainwright

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Darren Beer (Operations Manager), John Bodley-Scott (Economic Development Team Leader), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Vicky Lowman (Environment and Enforcement Manager), Tristan Peat (Forward Planning Team Leader), Clare Robathan (Scrutiny Officer) and Sally Gabriel (Member Services Manager)

15 APOLOGIES AND SUBSTITUTE MEMBERS (00-02-05)

There were no apologies.

16 REMOTE MEETINGS PROTOCOL (00-02-24)

The protocol for remote meetings was noted.

17 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-02-40)

Members were reminded of the need to declare any interests when appropriate.

18 PUBLIC QUESTION TIME (00-02-52)

There were no members of the public present.

19 MINUTES OF THE PREVIOUS MEETING (00-03-09)

The minutes of the previous meeting held on 14 July 2020 were agreed as a correct record.

20 CHAIRMAN'S ANNOUNCEMENTS (00-03-52)

The Chairman had the following announcements to make:

- He welcomed Cllr L D Taylor to the meeting.
- He welcomed Cllr C R Slade to the meeting as the new Cabinet Member for the Environment.
- He thanked Cllr B Holdman for his contribution to the work of the Group.
- He informed the meeting that the Public Spaces Protection Order had been out to consultation and that the outcome of the consultation process would be reported directly to the Cabinet on 1 October without returning to the PDG due to time constraints.
- He informed the meeting that the PDG had been due to discuss grass cutting on DCC land which would be paid for by the HRA, however this report would now go to the Homes PDG the following week. It had been suggested that a Working Group be formed and that members of this Group would be invited to take part.

It was therefore **AGREED** that Cllrs R F Radford, R L Stanley and B G J Warren form part of the working group which was being organised by the Homes PDG.

21 **CONNECTING THE CULM PROJECT (00-10-00)**

The Chairman invited Mr Steven Johnson from the Blackdown Hills ANOB to give a presentation on 'Connecting the Culm Project'.

Mr Johnson addressed the Group highlighting by way of presentation the area of the project and the collaboration taking place with other partners that of the Blackdown Hills AONB, Devon County Council, the Environment Agency, the National Trust, Westcountry River Trust and the Devon Wildlife Trust along with our own authority. The project was being funded by local partners and the EU Interreg.

He explained the main themes of the project:

- A co-creation approach which empowered communities to take ownership and identify local issues and develop solutions
- Nature based solutions could provide a cost effective solution to tackle catchment wide issues by restoring the natural catchment functions
- Climate Change adaptation
- Strategic planning on a catchment scale allowing for greater cooperation between landowners and managers to implement well-aligned strategies.

He identified the climate change tracker which highlighted global warming and that the project would explore changes to weather and the impact of it on the river. The project would look at how resilient the area was to changes in the climate and set out a blueprint for the Culm. He requested that members and their local residents get involved in the project

Consideration was given to:

- Involving schools in the project
- The amount of rain falling on agricultural land and woodland and run off issues and the work that was taking place with the Environment Agency
- Working with partner agencies

- The beaver project taking place on the River Otter and whether the project could become involved and share best practice.
- The need to communicate with the parishes within the Blackdown Hills as rainfall there had an immediate impact on the Culm
- Soil structures in local areas, the lack of dredging that was taking place and flooding issues on low ground

The Chairman thanked Mr Johnson for a very interesting presentation.

22 CLIMATE STRATEGY AND ACTION PLAN (00-48-00)

The Group had before it a *report of the Group Manager for Corporate Property and Commercial Assets setting out the 4 yearly review of the Climate Strategy and Action Plan.

The officer outlined the contents of the report stating that the revised strategy built on actions taken within the 2016-2020 action plan. Engagement had taken place across all services in the authority linking policies and procedures, district wide community engagement had taken place led by the Cabinet Member for Climate Change and there had been the creation of the Net Zero Advisory Group.

He highlighted the achievements of the past 4 years and identified the handbook that had been created (and would be a living document) which set out the UK regulations and legislation, the national indicators and the reporting criteria for green house emissions which had been split into various scopes identified within the document as well as the baseline emission figures. The document also set out the links to the Council's Corporate Plan and Local Plan, how the climate crisis would be addressed and what MDDC were already doing to tackle this issue. He spoke of the collaboration that was taking place Devon wide and how the work of the Council overlapped with the Devon Carbon Plan. 'Community Conversations' were already taking place engaging with local residents and community groups with a view to increasing opportunities for sharing knowledge, resources and capacity to address local issues. Internal meetings were also taking place and the Net Zero Advisory Group (of Members) had been created. He identified the issues addressed within the action plan and the key climate priorities for 2020-24, also how performance would be tracked and the possibility of grant funding to progress projects.

Consideration was given to:

- Whether the use of electric charging points were being monitored
- Large scale tree planting schemes
- How the authority could promote sustainable farming
- The use of the car in rural areas due to poor public transport
- The new developments proposed in the area possibly being built on good productive agricultural land
- The use of the website to signpost and encourage large scale tree planting
- External lighting at the Exe Valley Sports Centre and whether this could be made more efficient
- The need to encourage taxi drivers to drive hybrid cars
- Funds available from the solar panel rent a roof scheme on council housing to assist with the replacement of solid fuel appliances

- The need to increase the number of electric charging points
- The need to focus on the young people and provide an education scheme and the possibility of a youth council to address climate issues
- The need to communicate with the farming community and the importance of communication with the provision of a dedicated climate website and the provision of training
- The time it took to charge electric cars
- Encouraging different methods of transport
- The need to include the availability of the charging points in the multi-storey car park
- Collaborative working to reduce air quality issues
- The need for an active travel plan

It was therefore:

RECOMMENDED to Cabinet that the Climate Change Strategy and Action Plan be approved.

(Proposed by the Chairman)

Note: *Report previously circulated, copy attached to minutes.

23 **PUBLIC CONSULTATION ON THE UPDATED LOCAL FLOOD RISK MANAGEMENT STRATEGY FOR DEVON (1-42-21)**

The Group had before it a *report of the Head of Planning, Economy and Regeneration informing members of the publication of the updated Local Flood Risk Management Strategy for Devon for consultation.

The Forward Planning Team Leader outlined the contents of the report stating that an updated draft Local Flood Risk Management Strategy for Devon had been produced by Devon County Council and partner authorities which outlined how the risk of flooding to property and infrastructure would be managed and reduced over the six years of the plan from 2021 – 2027. The strategy also looked at how plans for flood alleviation scheme could be developed and how communities could increase their resilience against flooding and the impact of climate change. Members views were being sought so that their comments could be incorporated into the consultation response submitted on behalf of the Council.

The officer identified that the recently adopted Local Plan Review had been informed by a strategic flood risk assessment in 2014 and later flood risk assessment for the area around Cullompton in 2018. 2 towns in Mid Devon (Tiverton and Crediton) had been prioritised with regard to surface water flooding issues but there was no mention of Cullompton although it had been identified by the Environment Agency as being within a Critical Drainage Area

It was suggested that the following comments form part of the consultation response:

- The need for the strategy to explain why Cullompton and the Culm Valley area had not been identified areas of flood risk
- Bampton had been excluded and it did flood
- Possible inappropriate developments on floodplains in the district

- The strategy had been written for planners and flood specialist but not everyday people and some of the terminology was not helpful
- The 8 questions for consultation were overlapping
- Water overflow onto farmers land and then the landowner being responsible if flooding occurred on local highways

Members were requested to inform the officer of any further comments on the consultation document by the end of September so that a collective response could be collated.

Notes

- i) Cllr R L Stanley left the meeting at this point;
- ii) *Report previously circulated, copy attached to minutes.

24 **FINANCIAL MONITORING**

The Deputy Chief Executive (S151) provided the meeting with a verbal report with regard to income and expenditure to date. He stated that the forecasted deficit for the year had now been reduced to £1,218m an improvement of £285k. The forecast recognised the 3 tranches of Covid grant from the Government and the furlough monies, but it did not make any allowance for the amounts that would be received under the Income Compensation Scheme which could address the lack of income from the leisure service, car parking remittances and planning applications etc. Officers were working on the fine details and an emergency budget would be brought before the Cabinet on 1 October. Further reports would be presented to the PDG's.

With regard to the Environment portfolio, both grounds maintenance and waste were operating below budget due to salary savings and the fact that recycling prices had improved.

25 **PERFORMANCE AND RISK**

The Group had before it and **NOTED** a *report of the Group Manager for Performance, Governance and Data Security providing updated information on the performance against the Corporate Plan and local service targets for 2020-21.

The officer outlined the contents of the report stating that this was the second report for the current financial year; the current performance indicators remained unchanged and she still invited suggestions for further measures to be monitored. She referred to the Climate Change Action Plan discussed earlier in the meeting and informed the meeting that there had been a 5.4% increase per household on the amount of waste created due to the Covid pandemic

Consideration was given to:

- Fixed penalty fees and whether prosecutions would be shown in the statistics
- The verification process conducted on waste data by Devon County Council
- The new fleet of vehicles that had been delivered in one year and whether there would be additional maintenance costs in the latter years of the contract

- Consideration of the risks and the work that was taking place to address climate change.

Note: *Report previously circulated, copy attached to minutes.

26 **WASTE AND RECYCLING AND STREET SCENE DISTRICT OFFICER UPDATE (2-18-38)**

The Operations Manager and the Environment and Enforcement Manager provided the meeting with a verbal update with regard to:

- Private enforcement – contact had been made with the provider with discussions taking place with regard to a cost neutral agreement, a date would be organised for a trial and further information would be provided
- Protective equipment to be used by the District Officers and the possible use of body cams; a report would be going to the Community PDG the following week with regard to the Corporate CCTV Policy following this further work would take place

Consideration was given to the introduction of recycling of small electrical items and whether the recycling scheme could include further objects such as non reusable coffee pods and saucepans and frying pans.

27 **IDENTIFICATION OF ITEMS FOR FUTURE MEETINGS**

In addition to the items already mentioned within the agenda pack, the following items were identified:

- An update on private enforcement providers
- An update on protection for the District officers following consideration of the CCTV report
- An update on whether additional small items such as non reusable coffee pods and saucepans/frying pans could be added to the recycling scheme

(The meeting ended at 8.04 pm)

CHAIRMAN

ENVIRONMENT PDG 19TH OCTOBER 2020

PUBLIC SPACES PROTECTION ORDER - DOGS

Cabinet Member(s): Cllr Colin Slade, Cabinet Member for the Environment
Responsible Officer: Vicky Lowman, Environment & Enforcement Manager

Reason for Report and Recommendations: This report sets out the key findings from the consultation on a Public Spaces Protection Order (PSPO) for the Mid Devon area which ran from 12 May to 17 July 2020, to update the Environment PDG (and the Cabinet) on the feedback received from the PSPO public consultation and to seek approval on a Revised PSPO to be made in response to the consultation.

RECOMMENDATION: that Cabinet be asked:

- 1. To agree the making of the PSPO in accordance with the draft attached at Appendix A and the Schedules to it.**
- 2. To authorise the Head of Legal (Monitoring Officer) to make the PSPO and take all necessary steps to bring it into force.**

Financial Implications: Whilst a consequence of enforcement may be an increase in Fixed Penalty Notices, income generation is not a reason for introducing a new PSPO. There will be no other costs incurred as the District Officers are already carrying out dog fouling allocated days as part of their discretionary hours.

Budget and Policy Framework: The Council already has measures in place to control dogs under dog control orders made under the Clean Neighbourhood and Environment Act 2005. These dog control orders expire on the 19th October 2020. The proposed making of the PSPO is to ensure approved measures continue to control dogs with a minimum of interruption. There will be cost implications for signage on the new areas listed.

Legal Implications: The current PSPO is due to expire on the 19th October 2020. If a new PSPO is not adopted by that date, officers will not be able to enforce the current measures designed to curb anti-social behaviour arising from dog fouling and other matters until such time as the new Order is in place. Any Order approved by the Council is for a period of no more than 3 years, but in practice it may be appropriate to make new orders on a more frequent basis, either to remove or add new measures or protected spaces.

Risk Assessment: As the legislation changes and our policies are not updated this may leave the Council at risk of not being able to enforce infringements which could result in reputational damage for not taking appropriate action against offenders. We will also be at risk of not meeting statutory duties.

Equality Impact Assessment: The equality issues are addressed within the draft order, part 8 of which states Clause 10 of the draft PSPO sets out certain exemptions. These cover those needing assistance dogs or with some form of disability which might prevent them from complying with the Order. There are also

exemptions for certain working dogs i.e. those involved in law enforcement, military duties, statutory emergency services and search/rescue.

Relationship to Corporate Plan: The street scene enforcement service works throughout the District, ensuring cleanliness and attractiveness of our public realm through both education and enforcement. The policies that are enforced by the street scene team contribute to the environment aspects of the corporate plan.

Impact on Climate Change: There are no climate change implications associated with this project. However, reduced levels of dog related anti-social behaviour improve the attractiveness and pleasantness of our open spaces. PSPOs are an established method of reducing levels of anti-social behaviour.

1.0 INTRODUCTION/BACKGROUND

- 1.1 The Council had dog control orders made under the Clean Neighbourhood and Environment Act 2005. These became PSPOs under transitional provisions in the Anti-social Behaviour Crime and Policing Act 2014, but these PSPOs will automatically expire on the 19th October 2020.
- 1.2 The Street Scene, Education & Enforcement Team undertook an internal review and has requested support from Legal Services to produce a draft PSPO which is attached at Appendix B of this report (hereinafter referred to as the "Consultation Draft PSPO"). Cabinet, on the 23 April 2020 resolved that the Consultation Draft PSPO should go out to consultation before a decision was made whether to make the PSPO.
- 1.3 The Anti-social Behaviour Crime and Policing Act 2014 (the Act) provides local authorities with a set of powers, including PSPOs, to prevent and reduce anti-social behaviour which have a negative or detrimental impact on the local community and the local community's quality of life. A PSPO can require or prohibit certain activities from taking place in certain places in order to prevent or reduce any detrimental effect caused by those activities to local people. A local authority can only make a PSPO if it is satisfied on reasonable grounds that the following conditions have been met:-
 - 1.3.1 The activities carried on in the public place have or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place in that area and that they will have such an effect; and
 - 1.3.2 The effect of the activities are, or are likely to be, of a persistent or continuing nature such as to make them unreasonable and justifying any restrictions or requirements imposed in the PSPO.
- 1.4 Although there have been several educational interventions to tackle people who allow their dogs to foul public spaces and do not pick up after them, there continue to be issues in the district with irresponsible dog ownership, specifically where dog faeces is not being removed. The Council is aware that the majority of dog owners are responsible and control their dogs in public spaces, however there is still a significant minority of people who do not take

full responsibility for their animals, who are willing to put public health at risk and who ignore the Council's bylaws. Consequently, a significant number of complaints are continuing to be received by the Council in relation to dog fouling.

- 1.5 Currently, the Enforcement Officers will approach a dog walker and ask whether they are carrying dog bags. If they are not, the Enforcement Team will give advice and remind them that it is offence not to pick up dog mess. At the moment, our officers are unable to enforce this requirement.

2.0 CONSULTATION

- 2.1 The Consultation Draft PSPO went out to public consultation from 12 May 2020 to 17 July 2020. It is now not recommended that the Consultation Draft PSPO is made, approved and enacted but instead a revised draft PSPO, which can be found at appendix A, (the "Revised Draft PSPO") is made.

- 2.2 The purpose of the consultation was to seek views on the Council's intention to implement a new PSPO in relation to dog controls within the Mid Devon District Council boundary. As a result of the views expressed in the consultation exercise it is recommended the Revised Draft PSPO is now made. The overarching responses are set out below in section 3 of this report, but the specific comments are to be found in the spreadsheet accompanying this report (Appendix B). As members will note, some of the key/common concerns expressed were:

- Dogs require off lead exercise and not everyone has access to a vehicle to drive to a rural location without livestock to give their dog/s off lead exercise.
- A dog that is not appropriately exercised is far more likely to display "bad" behaviour, such as barking, or aggressive behaviours
- Well behaved dogs should have freedom to walk off the lead when they are supervised by an adult responsible walker
- Dogs should be on leads in ANY public space
- Large dogs hard to control - some dog walkers use very long leads and they roam many yards and intimidate other users of the spaces. If households choose to keep more than two dogs, they can walk them separately.

- 2.3 The main provisions of the Revised Draft PSPO (which were also contained in the Consultation PSPO) are as follows:-

2.3.1 To require in any public spaces that if a dog defecates at any time, the person in charge of the dog must remove the faeces from the land forthwith;

2.3.2 To require in any public spaces that a person in charge of a dog must have with them an appropriate means to pick up any faeces deposited by that dog, and must produce this if requested to do so by an Authorised Officer or Police Constable;

2.3.3 "Public spaces" means land within the District of Mid Devon which is open to the air, including covered land which is open on at least one

side and to which the public are entitled and permitted to have access, with or without payment, with the exception of Forestry Commission Land;

- 2.3.4 In all public spaces a person in charge of a dog, at any time, must put and keep the dog on a lead and keep it under proper control when directed to do so by an Authorised Officer or Police Constable;
 - 2.3.5 A person in charge of a dog is prohibited from taking that dog onto, or permitting the dog to enter or remain on any enclosed children's play area listed in section 5 of this report;
 - 2.3.6 In any of the public cemeteries listed and shown in Schedule B of the Consultation Draft PSPO, any person in charge of a dog, at any time, must put and keep the dog on a lead and under proper control;
 - 2.3.7 In any of the of public parks listed and shown in Schedule C of the Consultation Draft PSPO, any person in charge of a dog, at any time, must put and keep the dog on a lead and under proper control;
 - 2.3.8 No person in any public spaces shall be in charge of more than 4 dogs at any time.
- 2.4 The Revised Draft PSPO is centred on improving and protecting the local area for people residing, working, trading and visiting the area. The Council values public opinion on this action which seeks to strengthen communities and partnerships to improve our environment, reduce crime and to develop a sense of pride and safety for where people live and work.
- 2.5 Following a request from Willand Parish Council, plan 63 - Sycamore Play area Willand, has been removed from Schedule C Parks and Open Spaces.
- 2.6 No other changes have been made following the consultation however members are able to make recommendations

3.0 CONSULTATION RESULTS

3.1 Part A – Dog fouling

The Consultation Draft PSPO prohibited dog fouling in certain areas within the district of Mid Devon. The areas where dog fouling is prohibited are known in the order as 'Public Spaces', which is a defined term. The term 'Public Spaces' means all land within the district of Mid Devon which is open to the air, including covered land which is open on at least one side and to which the public are entitled and permitted to have access, with or without payment. Forestry Commission land is excluded. The district of Mid Devon is shown in Schedule A in the draft order.

3.1.1 The two controls in Public Spaces proposed are:

- You must pick up your dog's faeces, and
- You must always have something to pick up the faeces with, eg bags, and produce evidence of this if asked by an Enforcement Officer or the Police.

Q1	Do you agree that those in charge of a dog (owners and walkers), should pick up their dog's faeces in Public Places (as defined)?		
		Number	Percentage
	YES	682	99.13%
	NO	6	0.87%

Q2	Do you agree that every person in charge of a dog (owners and walkers) should carry enough bags or other means to pick up after the dog?		
		Number	Percentage
	YES	667	98.38%
	NO	11	1.62%

3.2 Part B – Dogs on leads

3.2.1 This is a control measure to further assist with tackling dog fouling concerns. Between April 2019 and March 2020, 128 reports had been logged in relation to aggressive behaviour from dogs, both on and off leads within public areas. These reports ranged from growling dogs/aggressive behaviour to dog on dog/person attacks.

3.2.2 The Consultation Draft PSPO required dogs to be on leads in any of the following scenarios:

- In public cemeteries which are listed in Schedule B to the Consultation Draft Order and shown on the relevant plans to the draft
- In public parks which are listed in Schedule C to the Consultation Draft Order and shown on the relevant plans to the draft
- If requested by an authorised officer or a Police Constable
-

Q3a	Do you agree that dogs should be kept on leads In the named public cemeteries?		
		Number	Percentage
	YES	606	88.99%
	NO	75	11.01%
Q3b	Do you agree that dogs should be kept on leads? In the named public parks		

		Number	Percentage
	YES	347	49.78%
	NO	350	50.22%

Q3c	Do you agree that dogs should be kept on leads If requested by an Enforcement Officer or the Police??		
		Number	Percentage
	YES	587	86.83%
	NO	89	13.17%

3.3 Part C – Excluding dogs from children’s play areas

- 3.3.1 The Council already has dog control orders in place excluding dogs from certain play areas and is now proposing to bring that restriction into the PSPO. The play areas are listed in Schedule D to the Order and shown on the relevant plans.

Q4	Do you agree that dogs should be excluded from the named Children's play areas		
		Number	Percentage
	YES	561	85.52%
	NO	95	14.48%

3.4 Part D – Limit on the number of dogs

- 3.4.1 The Council is concerned about dog owners and walkers having sufficient control of their dogs whilst they are being walked or exercised in Public Spaces (as defined). The proposal is to set a maximum limit of 4 dogs per owner/walker at any one time. There is an exception of reasonable excuse and also where the owner of the land has given permission.

Q5	Do you agree that a limit should be set on the number of dogs under the control of the owner/walker when in Public Spaces?		
		Number	Percentage
	YES	499	77.24%
	NO	147	22.76%

Q6	Do you agree that the limit should be set at 4 dogs		
		Number	Percentage
	YES	347	53.72%
	NO	299	46.28%

3.5 Part E – Additional questions

Q7	Do you have any alternative or additional proposals on dog controls		
		Number	Percentage
	YES	334	47.04%
	Skipped question	376	52.96%

Q8	Are there additional areas that need to be added or removed to/from the draft order?		
		Number	Percentage
	YES	265	37.27%
	Skipped	446	62.73%

Q9	Are there any adverse impacts to the proposals which you wish highlight?		
		Number	Percentage
	YES	245	34.51%
	Skipped	465	65.49%

Q10	Do you agree that the Fixed Penalty amount for any breaches of the PSPO should be £100 (the maximum permissible under the legislation)?		
		Number	Percentage
	YES	473	74.72%
	NO	160	25.28%

Q11	Do you own or walk dogs?		
		Number	Percentage
	YES	484	74.01%
	NO	170	25.99%

Q12	Do you walk dogs in Mid Devon?		
		Number	Percentage
	YES	488	74.62%
	NO	166	25.38%

3.6 Following a request from Willand Parish Council, plan 63 - Sycamore Play area Willand, has been removed from Schedule C Parks and Open Spaces.

3.7 The Revised Draft PSPO therefore differs from the consultation draft by incorporating the changes set out in paragraph 3.6. Members are invited to consider, in light of the consultation, whether they wish to make further

changes to the Revised Draft PSPO in response to the consultation - but subject to advice on the implications of making such changes. For example, adding in a new area would give rise to a legitimate expectation of further consultation. It is suggested that, if members were thinking along those lines, that this would be something to pursue in a fresh PSPO at a future date.

4.0 ENFORCEMENT

4.1 If the Order is made, consideration will also need to be given to enforcement as there will be raised expectations from the public which will need to be managed. A stepped and proportionate approach to sanctions will need to be developed. The Council's enforcement policy must be followed in all instances.

4.2 If the amount of time spent on statutory and mandatory duties remains unchanged a total of 300 discretionary annual hours will be allocated to discretionary duties such as litter enforcement, compulsory recycling, Cleansing inspections and dog fouling patrols.

Duties	Allocation of Remaining Time
Compulsory Recycling	40%
Cleansing Inspections	10%
Litter Patrols	40%
Dog Fouling Patrols	10%

4.3 Although PSPOs are made by the Council, enforcement should be the responsibility of a wider group. Council officers will be able to enforce the restrictions and requirements, as will other groups that they designate, including officers accredited under the community safety accreditation scheme. In addition, Police officers and PCSOs will have the ability to enforce the order.

5.0 District of Mid Devon

Plan 1 – Map of District

5.1 Public Cemeteries

Plan 2 – St Matthews Cheriton Fitzpaine

Plan 3 – Black Dog Crediton

Plan 4 – Crediton

Plan 5 - St Andrews Colbrooke

Plan 6 - Wembworthy

Plan 7- Halberton

Plan 8 Bradninch

Plan 9 - All Saints Culmstock

Plan 10 – Culmstock
Plan 11 - Hemyock
Plan 12- St Mary's Hemyock
Plan 13 – Uffculme
Plan 14 - Uffculme
Plan 15- St Mary's Uffculme
Plan 16- St Andrews Cullompton
Plan 17 – Tiverton
Plan 18 - St Mary's Willand
Plan 19 - Willand Parish Cemetery

5.2 Parks & Open Spaces

Plan 20 - Amory Tiverton
Plan 21 – Ashley Close Uffculme
Plan 22 Beacon Park Crediton
Plan 23 - Bluebell Avenue
Tiverton Plan 24 - Blundells
Road Tiverton
Plan 25 - Burma Star Garden Tiverton
Plan 26 - Chawleigh Chumleigh
Plan 27 - Chestnut Drive Willand
Plan 28 - Church Road Silverton
Plan 29 - Cottey Brook Tiverton
Plan 30 - Cranmore View Tiverton
Plan 31 - Cromwells Meadow Crediton
Plan 32 - Crossparks Cullompton
Plan 33 - Crow Bridge Cullompton
Plan 34 - Cudmore Park Tiverton
Plan 35 - Culm Valley Uffculme
Plan 36 - Forcefield Road Cullompton
Plan 37 - Gables Lea Willand

Plan 38 - Glebelands Road Tiverton
Plan 39 - Gornhay Lane Tiverton
Plan 40 - Graters Copse Tiverton
Plan 41 - Great Close Culmstock
Plan 42 - High Bullen Silverton
Plan 43 - Landunvez Place Bradninch
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Plan 47 - Newcombes Meadow
Crediton Plan 48 - Oak Close Tiverton
Plan 49 - Old Park Tiverton
Plan 50 - Palmerston Park Woods
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Plan 51 - Peoples Park Crediton
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Plan 53 - Phoenix House Tiverton
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Plan 56 - River Exe Recreation Tiverton
Plan 57 - School Road Silverton
Plan 58 - Southfield Drive Crediton
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Plan 61 - Starkey Close Tiverton
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Plan 63 - Blank
Plan 64 - The Oval Tiverton
Plan 65 - Tidcombe Railway Walk Tiverton
Plan 66 - Tree Field Tiverton

Plan 67 - Victoria Close Willand
Plan 68 - Victoria Crescent Crediton
Plan 69 - West-Exe Recreation Ground
Tiverton
Plan 70 - Willand Moor Road Willand

5.3 Enclosed Children's Play Areas

Plan 71 - Amory Park, Tiverton
Plan 72 - Ash Drive Cullompton
Plan 73 - Ashley Rise Tiverton
Plan 74 - Banksia Close Tiverton
Plan 75 - Barnfield Crediton
Plan 76 - Barns Close Bradninch
Plan 77 - Bockland Close Cullompton
Plan 78 - Chaffinch Drive Crediton
Plan 79 - Churchlands Bow
Plan 80 - Coles Mead Tiverton
Plan 81 - Conifer Close Cullompton
Plan 82 - Cornlands Sampford Peverell
Plan 83 - Cotteylands _ Cameron Close Tiverton
Plan 84 - Cudmore Park Tiverton
Plan 85 - Culm Valley Way Uffculme
Plan 86 - Dove Close Cullompton
Plan 87 - Ellerhayes Hele
Plan 88 - Everett Place Tiverton
Plan 89 - Fernworthy Copplestone
Plan 90 - Fulda Crescent Crediton
Plan 91 - Glebelands Cheriton Bishop
Plan 92 - Godfreys Garden Bow
Plan 93 - Greenaway Morchard Bishop
Plan 94 - Greenway Crediton

Plan 95 - Halsbury Road Tiverton
Plan 96 - Harpitt Close Willand
Plan 97 - Hawthorne Road Tiverton
Plan 98 - Haymans Close Cullompton
Plan 99 - Haymans Green Cullompton
Plan 100 - Headweir Road Cullompton
Plan 101 - Knightwood Cullompton
Plan 102 - Lapford Play Area
Plan 103 - Larks Drive Cullompton
Plan 104 - Linden Road Cullompton
Plan 105 - Logan Way Hemyock
Plan 106 - Lords Meadow Crediton (1)
Plan 107 - Lords Meadow Crediton Skate Park Crediton
Plan 108 - Lords Meadow Crediton
Plan 109 - Mallow Court Willand
Plan 110 - Millhayes Hemyock
Plan 111 - New Buildings Sandford
Plan 112 - Orchard Leigh Tiverton
Plan 113 - Orchard Way Willand
Plan 114 - Palmerston Park Tiverton
Plan 115 - Pathfields Uffculme
Plan 116 - Pippins Field Uffculme
Plan 117 - Ploudal Road Cullompton
Plan 118 - Primrose Close Tiverton
Plan 119 - Priory Road Tiverton
Plan 120 - Puddington Play Area
Plan 121 - Queen Elizabeth Drive Crediton
Plan 122 - Queensway Tiverton
Plan 123 - Recreation Ground Willand
Plan 124 - Rivermead Cullompton
Plan 125 - Siskin Chase Cullompton

Plan 126 - South View Willand

Plan 127 – Spencer Drive Tiverton

Plan 128 - Spindlebury Road Cullompton

Plan 129 - Spinning Path Gardens Crediton

Plan 130 - St Martins Close Bow

Plan 131 - Starkey Close Tiverton

Plan 132 - Starlings Roost Cullompton

Plan 133 - Station Road, Bray Close Burlescombe

Plan 134 - Sunnymead Copplestone

Plan 135 - Tiverton Adventure Playground

Plan 136 - Town Barton Sanford

Plan 137 - Townlands Bradninch

Plan 138 - Trickey Close Tiverton

Plan 139 - Tuckers Meadow Crediton

Plan 140 - Tufty Park Cullompton

Plan 141 - Victoria Close Willand

Plan 142 - Walnut Drive Crediton

Plan 143 - Water Meadow Cullompton

Plan 144 - Waylands Road Tiverton

Plan 145 - West-Exe Recreation Ground & Pool
Tiverton

Plan 146 - Wilcombe Tiverton

Plan 147 - Worcester Crescent Willand

Plan 148 - Tanners Close Clover Drive Cullompton

Plan 149 - The Hams BMX Track Tiverton

6.0 HUMAN RIGHTS

- 6.1 In deciding whether to make a PSPO, the Act says councils must have particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights. The need to “have particular regard” to Articles 10 and 11 suggests

that Parliament, in passing the Act, has sought to give these rights an elevated status in relation to deciding whether to make a PSPO.

- 6.2 PSPOs are a powerful remedy because they affect the behaviour of every person within a specified area rather than being targeted at individuals. For this reason the Council will need to take care to ensure that they balance the need to tackle anti-social behaviour, crime and disorder against the desire and entitlement of the public to use a public space.

Article 10: freedom of expression

1. *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.*

2. *The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary*

Article 11: freedom of assembly and association

1. *Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.*

2. *No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State*

- 6.3 It is considered that making the Revised Draft PSPO will not unnecessarily interfere with what would otherwise be legitimate and lawful activity.

7.0 CONCLUSION

- 7.1 The Revised Draft PSPO, if made, will introduce a range of reasonable and proportionate prohibitions and requirements on the use of publicly accessible land that would better control the harmful activities of irresponsible dog owners whilst enabling responsible dog owners to continue to exercise their dogs without undue restrictions.

Contact for more Information: Vicky Lowman Environment & Enforcement Manager

(01884 244601 vlowman@middevon.gov.uk)

Circulation of the Report: Cllr Colin Slade, Cabinet, Leadership Team

Appendix B – Consultation responses Summary

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**The Mid Devon (Public Spaces Protection)
(Dog Control) Order 2020**

**Section 59 of the Anti-Social Behaviour, Crime
and Policing Act 2014**

DRAFT

Contents

1. Introduction
2. Scope
3. Duration
4. Title
5. Dog Fouling
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7. Dogs Excluded (Enclosed Children's Play Areas)
8. Limit on number of dogs
9. Offences and Penalties
10. Exemptions
11. Appeal
12. Validity (Severance)

DRAFT

Introduction

Pursuant to Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Mid Devon District Council (in this Order called “the Council”), in exercise of its powers under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and of all other enabling powers, after consultation carried out in accordance with the Act, and being satisfied that uncontrolled and irresponsible dog walking in public places has a detrimental effect on the quality of life of the local community and that the conditions set out in Section 59 of the Act are met, hereby makes the following Order.

1. Definitions and Interpretation

- 1.1 In the following provisions of this Order, the following terms shall have the meanings hereby respectively ascribed to them:-

“Authorised Officer” means a person who is authorised in writing by the Council for the purposes of this Order

“District of Mid Devon” means the land shown edge red on the plan marked “District” and referred to in Schedule A

“Person in Charge” means the person who has the dog in his possession, care or company at the time the offence is committed or otherwise, the owner or person who habitually has the dog in his possession

“Plans” means the plans attached to the Schedules to this Order.

“Police Constable” means any person lawfully designated and authorised by a Chief Officer of Police to exercise the powers and duties of a Police Constable

“Public Spaces” means land within the District of Mid Devon, which is open to the air including covered land which is open on at least one side and to which the public are entitled and permitted to have access, with or without payment, with the exception of Forestry Commission Land

- 1.2 Except when the context otherwise requires, the singular includes the plural and vice-versa; and the masculine includes the feminine and vice-versa.
- 1.3 Reference to an Act of Parliament, statutory provision or statutory instrument includes a reference to that Act of Parliament, statutory provision or statutory instrument as amended, extended or re-enacted from time to time and to any regulations made under it.
- 1.4 References to articles clauses and Schedules are to the articles, clauses and Schedules of this deed.
- 1.5 Where land is listed in a Schedule the location and extent of the land is shown in the corresponding Plan referred to in the Schedule.

2. Scope

This Order applies to the Public Spaces, Public Parks Public Cemeteries and enclosed play areas cited in this Order within the District of Mid Devon, and shown on the plans to Schedules A,B,C and D hereto.

3. Duration

This Order shall come into effect on [] 2020 and shall remain in force for a period of 3 years from this date, unless extended by further orders made under the Council's statutory powers.

4. Title

This Order may be cited as "The Mid Devon (Public Spaces Protection) (Dog Control) Order 2020" and imposes the following requirements and prohibitions.

5. Dog Fouling

5.1 In any Public Spaces -

- 5.1.1 If a dog defecates at any time, the Person in Charge must remove the faeces from the land forthwith; and
- 5.1.2 A Person in Charge of a dog must have with them an appropriate means to pick up any faeces deposited by that dog, and must produce this if requested to do so by an Authorised Officer or Police Constable.

5.2 For the purposes of Article 5.1.1 -

- 5.2.1 Placing the faeces in a receptacle on the land which is provided for the purpose or for the disposal of waste, shall be sufficient removal from the land; and
- 5.2.2 Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a suitable device or means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

6. Dogs on Leads

- 6.1 In any Public Spaces which is also a public cemetery or part of it listed in Schedule B to this Order, any Person in Charge of a dog, at any time, must put and keep the dog on a lead and under proper control.
- 6.2 In any Public Spaces which is also a public park or part of it listed in Schedule C any Person in Charge of a dog, at any time, must put and keep the dog on a lead and under proper control.
- 6.3 In all other Public Spaces a Person in Charge of a dog, at any time, must put and keep the dog on a lead and keep it under proper control when directed to do so by an Authorised Officer or Police Constable.
- 6.4 For the purposes of Article 6.3, an Authorised Officer or Police Constable shall only give a direction to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause alarm, distress or disturbance to any other person or animal or bird on the land.

7. Dogs Excluded (Enclosed Children's Play Areas)

A Person in Charge of a dog is prohibited from taking that dog onto, or permitting the dog to enter or remain on any enclosed children's play area described or listed in Schedule D to this Order.

8. Limit on number of dogs.

No person in any Public Spaces shall be in charge of more than 4 dogs at any time. This article does not apply to enclosed children's play areas referred to in Article 7 as dogs are prohibited from the said enclosed children's play areas.

9 Offences and Penalties

- 9.1 Any failure to comply with the requirements or prohibitions imposed in Articles 5, 6, 7 and 8 of this Order shall constitute a criminal offence, unless:
- 9.1.1 The person has a reasonable excuse for failing to do so;
 - 9.1.2 The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so; or
 - 9.1.3 The person is exempt under Article 10 of this Order.
- 9.2 Any person guilty of an offence under this Order shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale (on the date of this Order, this is set at £1,000).
- 9.3 A Fixed Penalty Notice may be issued by an Authorised Officer or Police Constable to anyone believed to have committed an offence under this Order. The Fixed Penalty shall be £100.00. Payment of the Fixed Penalty of £50.00 within 14 days from the date of the Fixed Penalty Notice will discharge the liability for prosecution.

10. Exemptions

- 10.1 The requirements and prohibitions imposed by this Order shall not apply to any person who:
- 10.1.1 is registered as blind, sight or hearing impaired under the National Assistance Act 1948, or any other legislation;
 - 10.1.2 has a disability which affects his mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which he relies for assistance; or
 - 10.2.3 is using a working dog for purposes of law enforcement, military duties or statutory emergency services (search and rescue).

11. Appeal

Any interested person (defined as an individual who lives in the restricted area or who regularly works in or visits that area) may question the validity of this Order, pursuant to Section 66 of the Act, on application made to the High Court within 6 weeks from the date of the Order.

12. Validity (Severance)

If any provision of this Order is held invalid or unenforceable for any reason by a court of competent jurisdiction, such provision shall be severed and the remainder of the provisions of the Order shall continue in full force and effect as if the Order had been executed with the invalid, illegal or unenforceable provision eliminated.

THE COMMON SEAL OF Mid Devon District Council

was hereunto affixed

in the presence of:-

Authorised Signatory

DRAFT

THE SCHEDULES

List of Plans

SCHEDULE A District of Mid Devon

Plan 1 – Map of District

SCHEDULE B – Public Cemeteries

Plan 2 – St Matthews Cheriton Fizpaine

Plan 3 – Black Dog Crediton

Plan 4 – Crediton

Plan 5 – St Andrews Colbrooke

Plan 6 - Wembworthy

Plan 7 – Halberton

Plan 8 – Bradninch

Plan 9 - All Saints Culmstock

Plan 10 – Culmstock

Plan 11 – Hemyock

Plan 12 – St Mary's Hemyock

Plan 13 – Uffculme

Plan 14 – Uffclume

Plan 15 – St Mary's Uffculme

Plan 16 – St Andrews Cullompton

Plan 17 – Tiverton

Plan 18 – St Mary's Willand

Plan 19 – Willand Parish Cemetery

SCHEDULE C -- Parks & Open Spaces

Plan 20 - Amory Park Tiverton
Plan 21 – Ashley Close Uffculme
Plan 22 – Beacon Park Crediton
Plan 23 - Bluebell Avenue Tiverton
Plan 24 - Blundells Road Tiverton
Plan 25 - Burma Star Garden Tiverton
Plan 26 - Chawleigh Chumleigh
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Plan 69 - West-Exe Recreation Ground Tiverton
Plan 70 - Willand Moor Road Willand

SCHEDULE D - Enclosed Children's Play Areas

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Plan 72 - Ash Drive Cullompton
Plan 73 - Ashley Rise Tiverton
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Plan 86 - Dove Close Cullompton
Plan 87 - Ellerhayes Hele
Plan 88 - Everett Place Tiverton
Plan 89 - Fernworthy Copplesstone
Plan 90 - Fulda Crescent Crediton
Plan 91 - Glebelands Cheriton Bishop
Plan 92 - Godfreys Garden Bow
Plan 93 - Greenaway Morchard Bishop
Plan 94 - Greenway Crediton
Plan 95 - Halsbury Road Tiverton
Plan 96 - Harpitt Close Willand
Plan 97 - Hawthorne Road Tiverton
Plan 98 - Haymans Close Cullompton
Plan 99 - Haymans Green Cullompton
Plan 100 - Headweir Road Cullompton
Plan 101 - Knightwood Cullompton

Plan 102 - Lapford Play Area
Plan 103 - Larks Drive Cullompton
Plan 104 - Linden Road Cullompton
Plan 105 - Logan Way Hemyock
Plan 106 - Lords Meadow Crediton (1)
Plan 107 - Lords Meadow Crediton Skate Park Crediton
Plan 108 - Lords Meadow Crediton
Plan 109 - Mallow Court Willand
Plan 110 - Millhayes Hemyock
Plan 111 - New Buildings Sandford
Plan 112 - Orchard Leigh Tiverton
Plan 113 - Orchard Way Willand
Plan 114 - Palmerston Park Tiverton
Plan 115 - Pathfields Uffculme
Plan 116 - Pippins Field Uffculme
Plan 117 - Ploudal Road Cullompton
Plan 118 - Primrose Close Tiverton
Plan 119 - Priory Road Tiverton
Plan 120 - Puddington Play Area
Plan 121 - Queen Elizabeth Drive Crediton
Plan 122 - Queensway Tiverton
Plan 123 - Recreation Ground Willand
Plan 124 - Rivermead Cullompton
Plan 125 - Siskin Chase Cullompton
Plan 126 - South View Willand
Plan 127 - Spencer Drive Tiverton
Plan 128 - Spindlebury Road Cullompton
Plan 129 - Spinning Path Gardens Crediton
Plan 130 - St Martins Close Bow
Plan 131 - Starkey Close Tiverton
Plan 132 - Starlings Roost Cullompton
Plan 133 - Station Road, Bray Close Burlescombe

Plan 134 - Sunnymead Coppelstone
Plan 135 - Tiverton Adventure Playground
Plan 136 - Town Barton Sanford
Plan 137 - Townlands Bradninch
Plan 138 - Trickey Close Tiverton
Plan 139 - Tuckers Meadow Crediton
Plan 140 - Tufty Park Cullompton
Plan 141 - Victoria Close Willand
Plan 142 - Walnut Drive Crediton
Plan 143 - Water Meadow Cullompton
Plan 144 - Waylands Road Tiverton
Plan 145 - West-Exe Recreation Ground & Pool Tiverton
Plan 146 - Wilcombe Tiverton
Plan 147 - Worcester Crescent Willand
Plan 148 - Tanners Close Clover Drive Cullompton
Plan 149 - The Hams BMX Track Tiverton

Schedule A

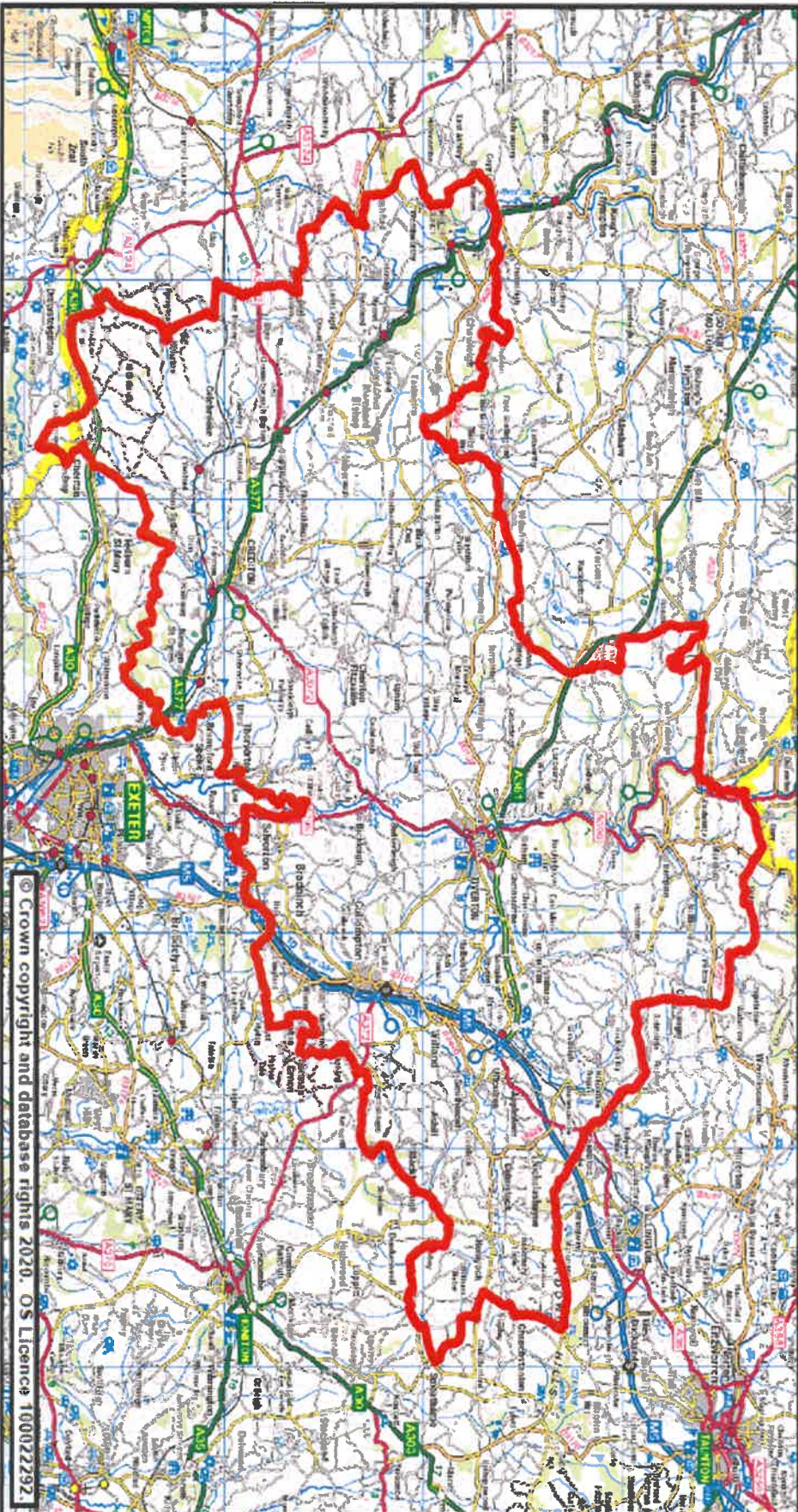


Street Scene Plan 1

Scale	1:245,373 @ A4	Date	05 February 2020
Dist. No. Mid Devon District Boundary		Produced by GMS Unit	

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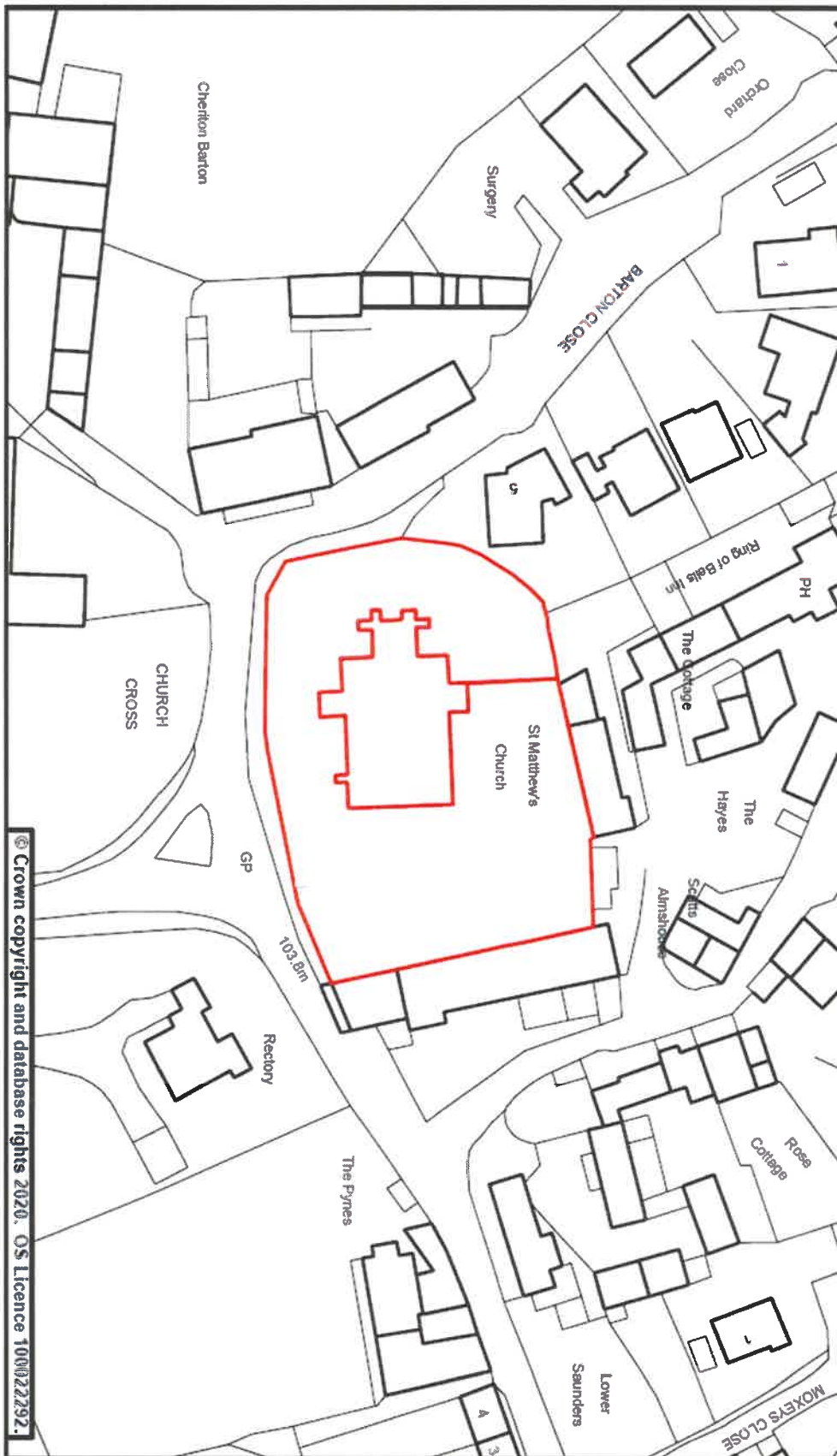


Street Scene Plan 2

Scale	1:750 @ A4	Date	06 February 2020
Dwg. No.	St Matthew's Church, Cherton Fitzpaine	Produced by	GMS Unit

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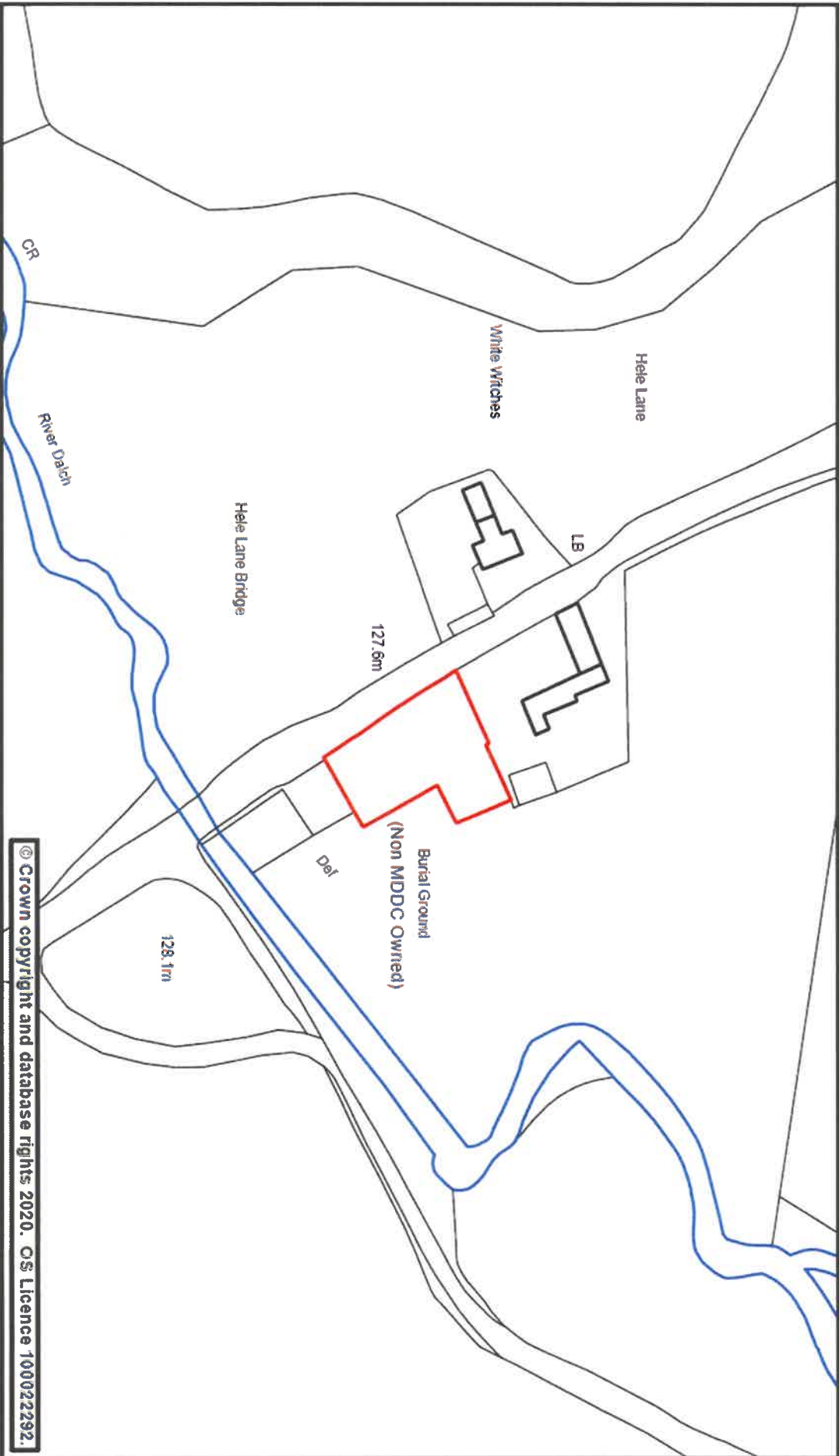
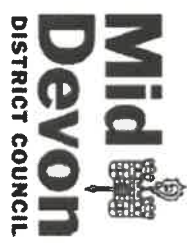
Street Scene Plan 3

Scale	1:1,000 @ A4	Date	24 January 2020
Dwg. No.	Cemetery, Black Dog	Produced by	GMS Unit

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Scale	1:1,130 @ A4	Date	05 February 2020
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Drq. No. **Credition Cemetery**

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Street Scene

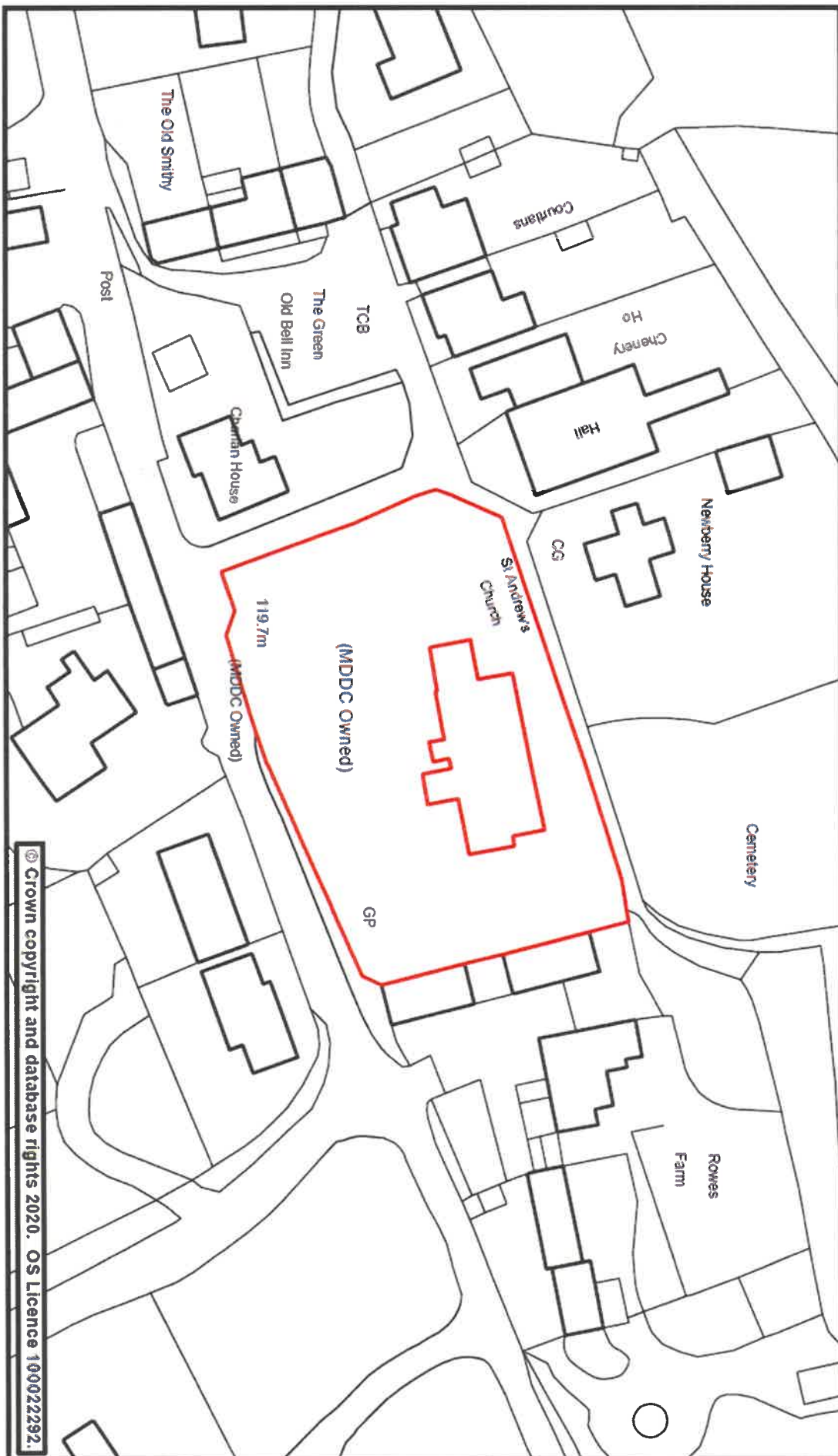
Plan 5

Scale	1:750 @ A4	Date	24 January 2020
Dwg. No.	St Andrew's Church Cemetery, Colebrook	Produced by	GMS Unit

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Street Scene Plan 6

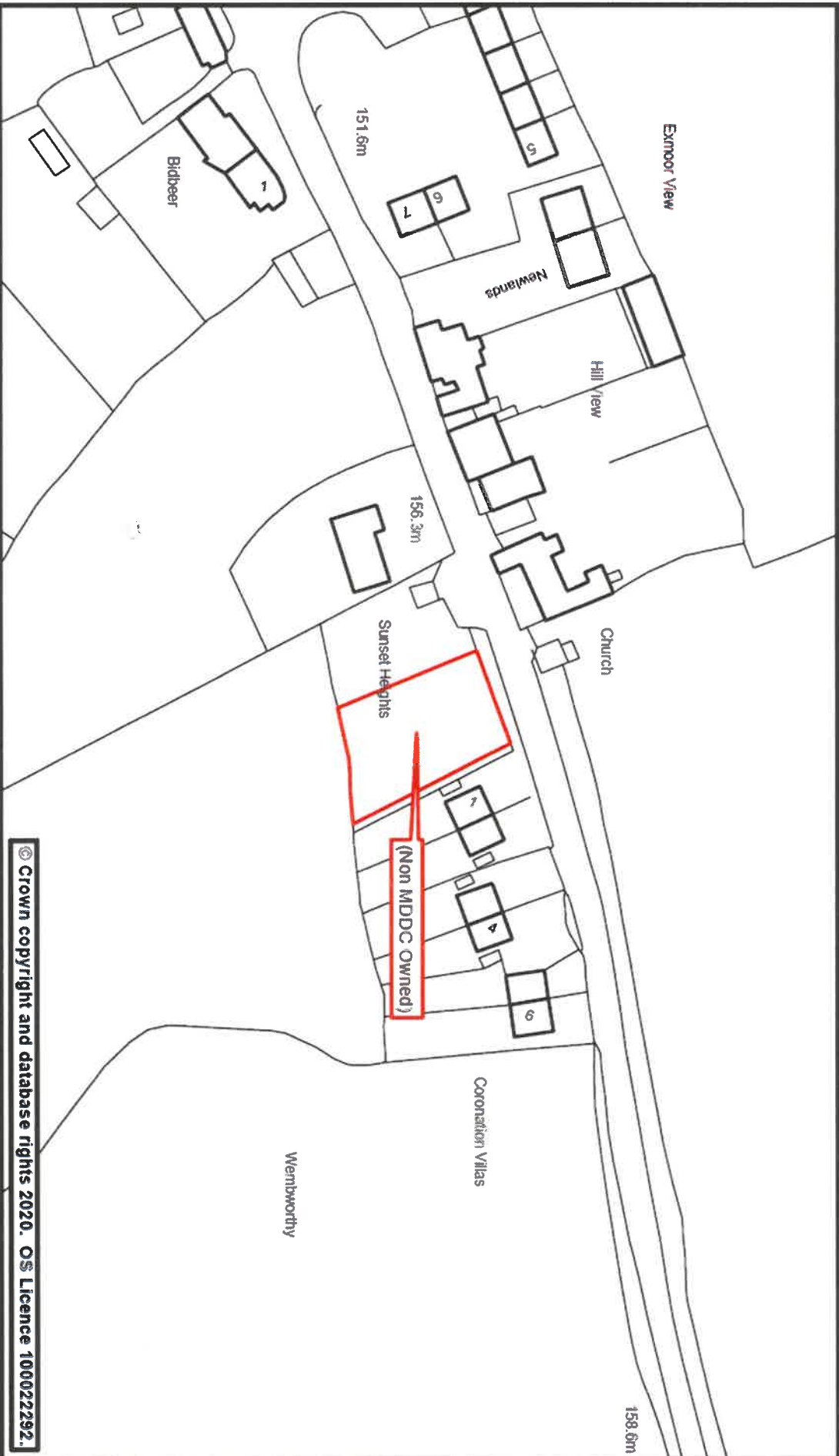
Scale	1:1,000 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Wembworthy	Produced by	GMS Unit

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Street Scene

Plan 7

Scale	1:1,250 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Halberton	Produced by	GMS Unit

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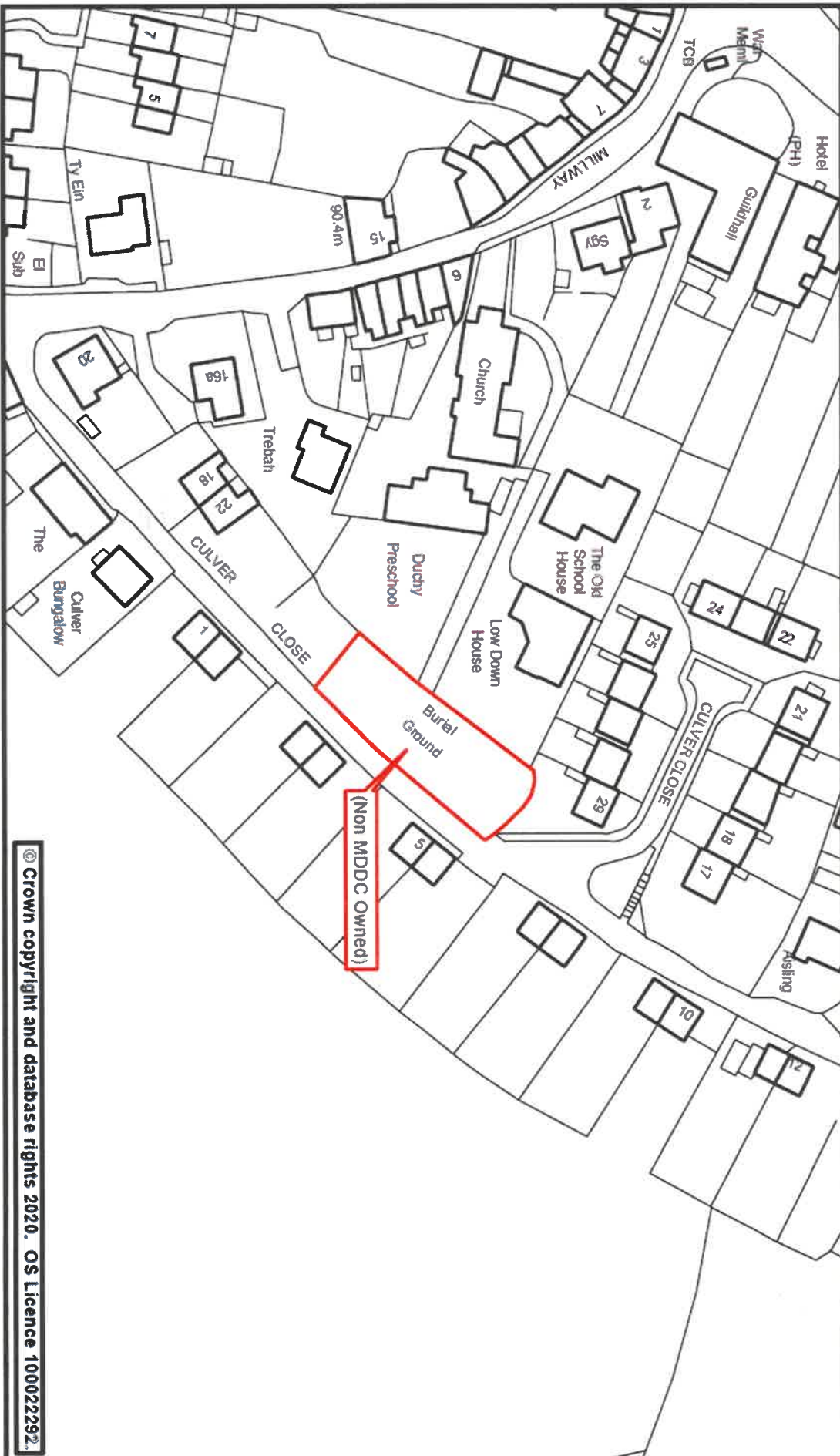


Street Scene Plan 8

Scale	1:1,000 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Bradninch	Produced by	GMS Unit

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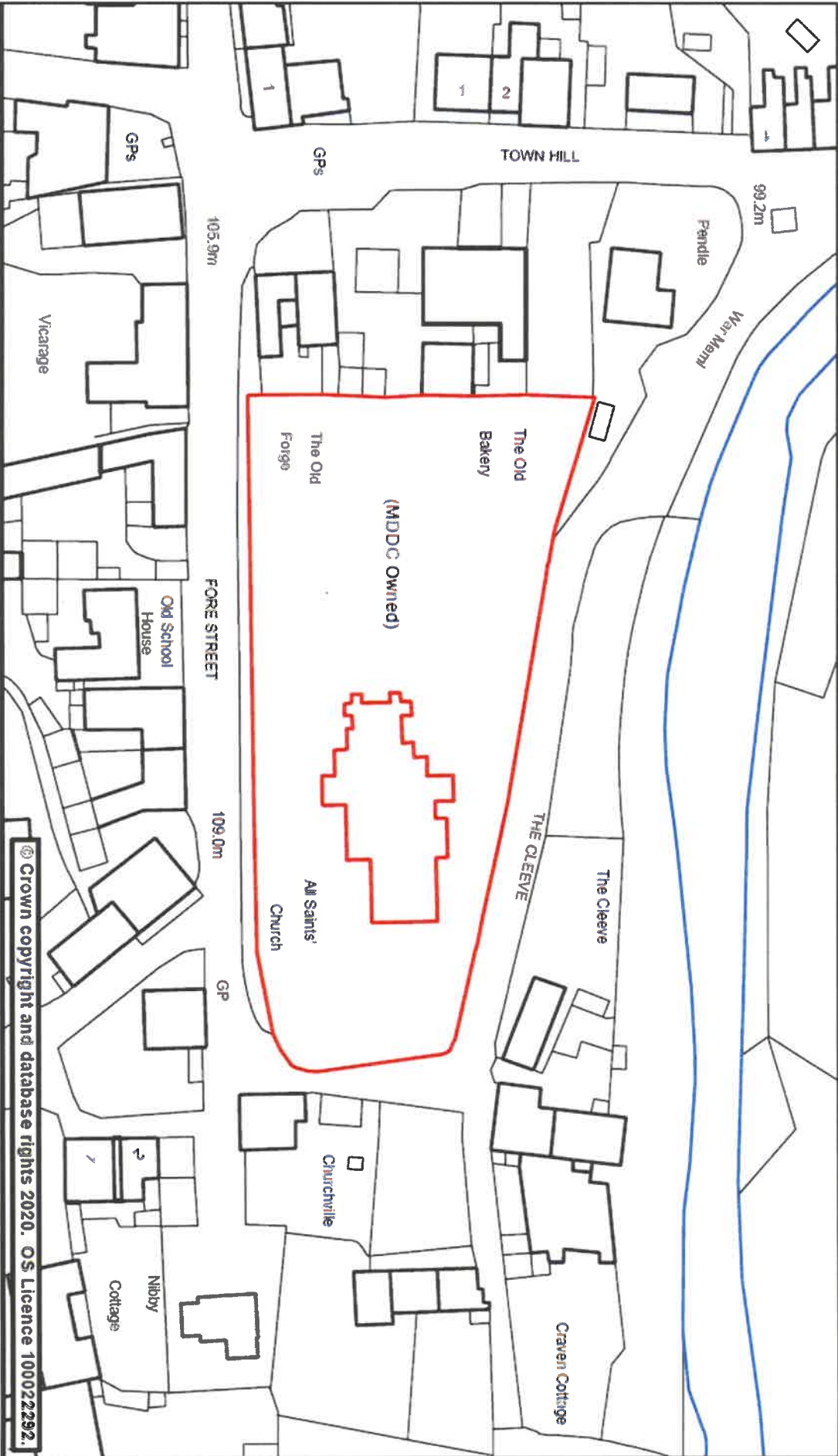


Street Scene Plan 4

Scale	1:750 @ A4	Date	24 January 2020
Dwg. No.	All Saints' Church Cemetery, Culmstock	Produced by	GMS Unit

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Street Scene

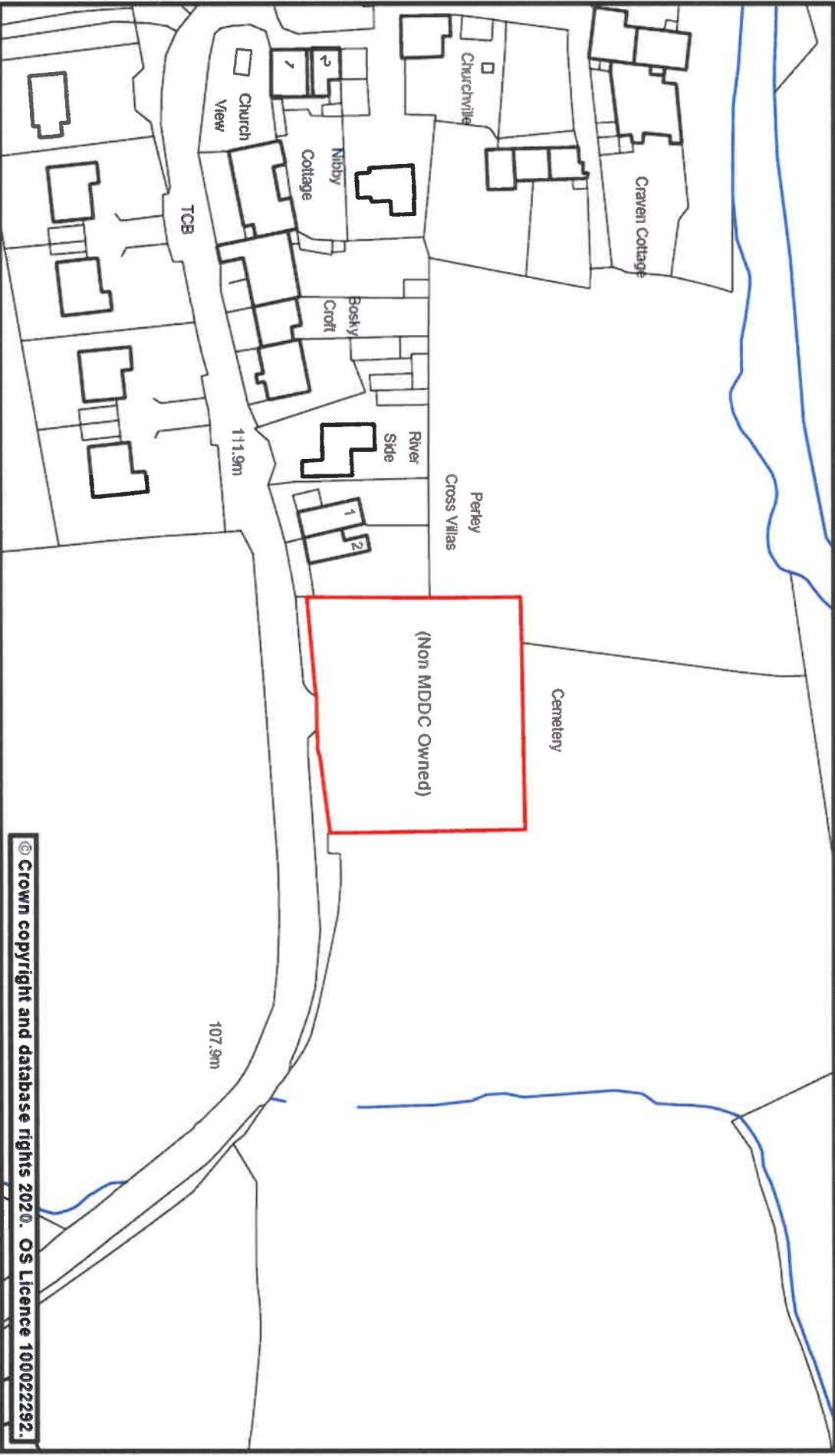
Plan 10

Scale	1:1,000 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Culmstock	Produced by	GMS Unit

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Street Scene Plan 11

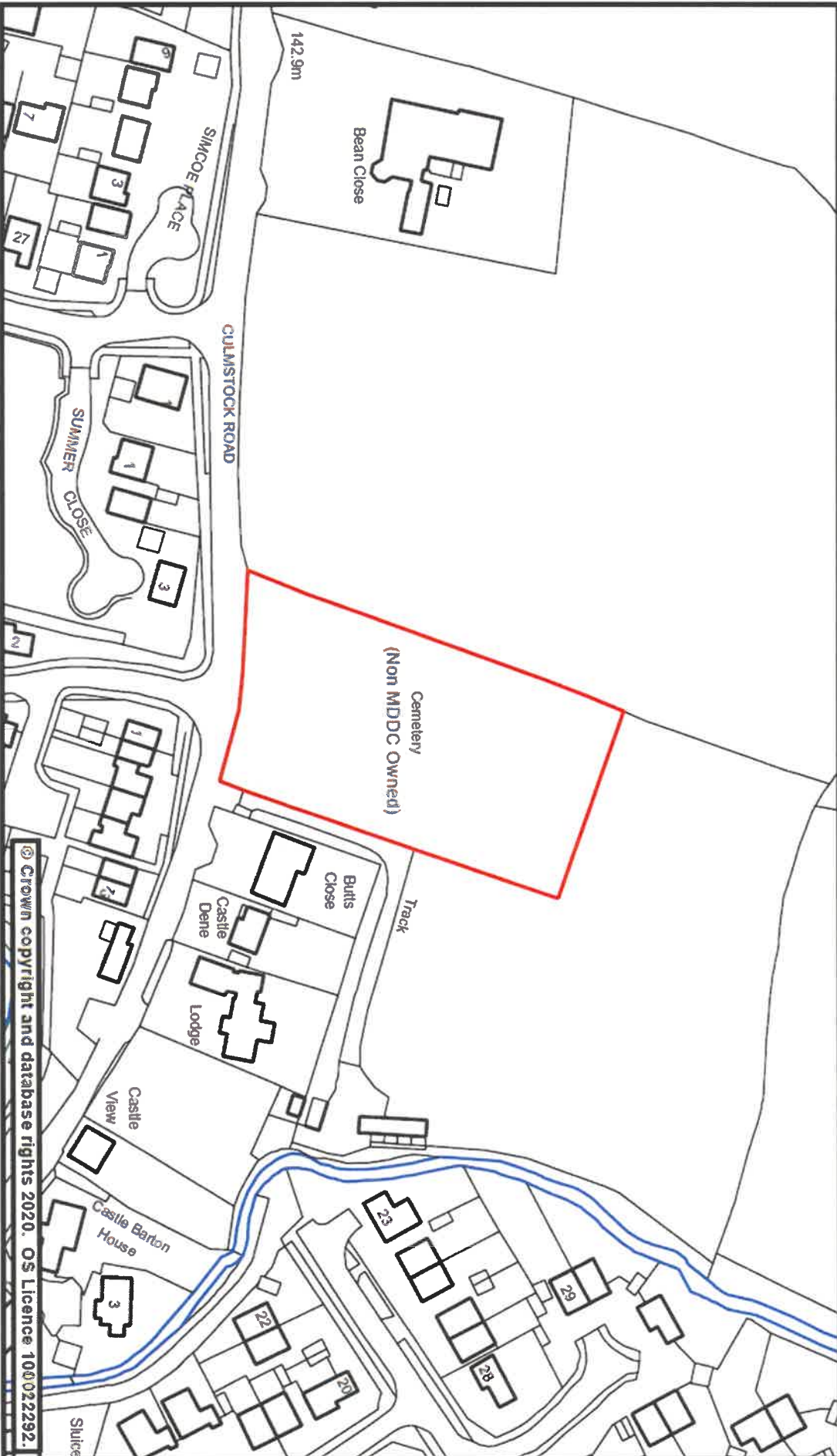
Scale	1:1,250 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Hemmock	Produced by	GMS Unit

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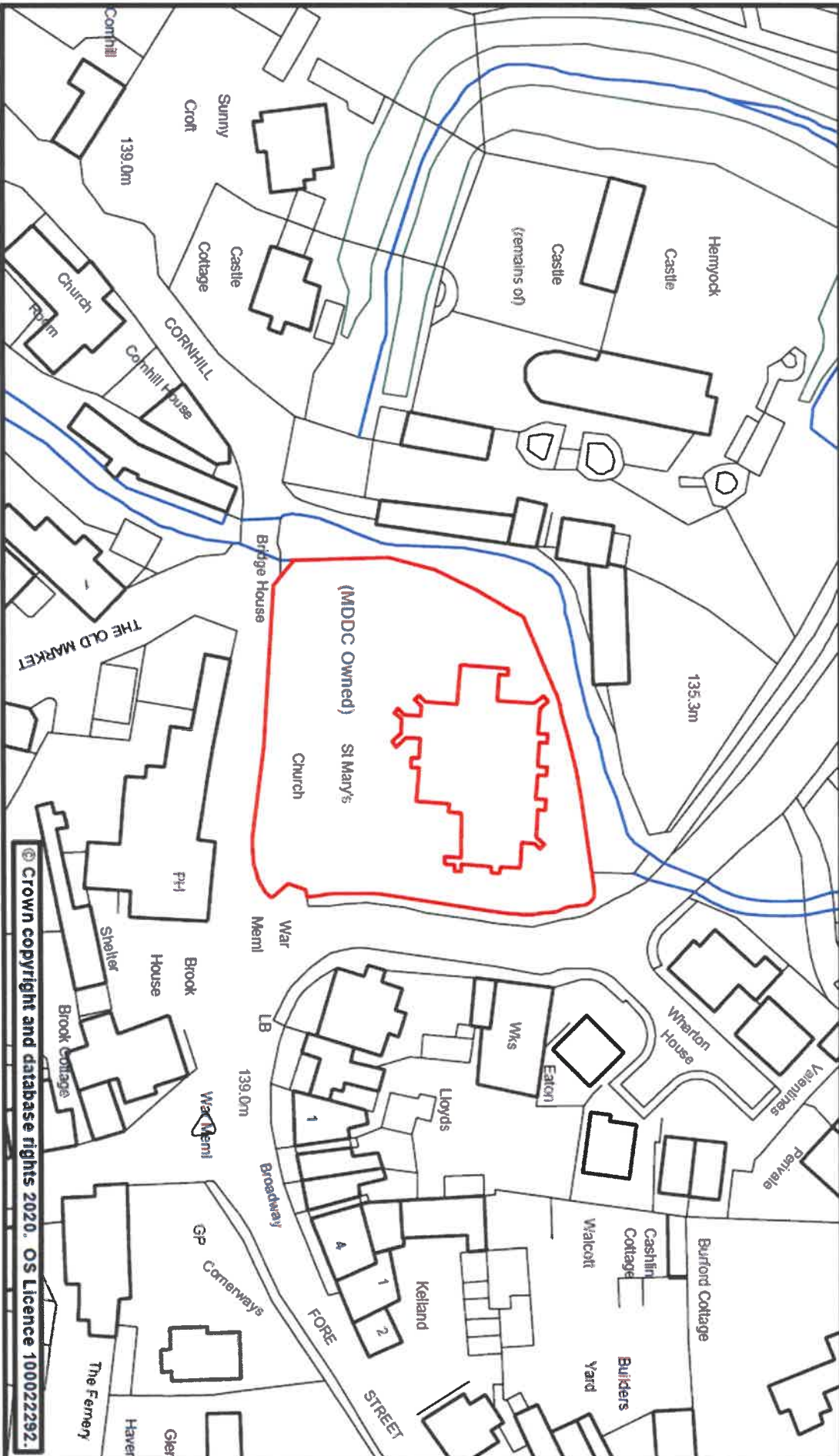
Street Scene Plan 12

Scale	1:750 @ A4	Date	24 January 2020
Dwg. No.	St Mary's Church Cemetery, Hemjock	Produced by	GMS Unit

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Street Scene Plan 13

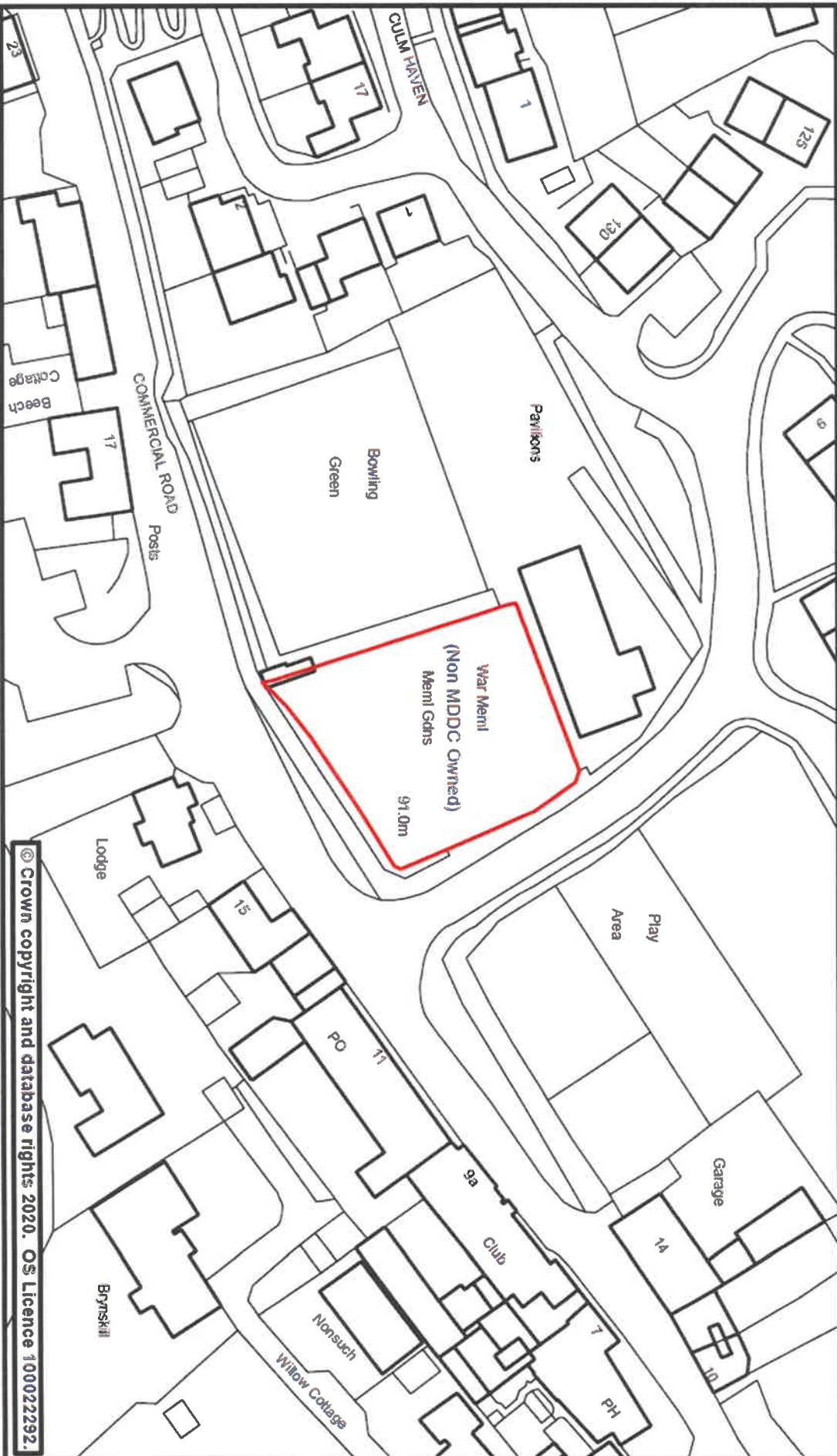
Scale	1:750 @ A4	Date	27 January 2020
Org. No.	Cemetery, Uffculme	Produced by	GMS Unit

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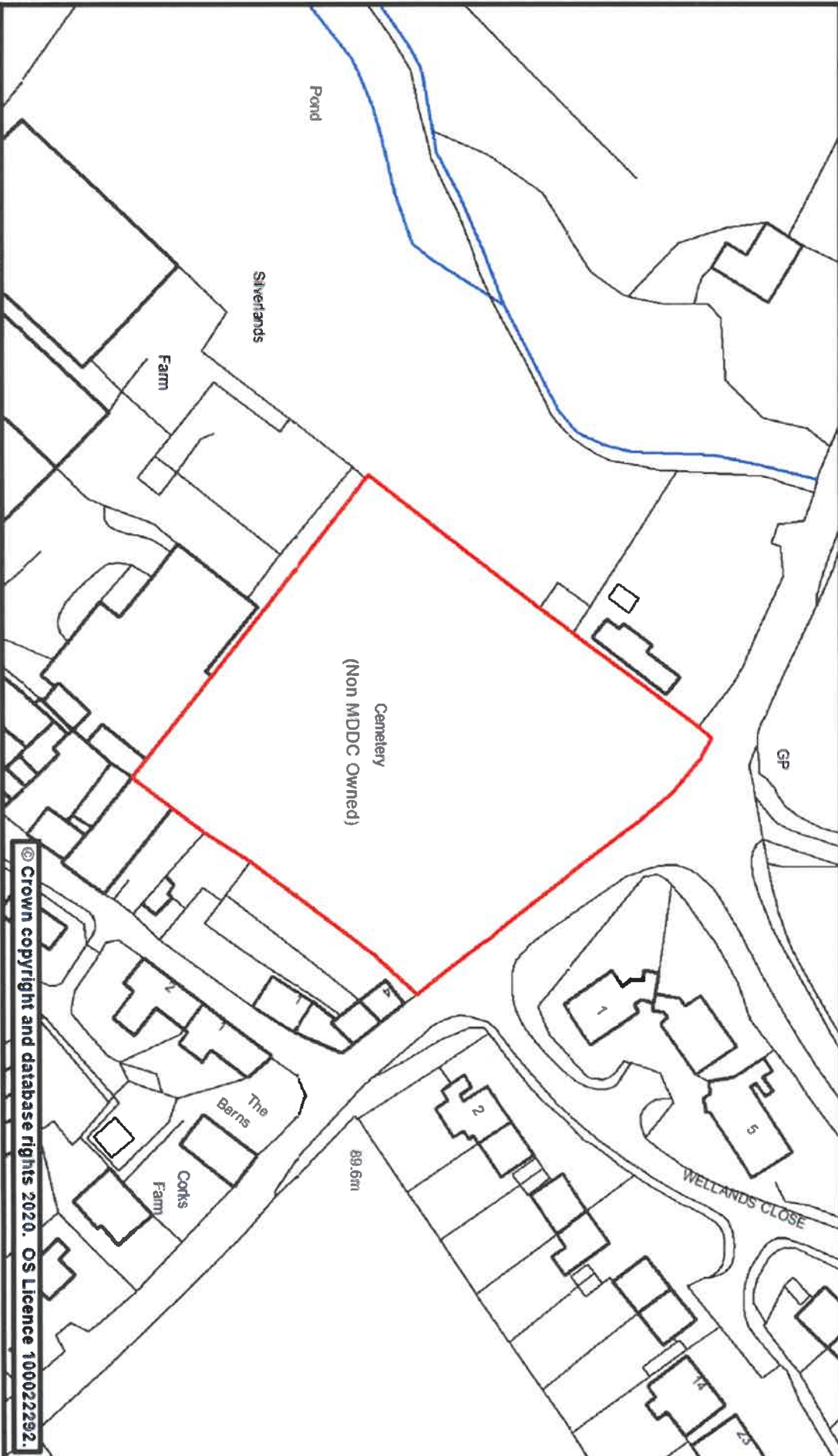
Street Scene Plan 14

Scale	1:1,000 @ A4	Date	27 January 2020
Dwg. No.	Cemetery, Uffculme	Produced by	GMS Unit

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Street Scene

Plan 15

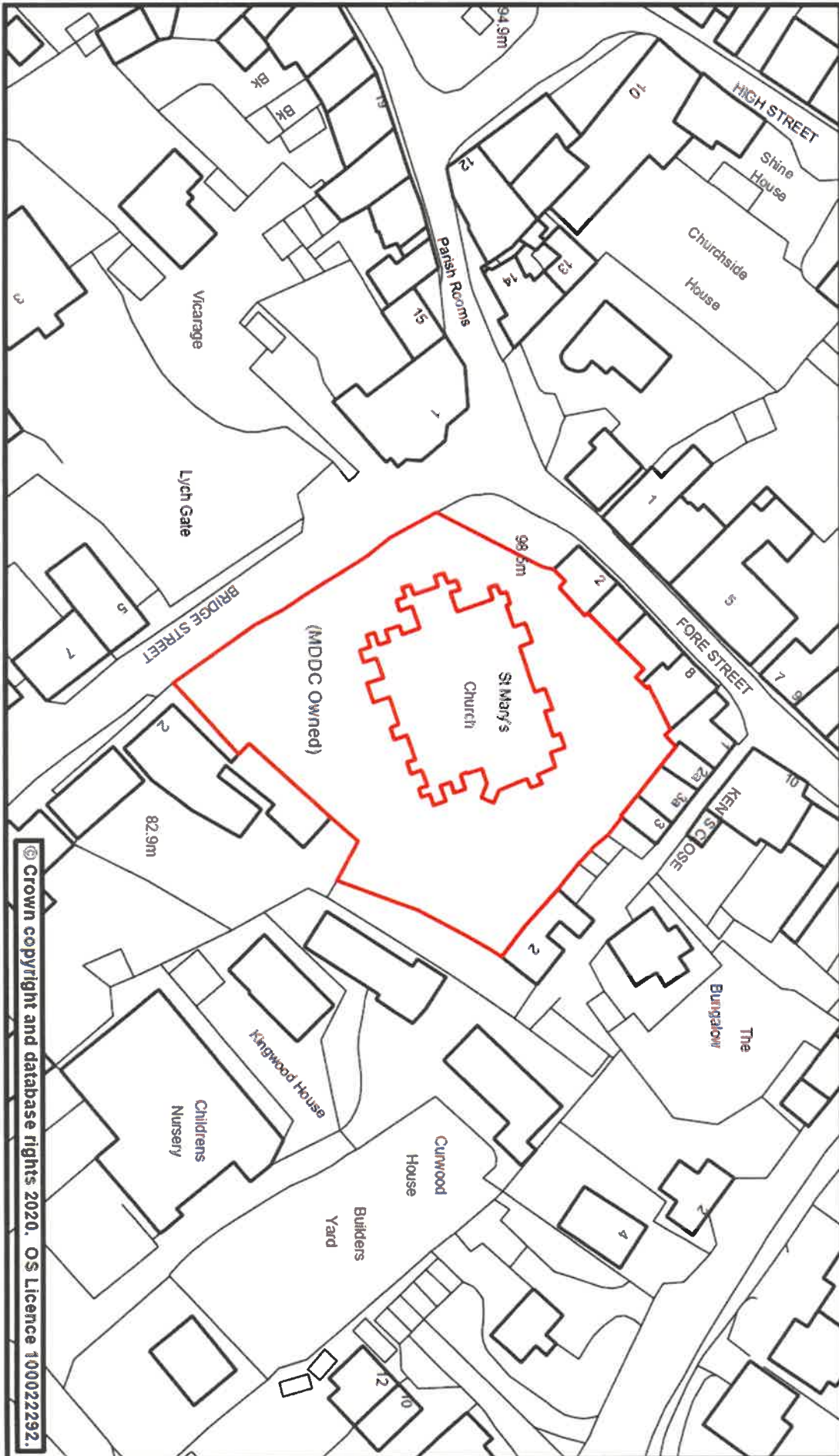
Scale	1:750 @ A4	Date	24 January 2020
Dwg. No.	St Mary's Church Cemetery, Uffculme	Produced by	GMS Unit

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Street Scene Plan 16

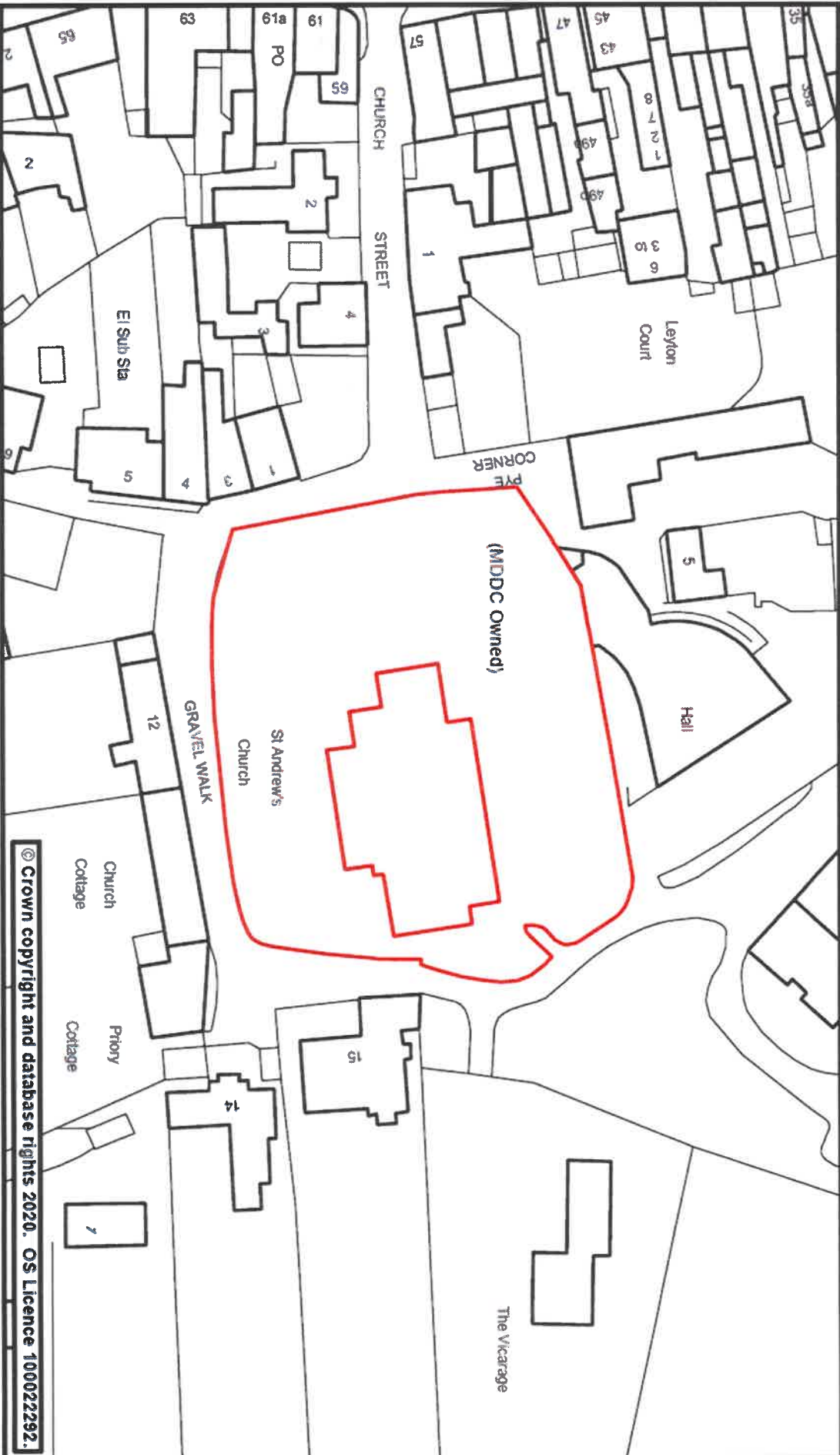
Scale	1:750 @ A4	Date	24 January 2020
Dwg. No.	St Andrew's Church Cemetery, Cullompton	Produced by	GMS Unit

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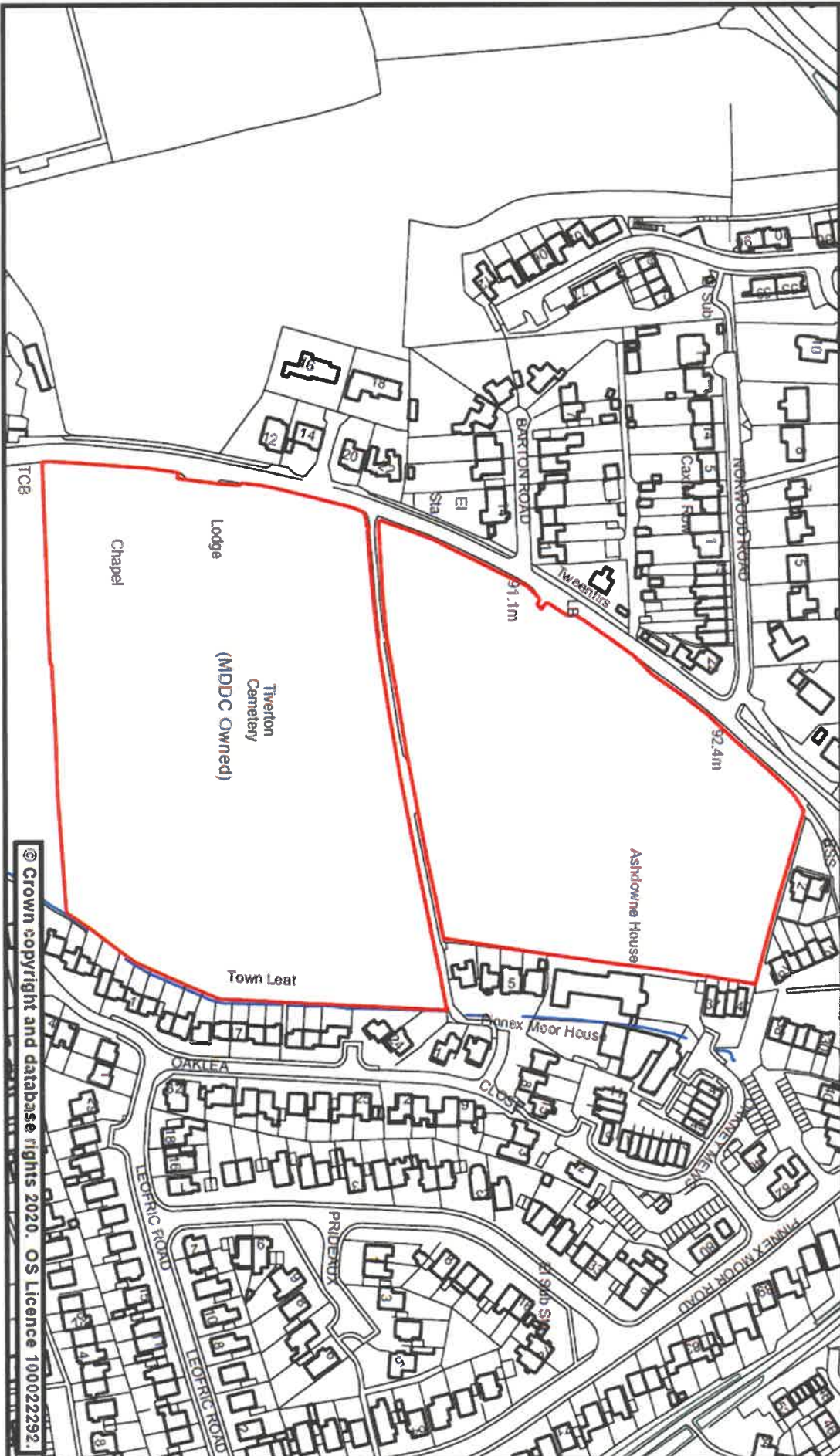


Street Scene

Plan 17

Scale	1:2,188 @ A4	Date	24 January 2020
Dwg. No.	Tiverton Cemetery	Produced by	GMS Unit

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Street Scene

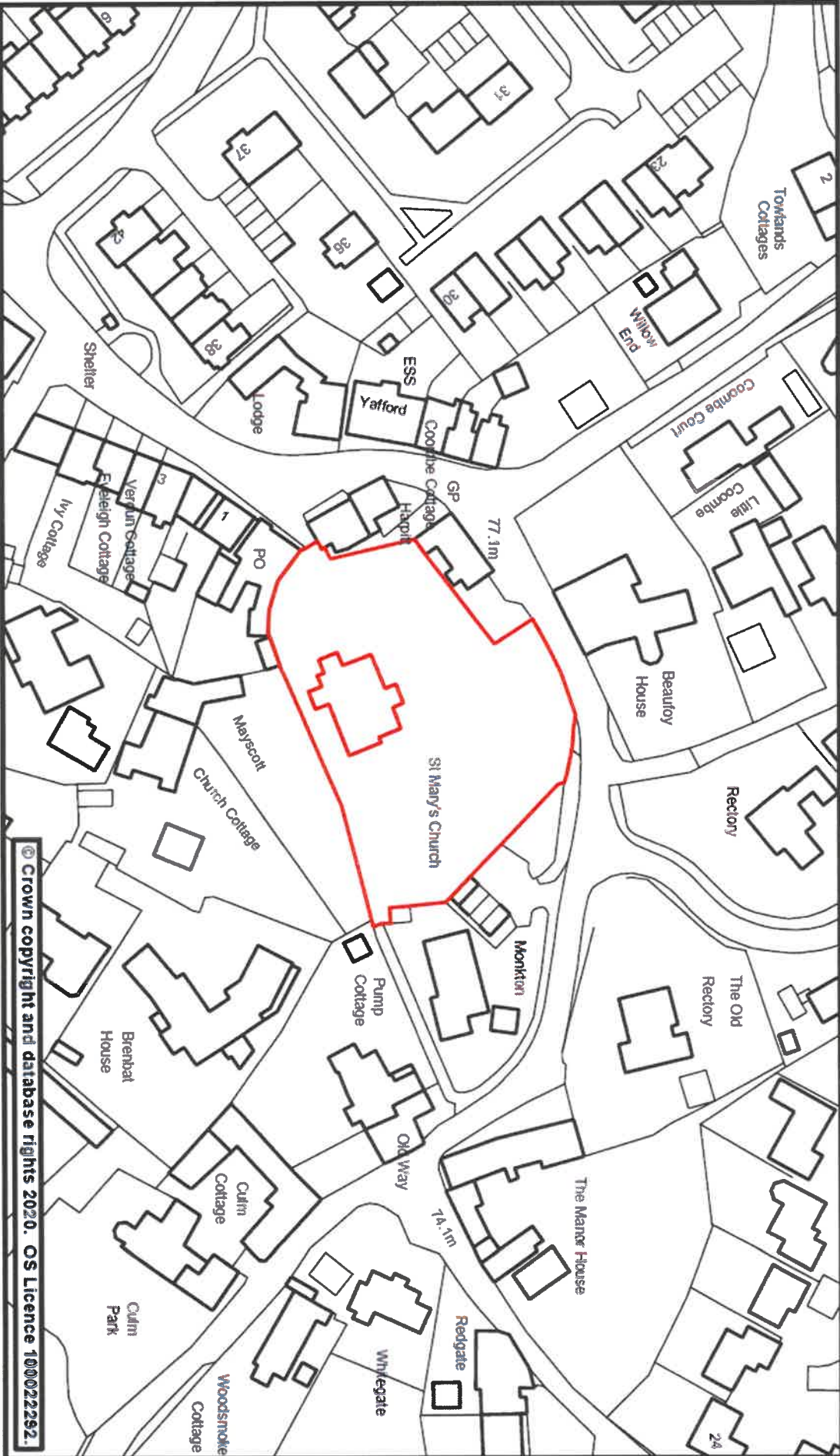
Plan 18

Scale	1:1,000 @ A4	Date	06 February 2020
Dwg. No.	St Mary's Church, Willand	Produced by	GMS Unit

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Street Scene Plan 19

Scale	1:1,250 @ A4	Date	06 February 2020
Fig. No.	Willand Parish Cemetery, Willand	Produced by	GMS Unit

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Street Scene**Plan 20**

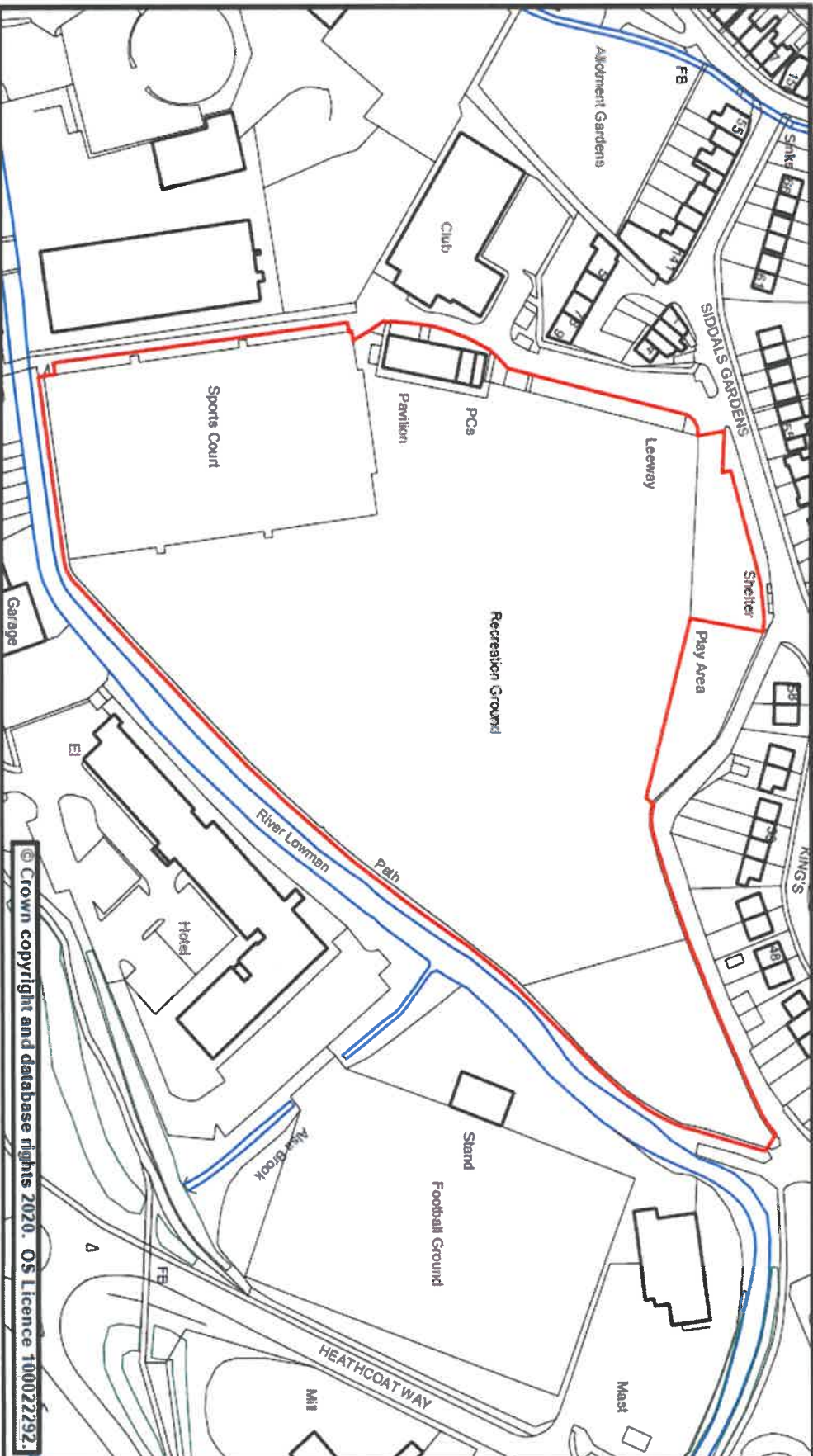
Scale	1:1,575 @ A4	Date	23 January 2020
Dwg. No.	Amory Park, Tiverton	Produced by	GMS Unit

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Street Scene Plan 21

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Ashley Close, Uffculme	Produced by	GMS Unit

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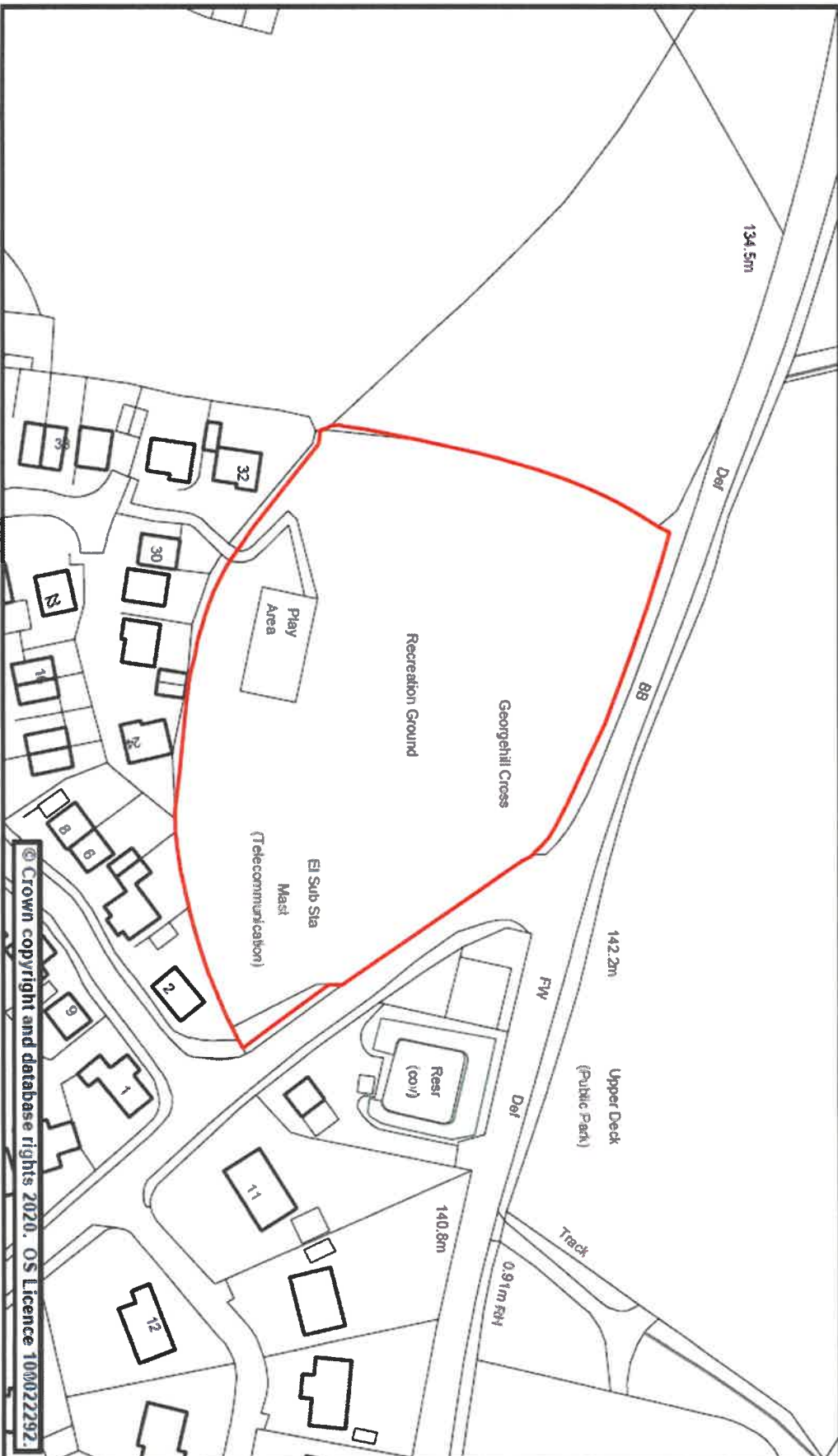
Street Scene Plan 22

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Beacon Park, Credition	Produced by	GMS Unit

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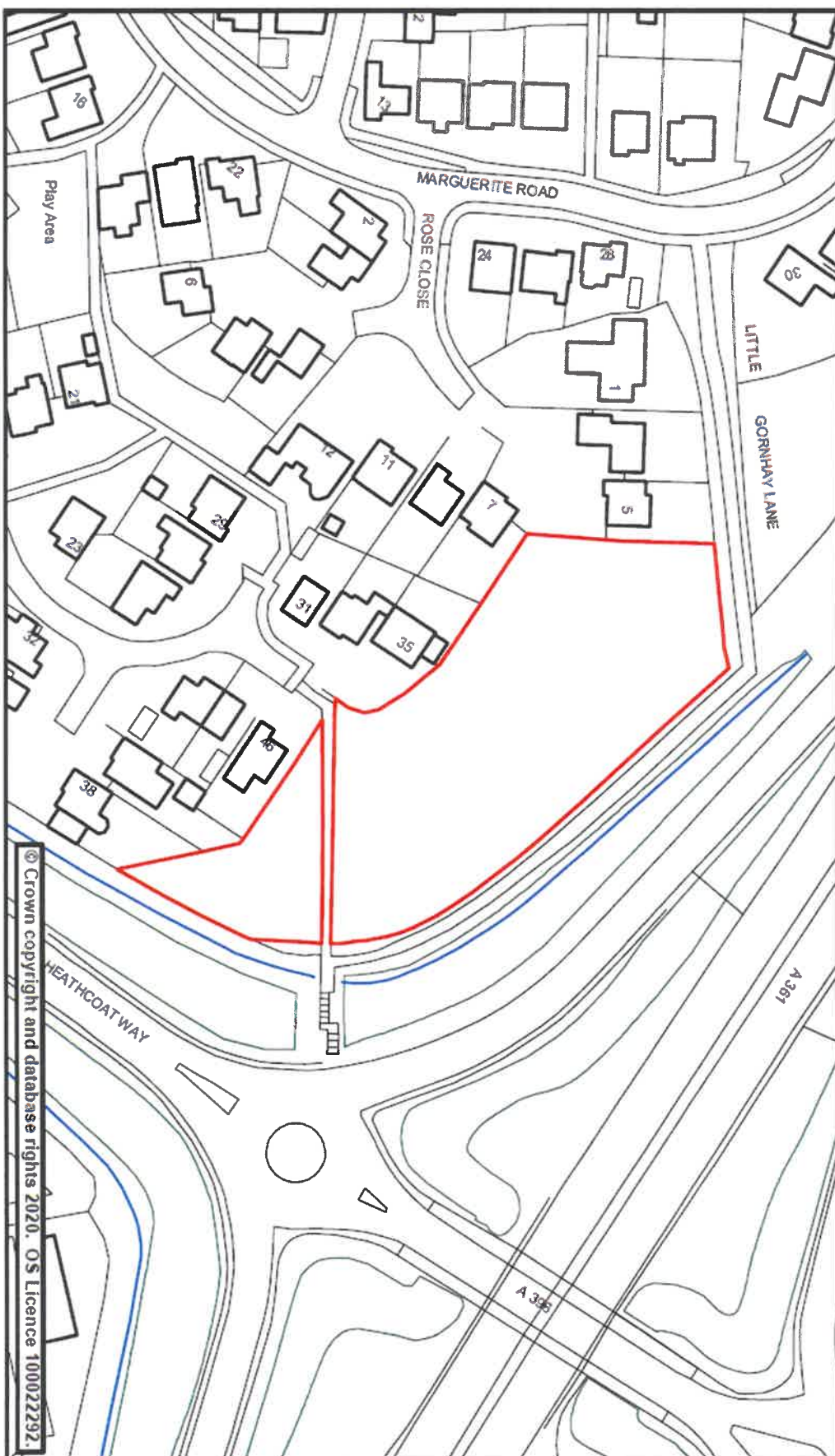
Street Scene Plan 23

Scale	1:1,000 @ A4	Date	23 January 2020
Org. No.	Bluebell Avenue, Tiverton	Produced by	GMS Unit

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Street Scene Plan 24

Scale	1:1,250 @ A4	Date	23 January 2020
Dwg. No.	Blundell's Road, Tiverton	Produced by	GMS Unit

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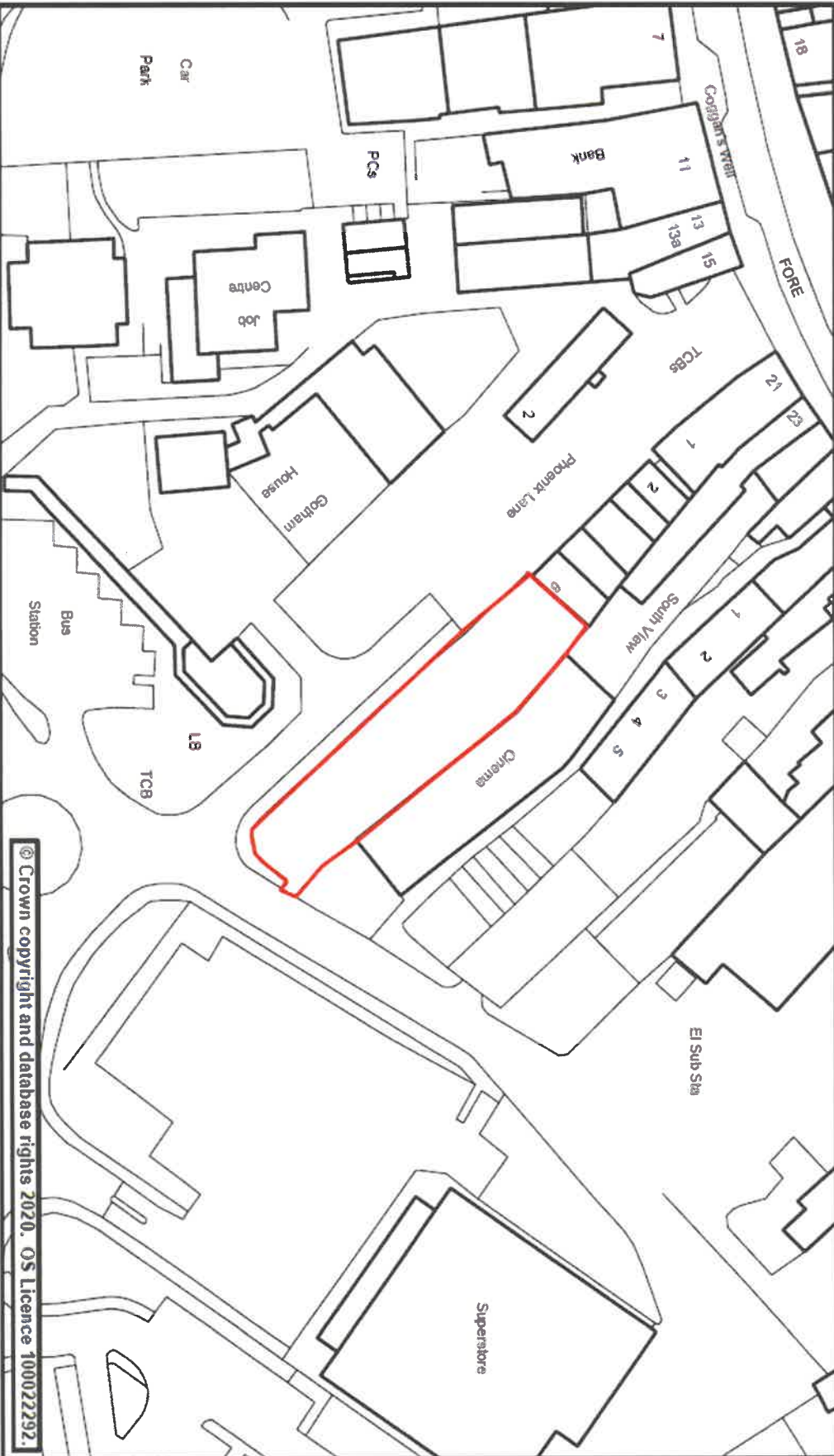


Street Scene Plan 25

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Burma Star Garden, Tiverton	Produced by	GMS Unit

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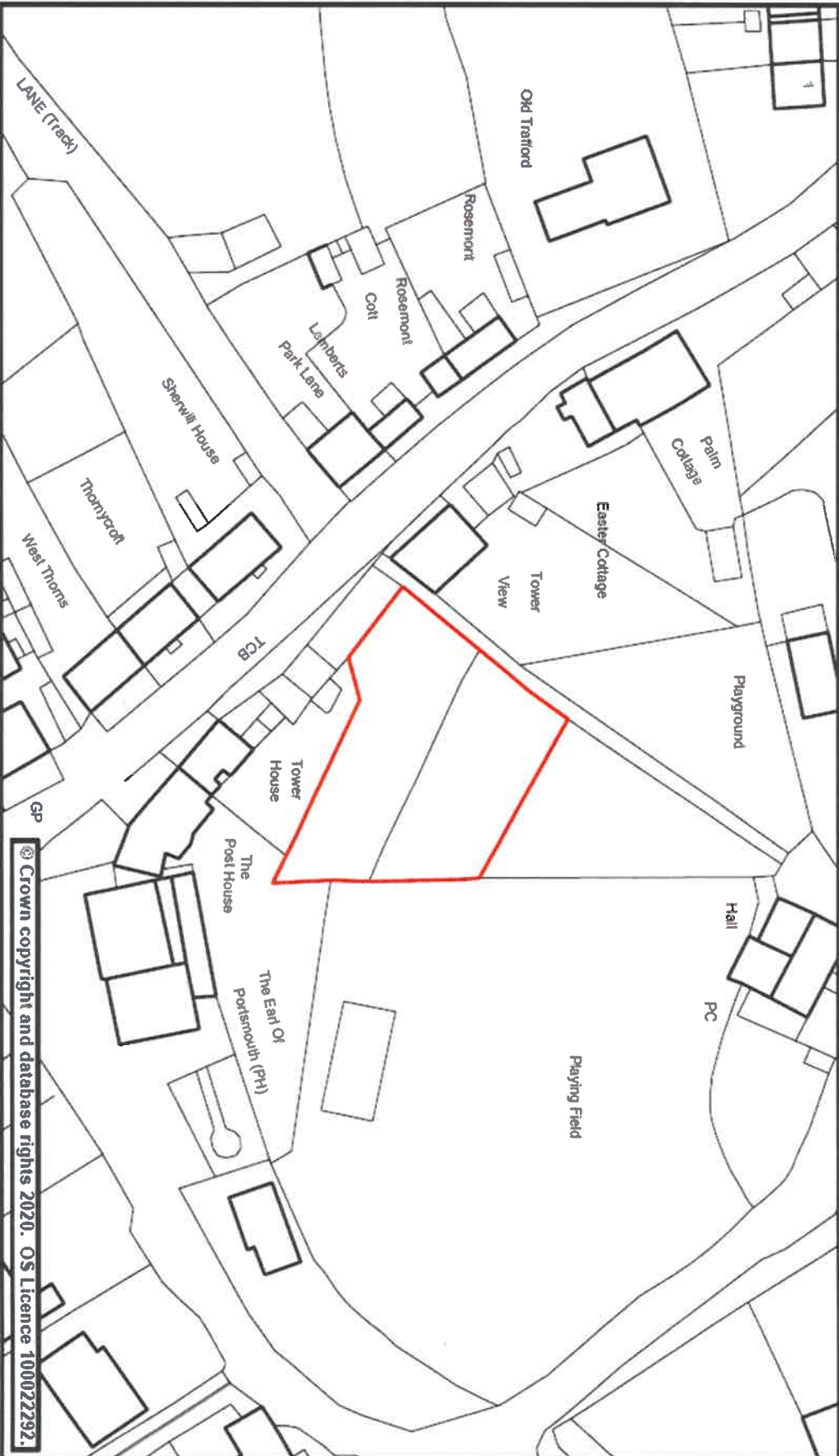
Street Scene Plan 26

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Chawleigh, Chumleigh	Produced by	GMS Unit

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Street Scene Plan 27

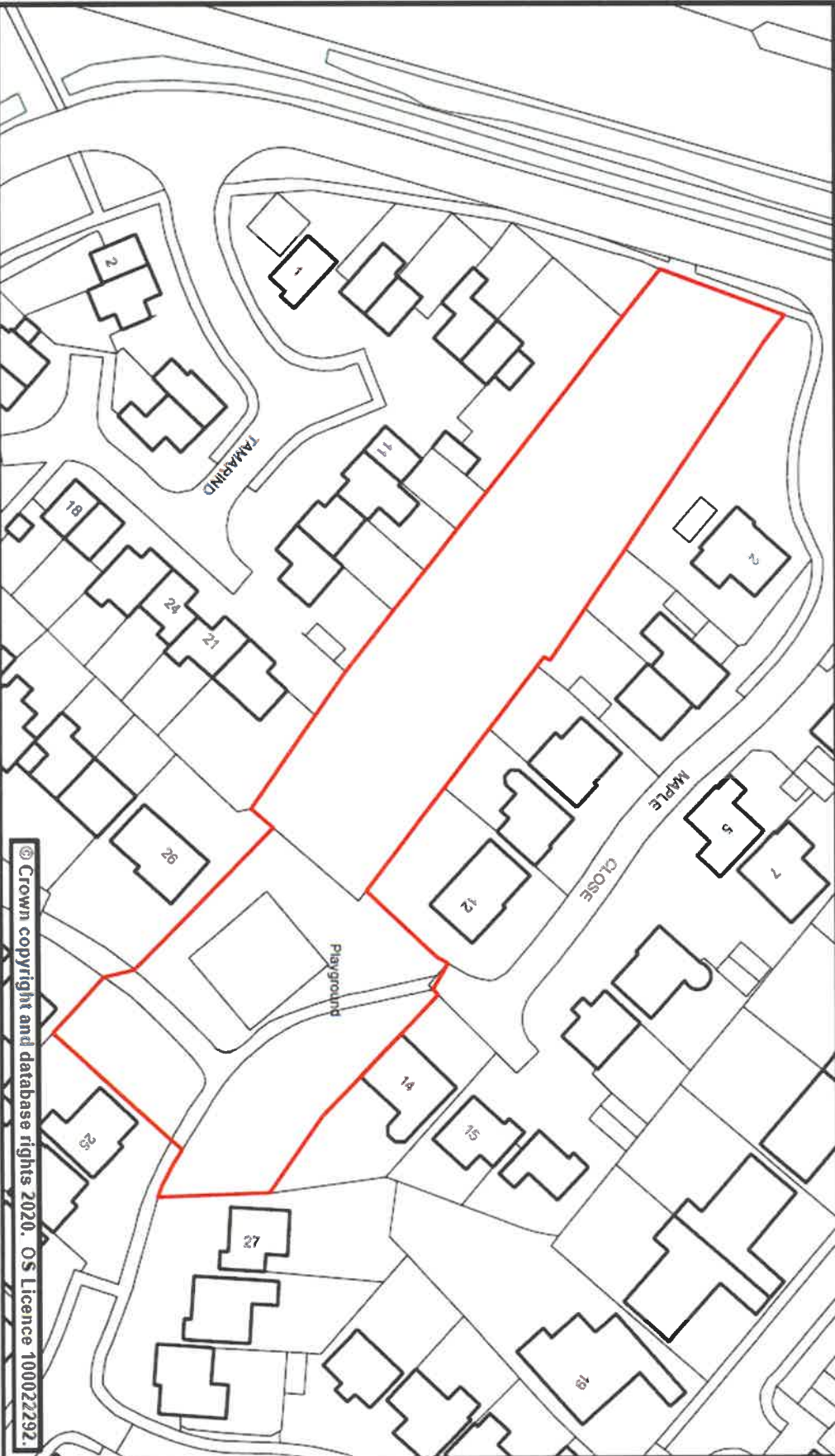
Scale	1:750 @ A4	Date	23 January 2020
Org. No.	Chestnut Drive, Willand	Produced by	GMS Unit

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Street Scene Plan 28

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Church Road, Silverton	Produced by	GMS Unit

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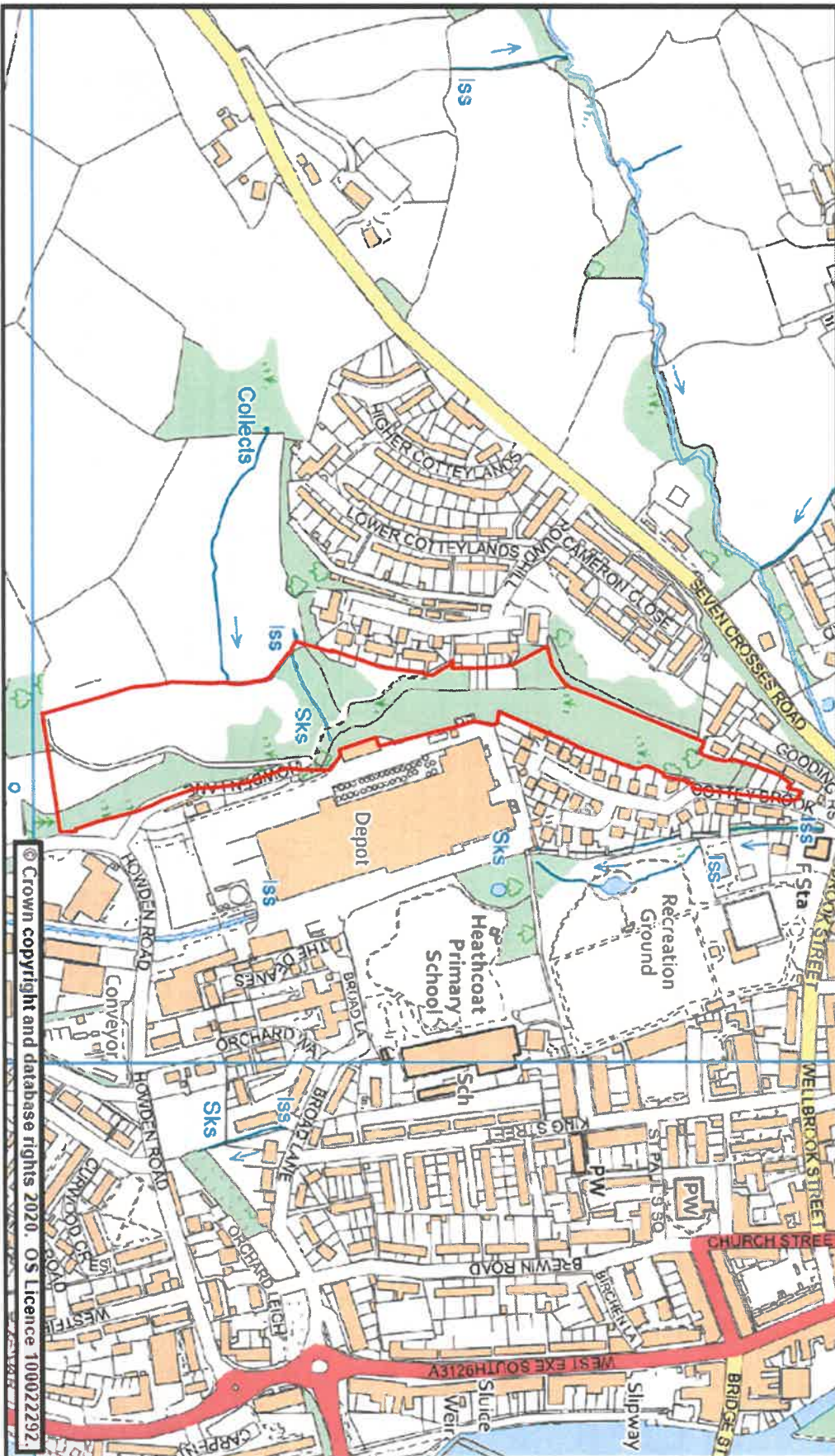
Street Scene Plan 29

Scale	1:4,106 @ A4	Date	23 January 2020
Dwg. No.	Cotley Brook, Tiverton	Produced by	GMS Unit

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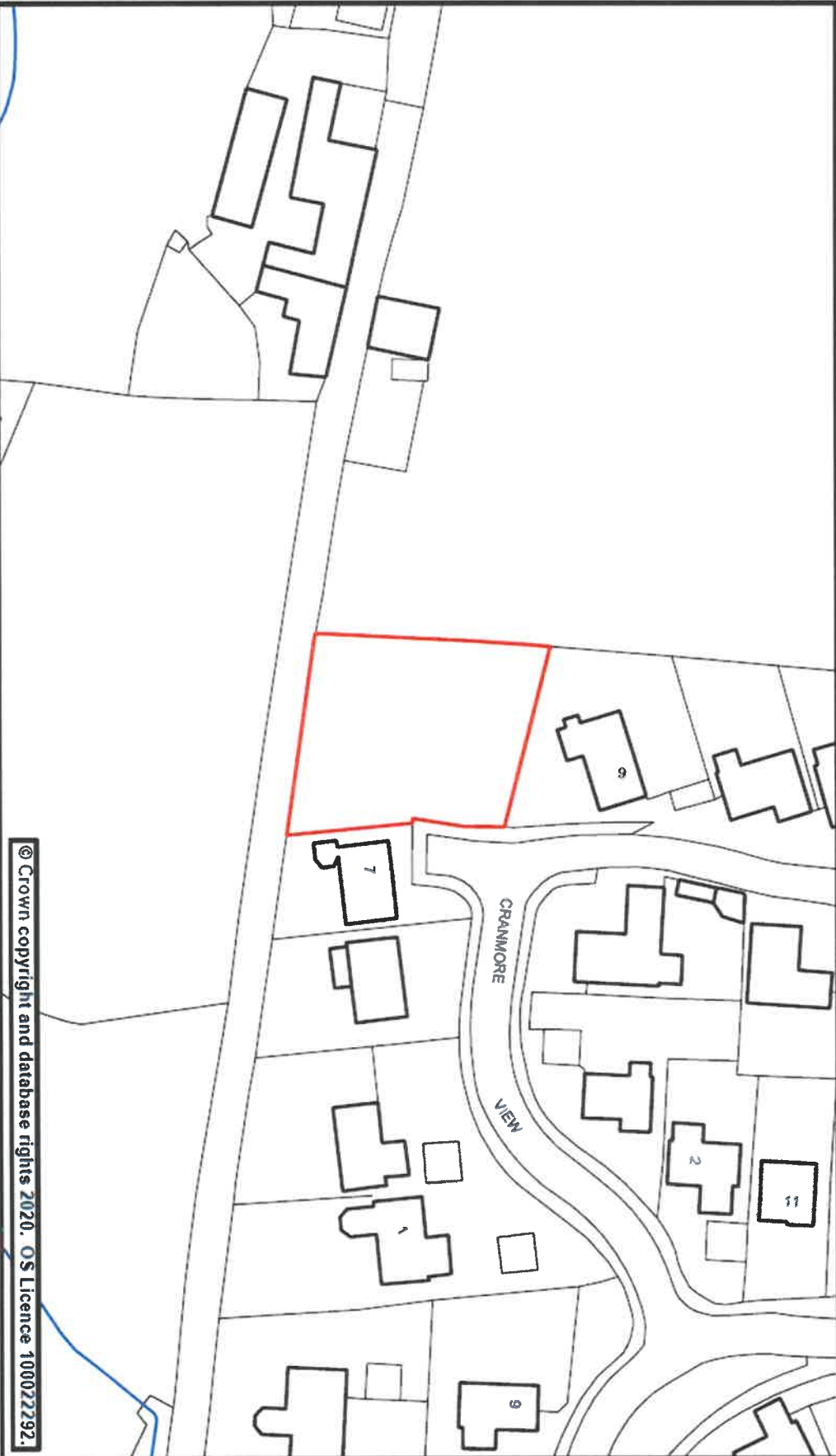
Street Scene Plan 30

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Cranmore View, Tiverton	Produced by	GMS Unit

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Street Scene Plan 31

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Cromwells Meadow, Crediton	Produced by	GMS Unit

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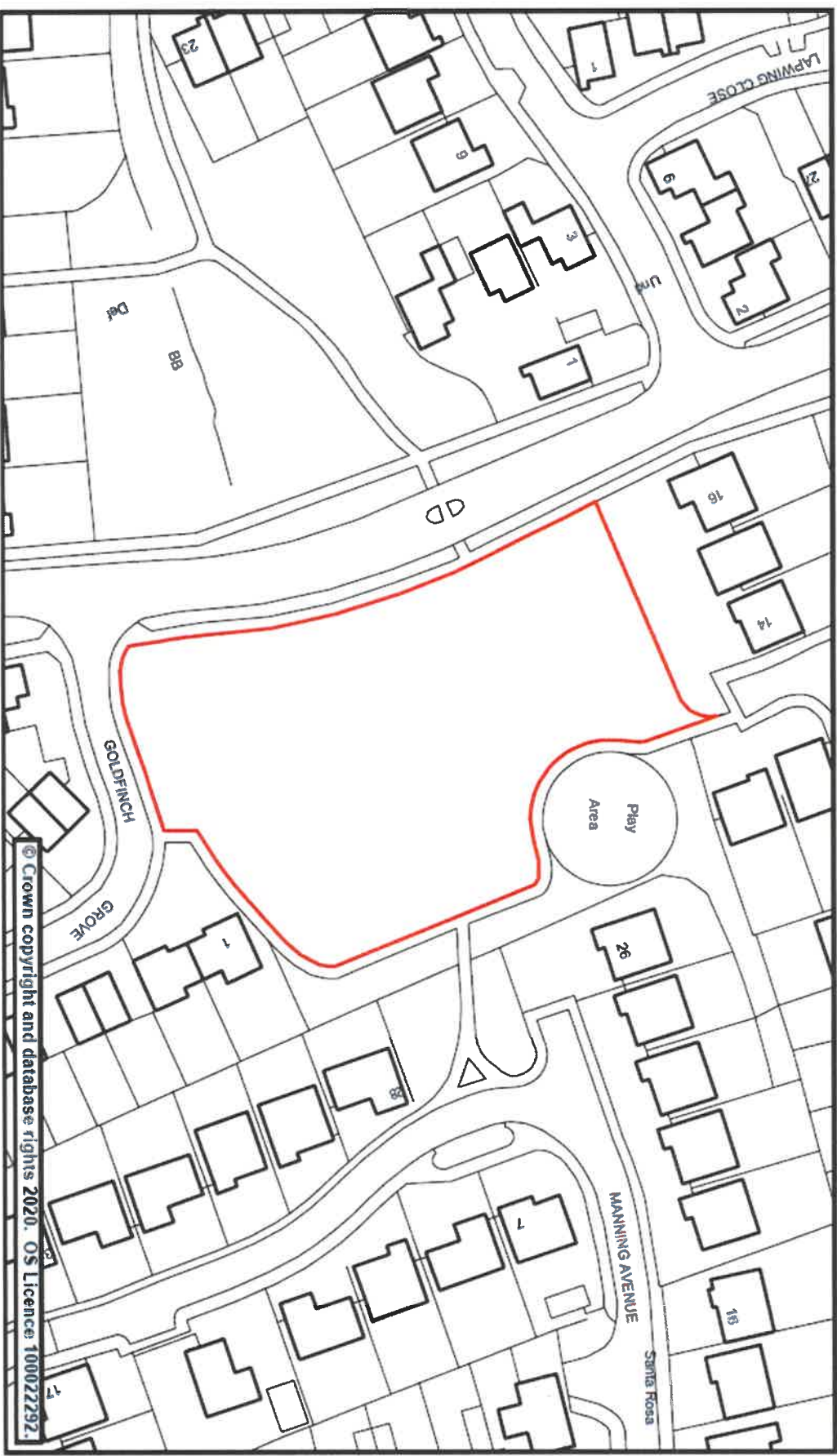
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Street Scene Plan 32

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Crossparks, Culmpton	Produced by	GMS Unit

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Street Scene Plan 33

Scale	1:1,189 @ A4	Date	23 January 2020
Dwg. No.	Crow Bridge, Cullompton	Produced by	GMS Unit

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Street Scene Plan 34

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Cudmore Park, Tiverton	Produced by	GMS Unit

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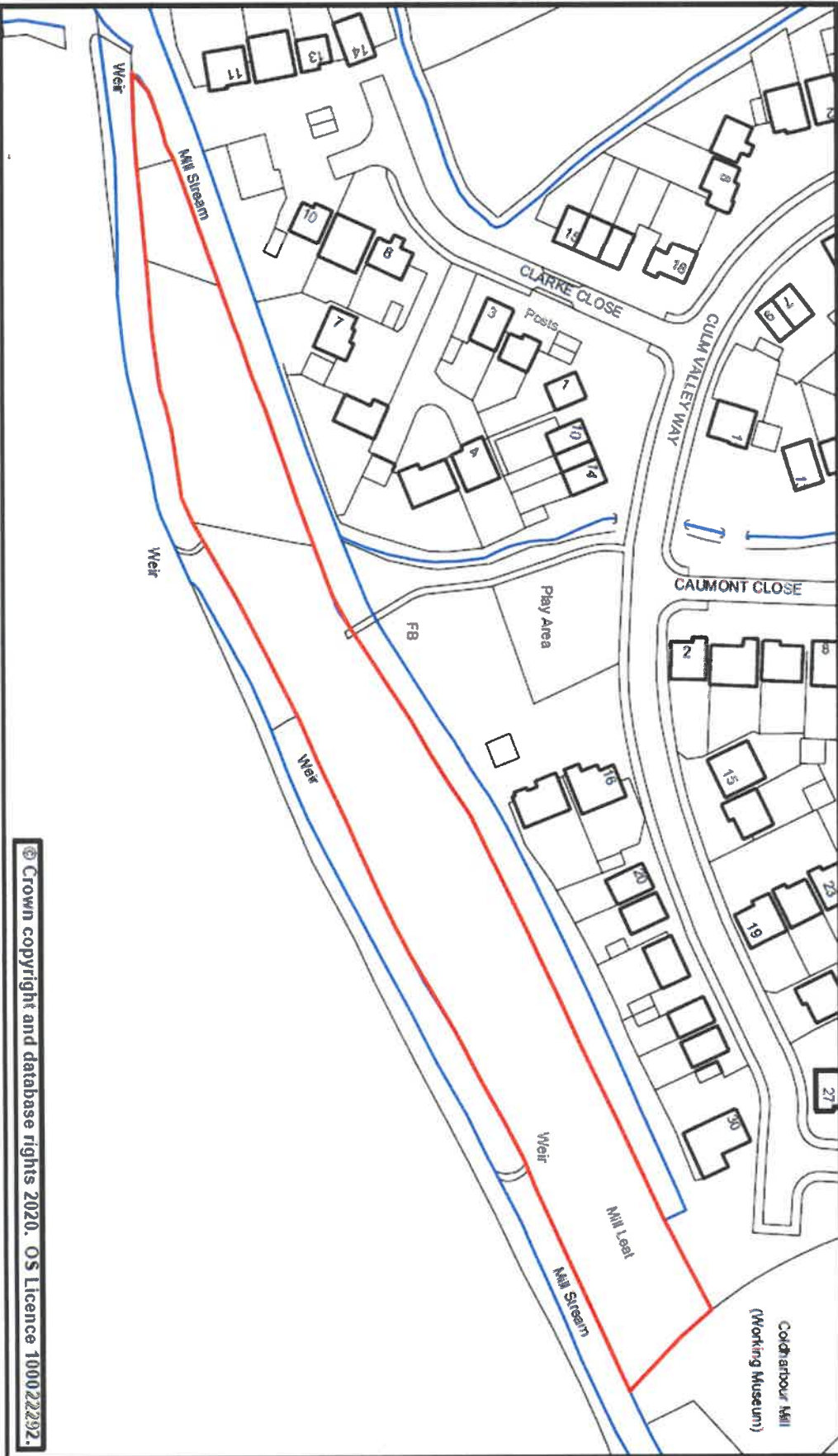


Street Scene Plan 35

Scale	1:1,087 @ A4	Date	23 January 2020
Dwg. No.	Culm Valley, Uffculme	Produced by	GMS Unit

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Street Scene Plan 36

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Forcefield Road, Cullompton	Produced by	GMS Unit

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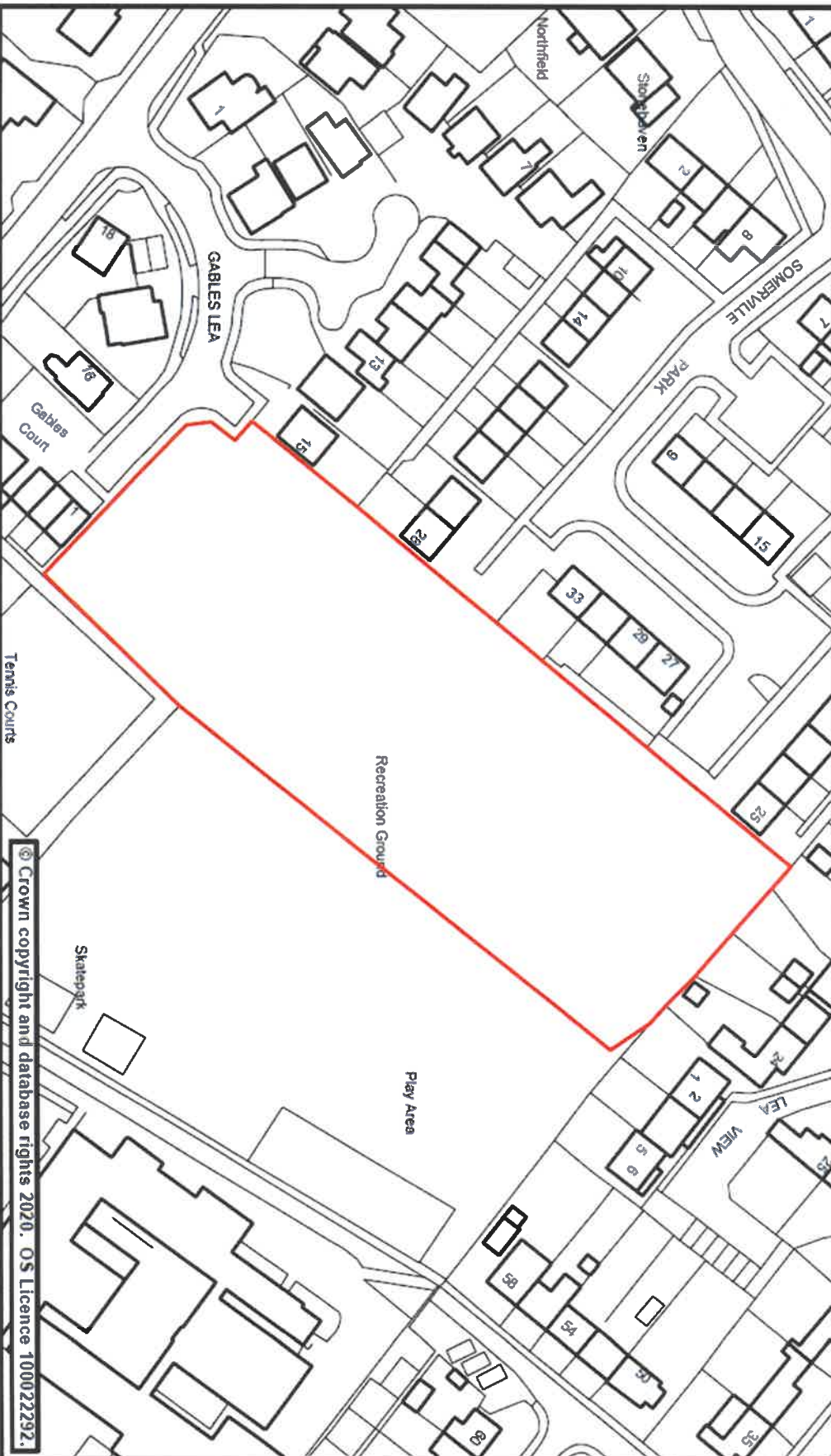


Street Scene Plan 37

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Gables Lea, Willand	Produced by	GMS Unit

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Street Scene Plan 38

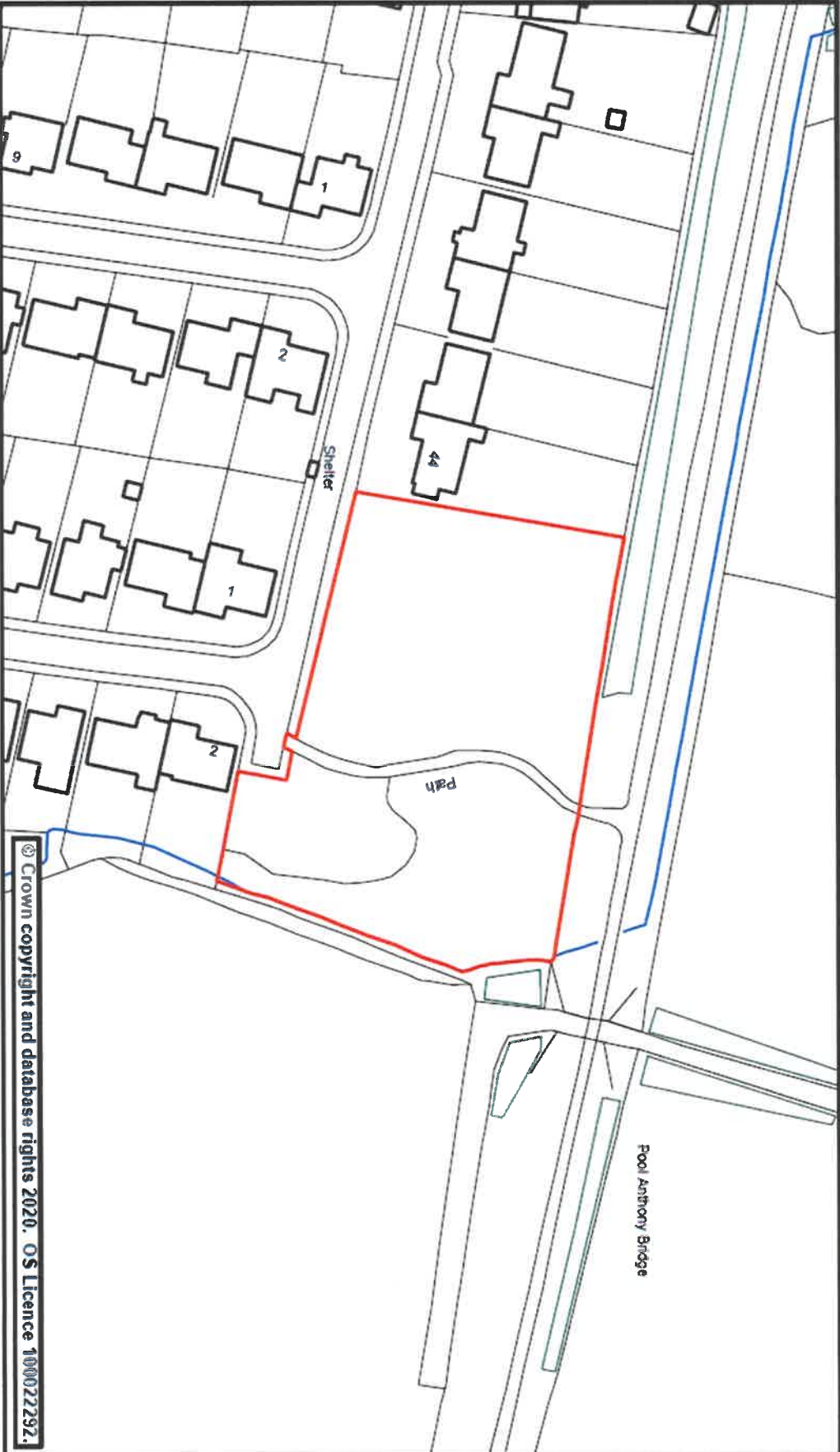
Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Glebelands Road, Tiverton	Produced by	GMS Unit

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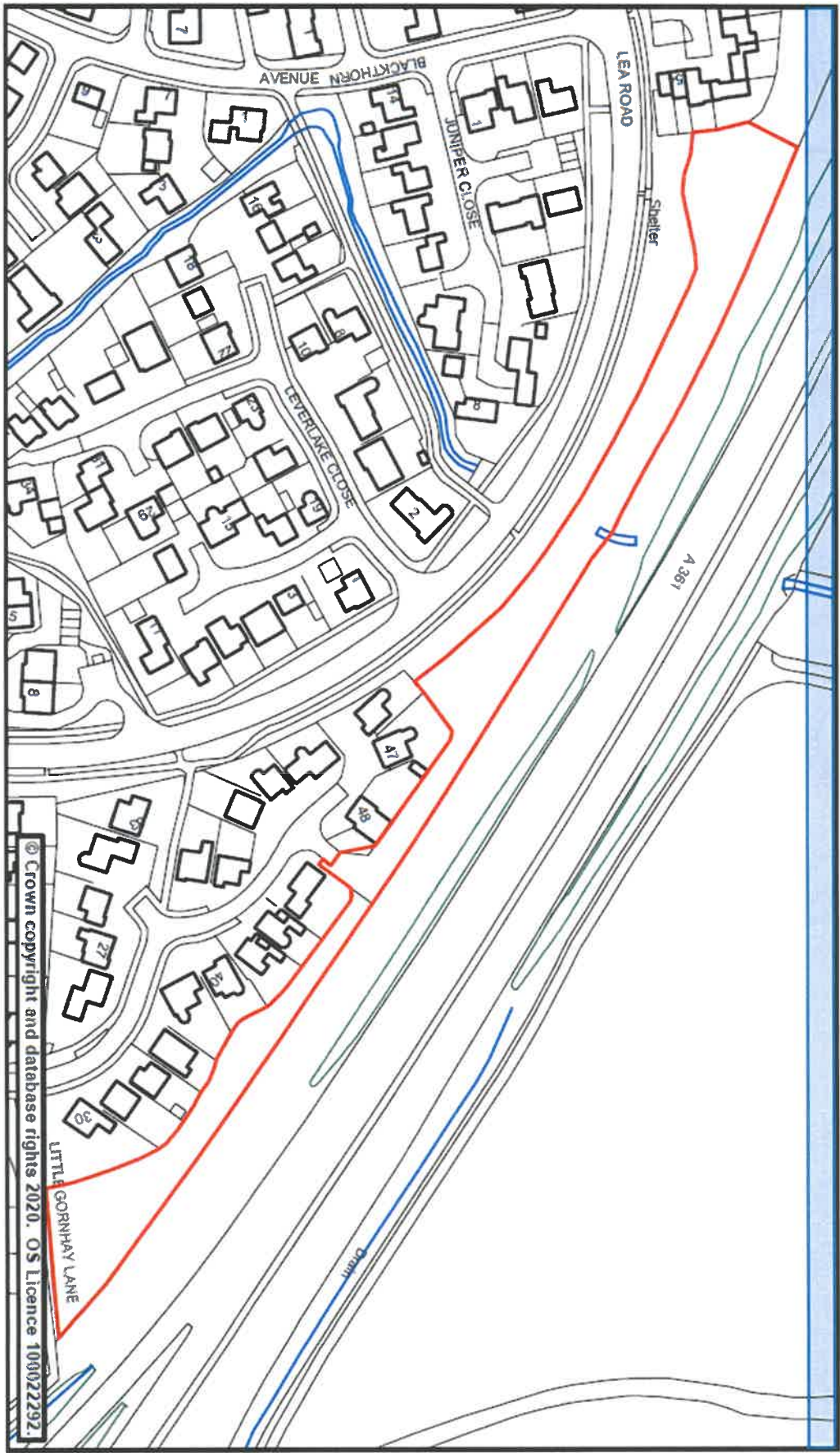


Street Scene Plan 39

Scale	1:1,508 @ A4	Date	23 January 2020
Dwg. No.	Gornhay Lane, Tiverton	Produced by	GMS Unit

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Street Scene Plan 40

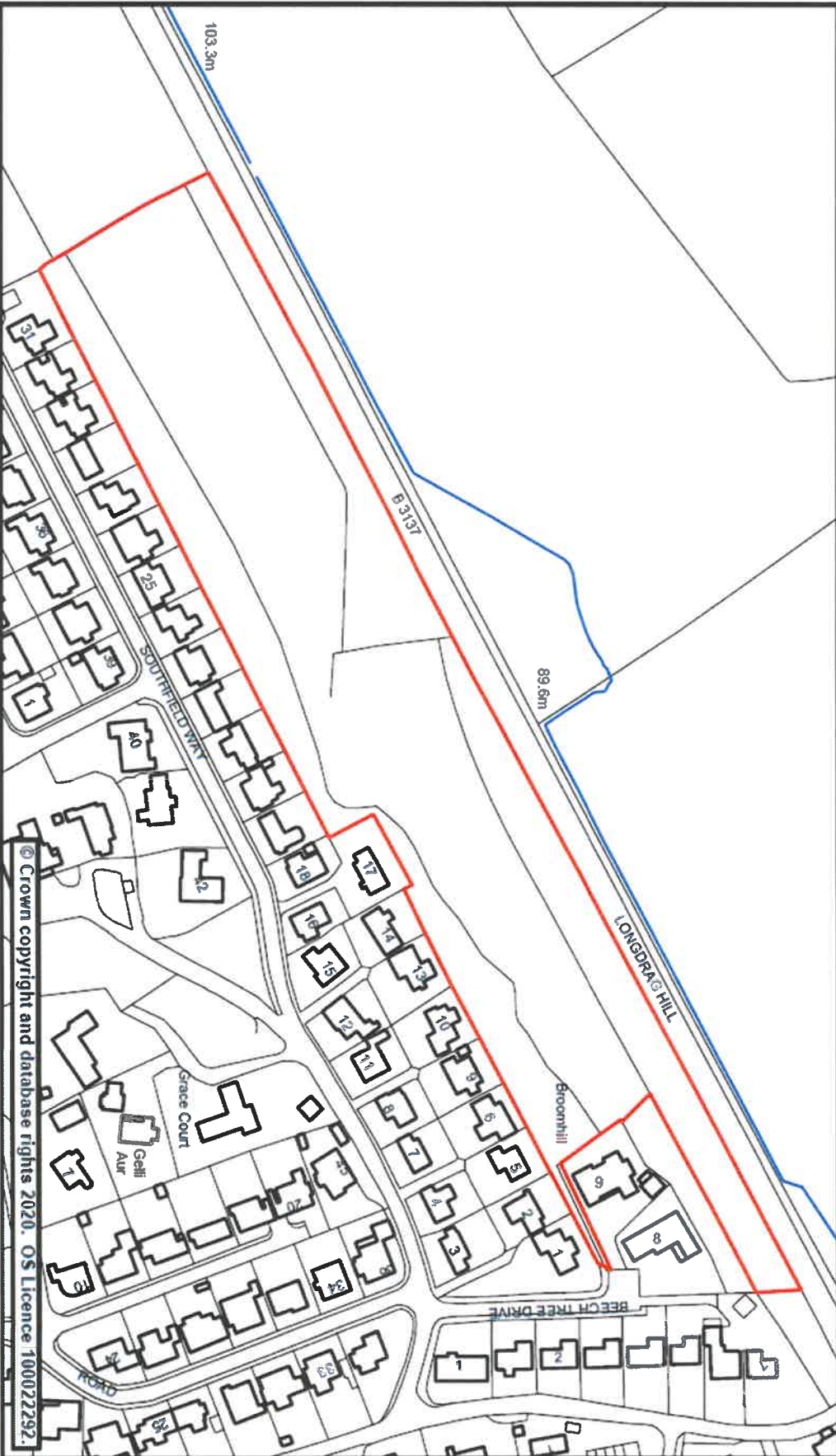
Scale	1:1,689 @ A4	Date	23 January 2020
Dwg. No.	Graters Copse, Tiverton	Produced by	GMS Unit

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Street Scene Plan 4-1

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Great Close, Culmstock	Produced by	GMS Unit

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Website: www.middevon.gov.uk





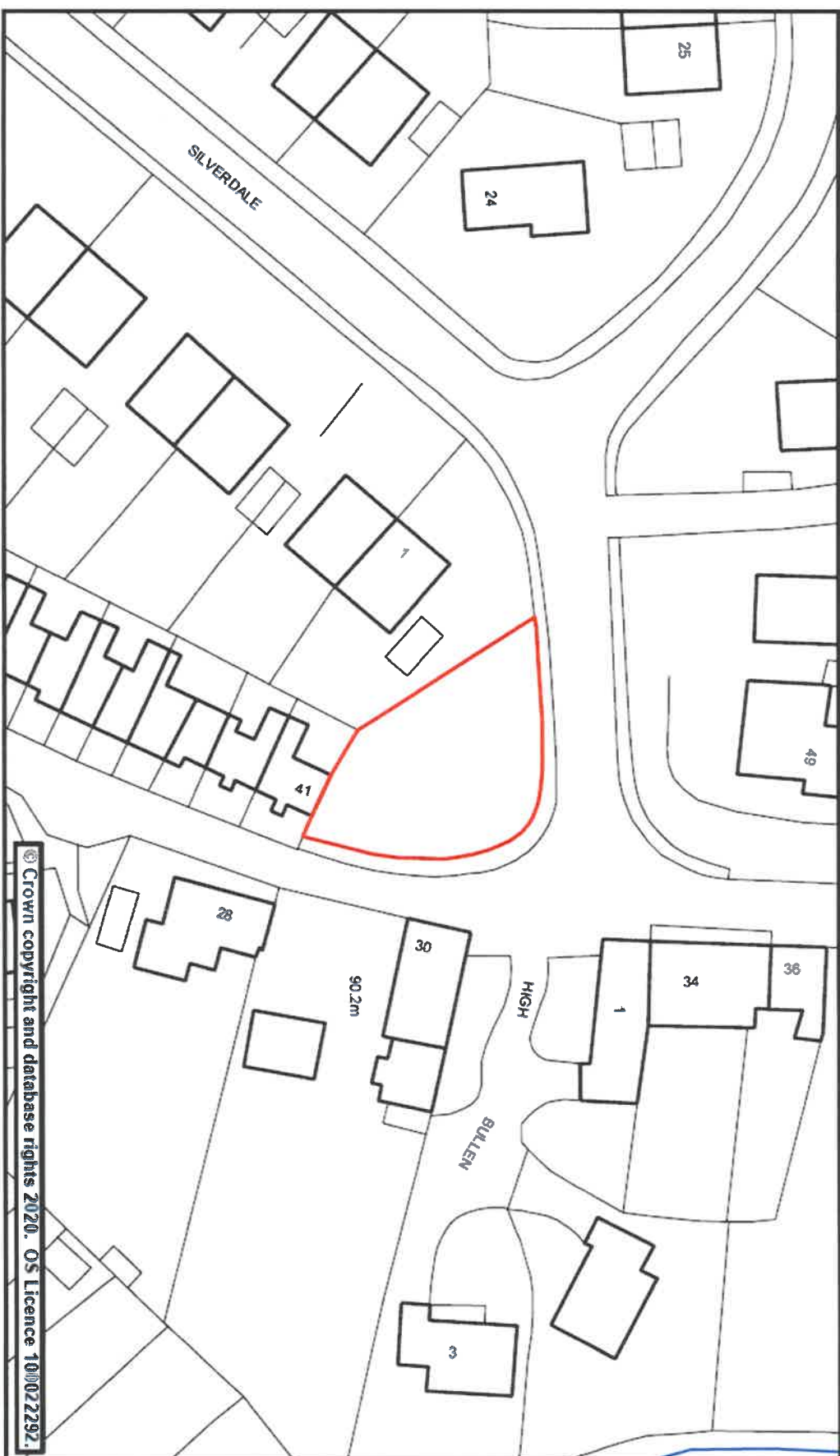
Street Scene Plan 4-2

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	High Bullen, Silverton	Produced by	GMS Unit

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Street Scene Plan 43

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Landunvez Place, Bradninch	Produced by	GMS Unit

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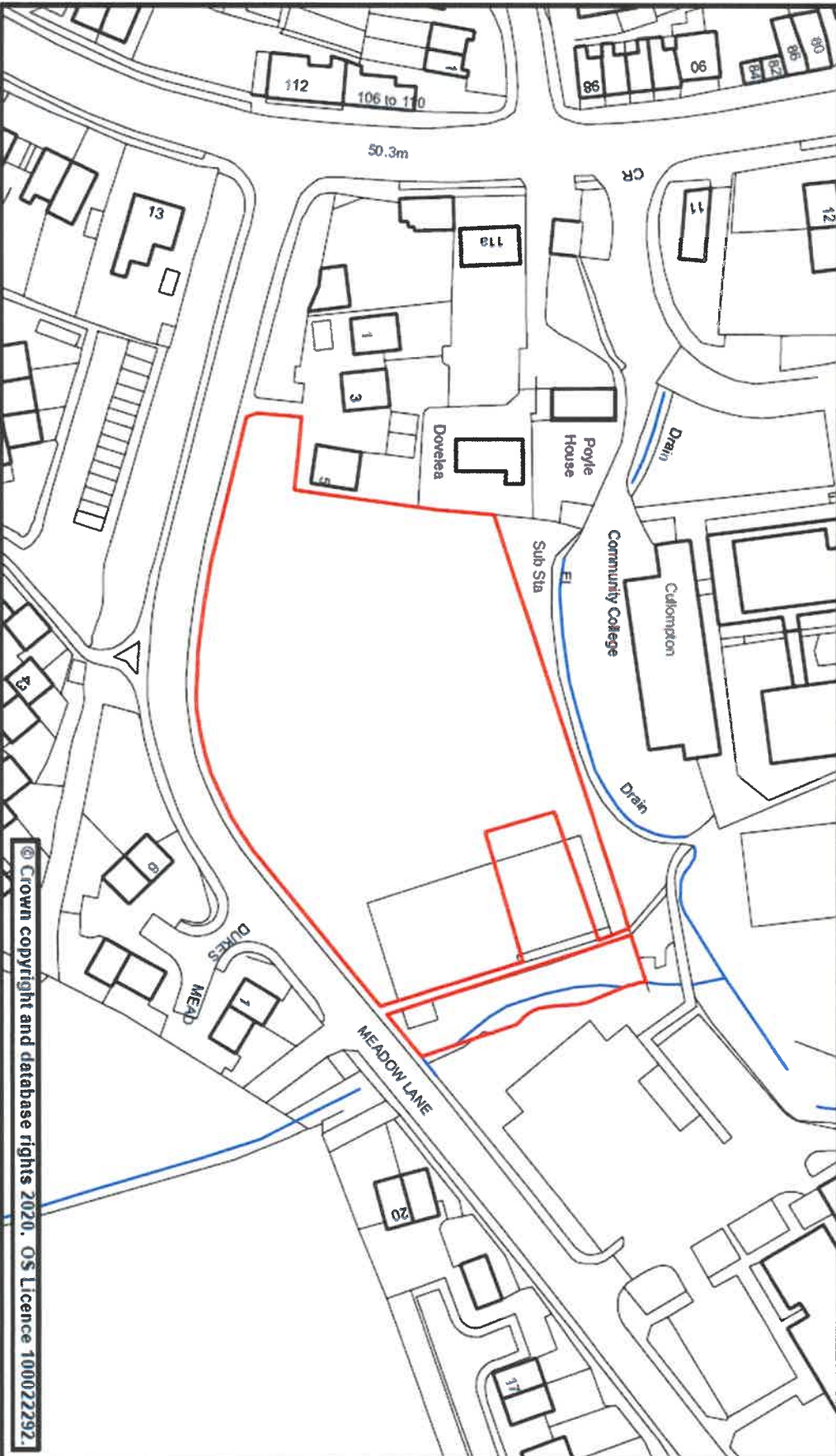
Street Scene Plan 44

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Meadow Lane, Cullompton	Produced by	GMS Unit

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Website: www.middevon.gov.uk

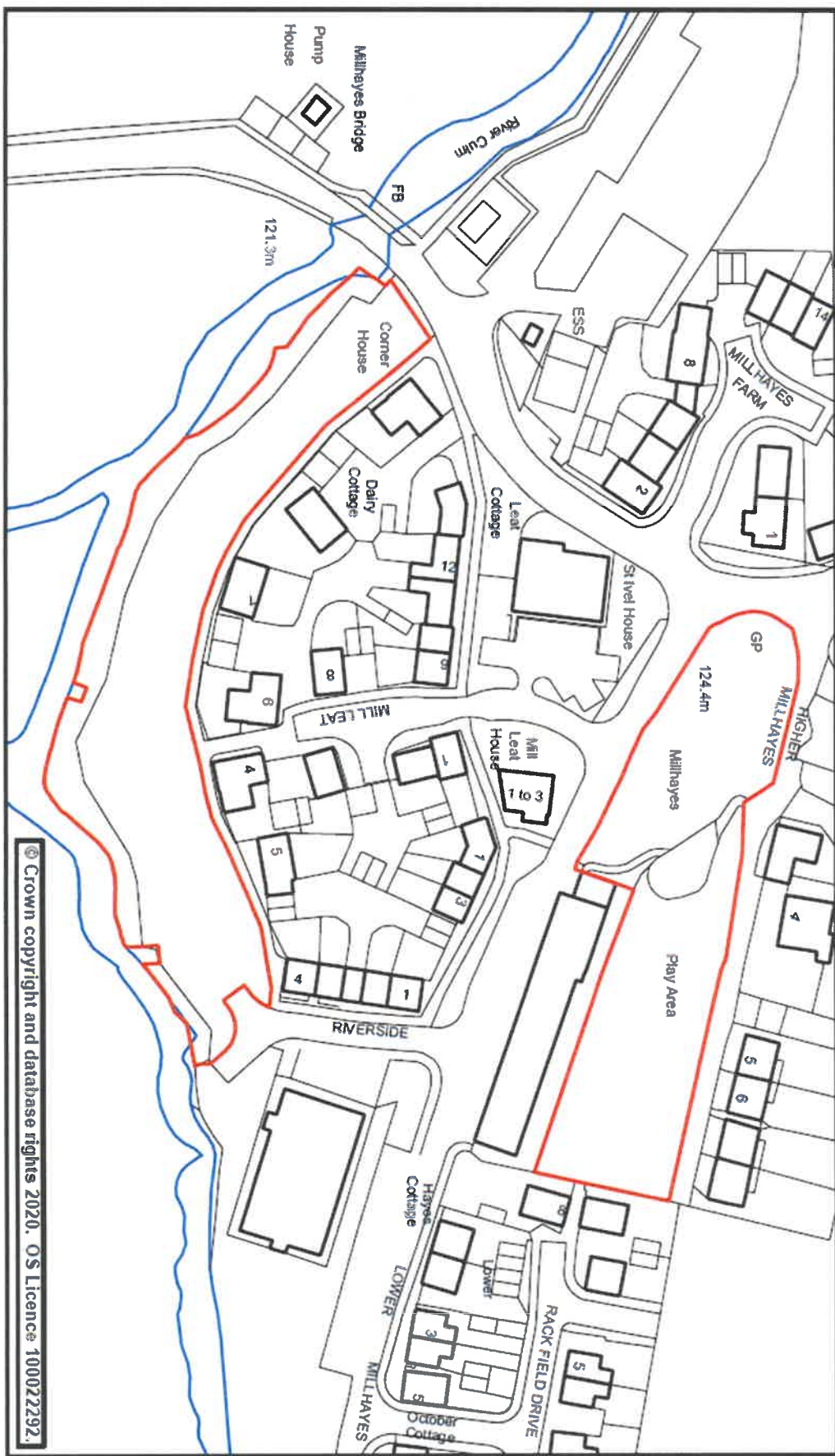




Street Scene Plan 45

Scale	1:1,009 @ A4	Date	23 January 2020
Org. No.	Millhayes Meadows, Hemmock	Produced by	GMS Unit

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Street Scene Plan 46

Scale	1:1,071 @ A4	Date	23 January 2020
Dwg. No.	Mounbatten Road, Tiverton	Produced by	GMS Unit

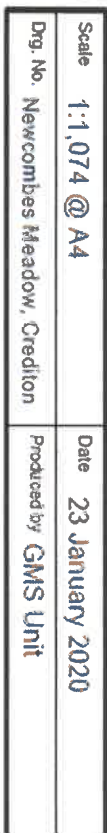
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Street Scene Plan 48

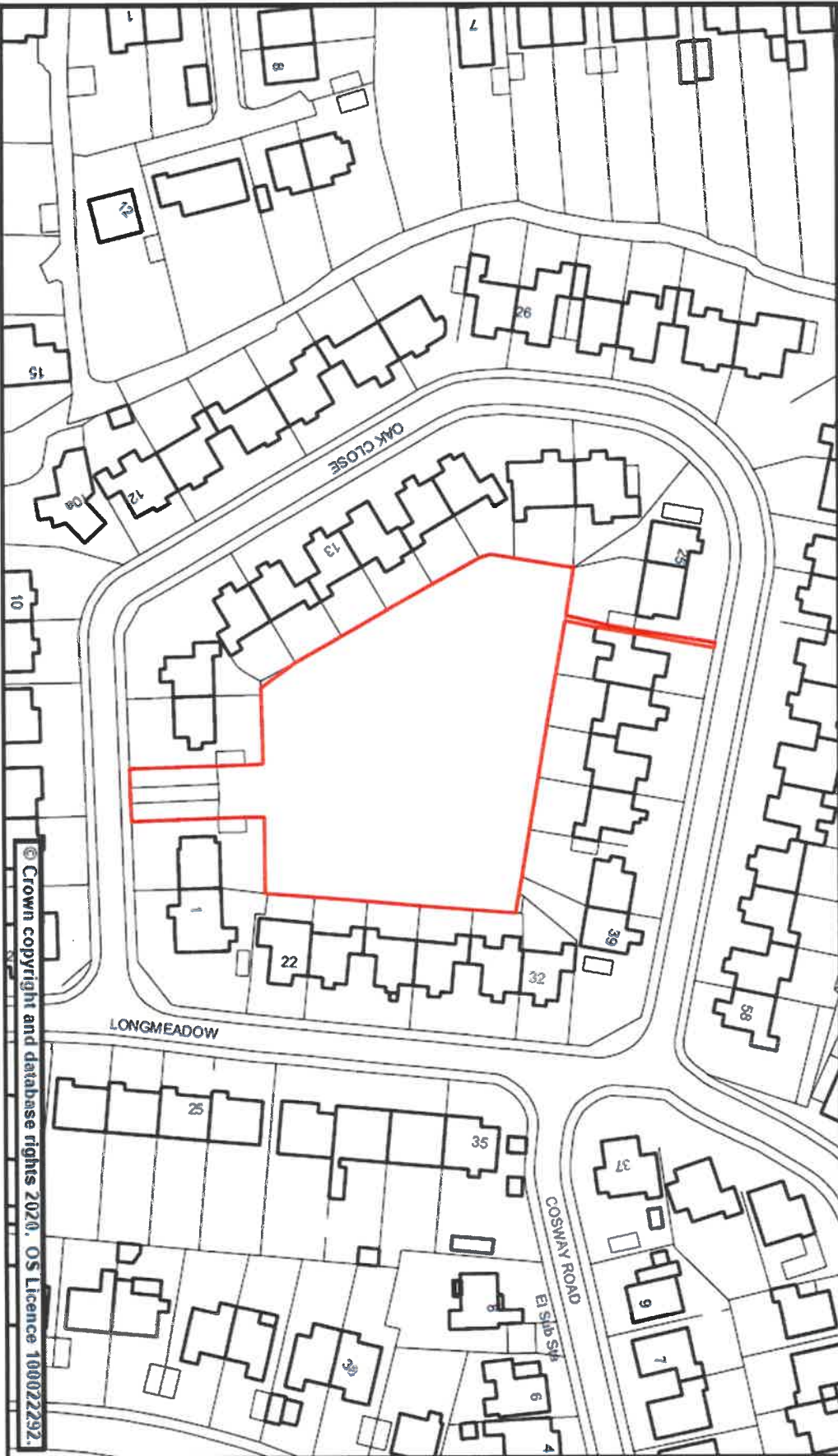
Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Oak Close, Tiverton	Produced by	GMS Unit

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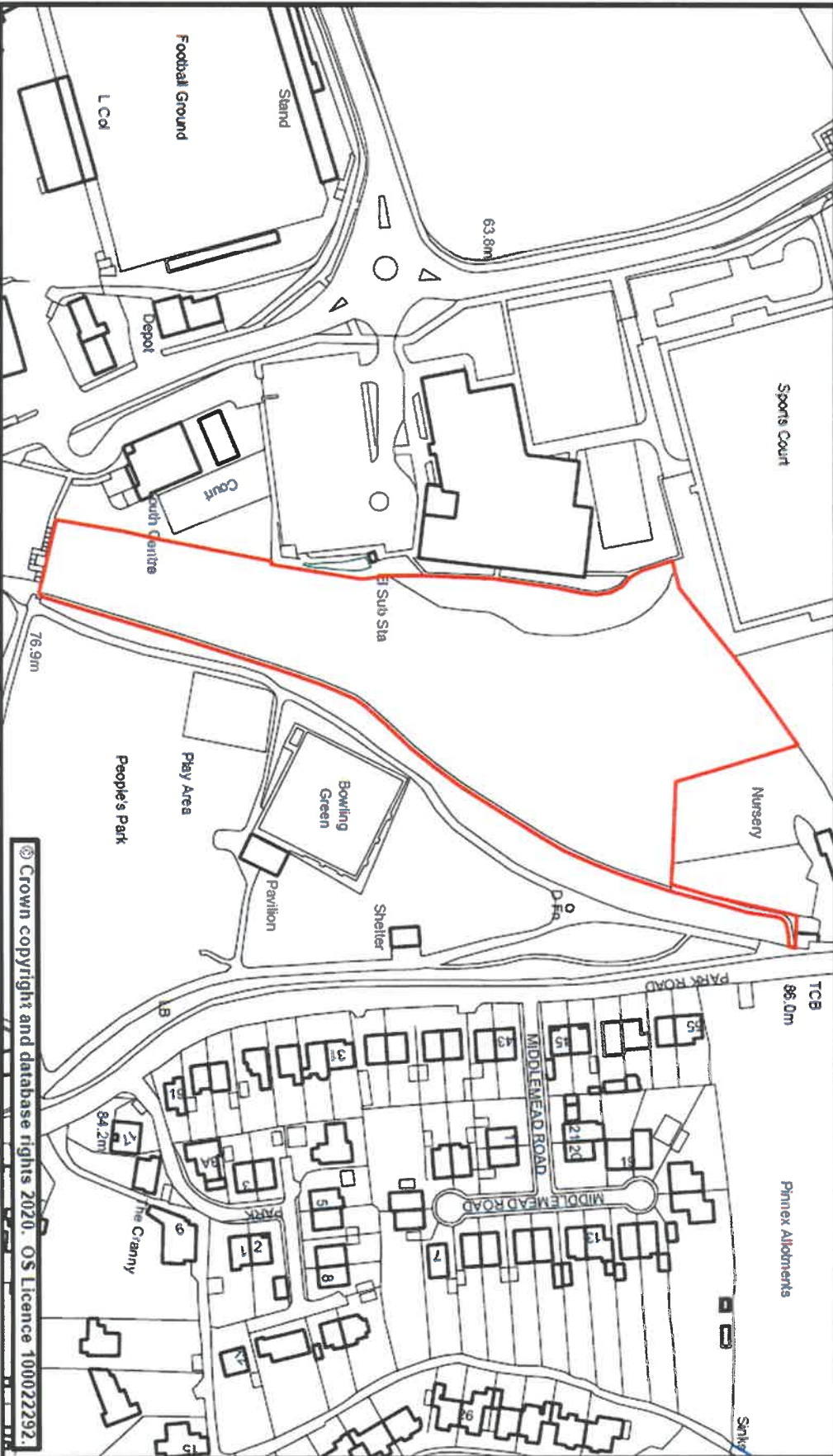


Street Scene Plan 49

Scale	1:1,768 @ A4	Date	23 January 2020
Dwg. No.	Old Park, Tiverton	Produced by	GMS Unit

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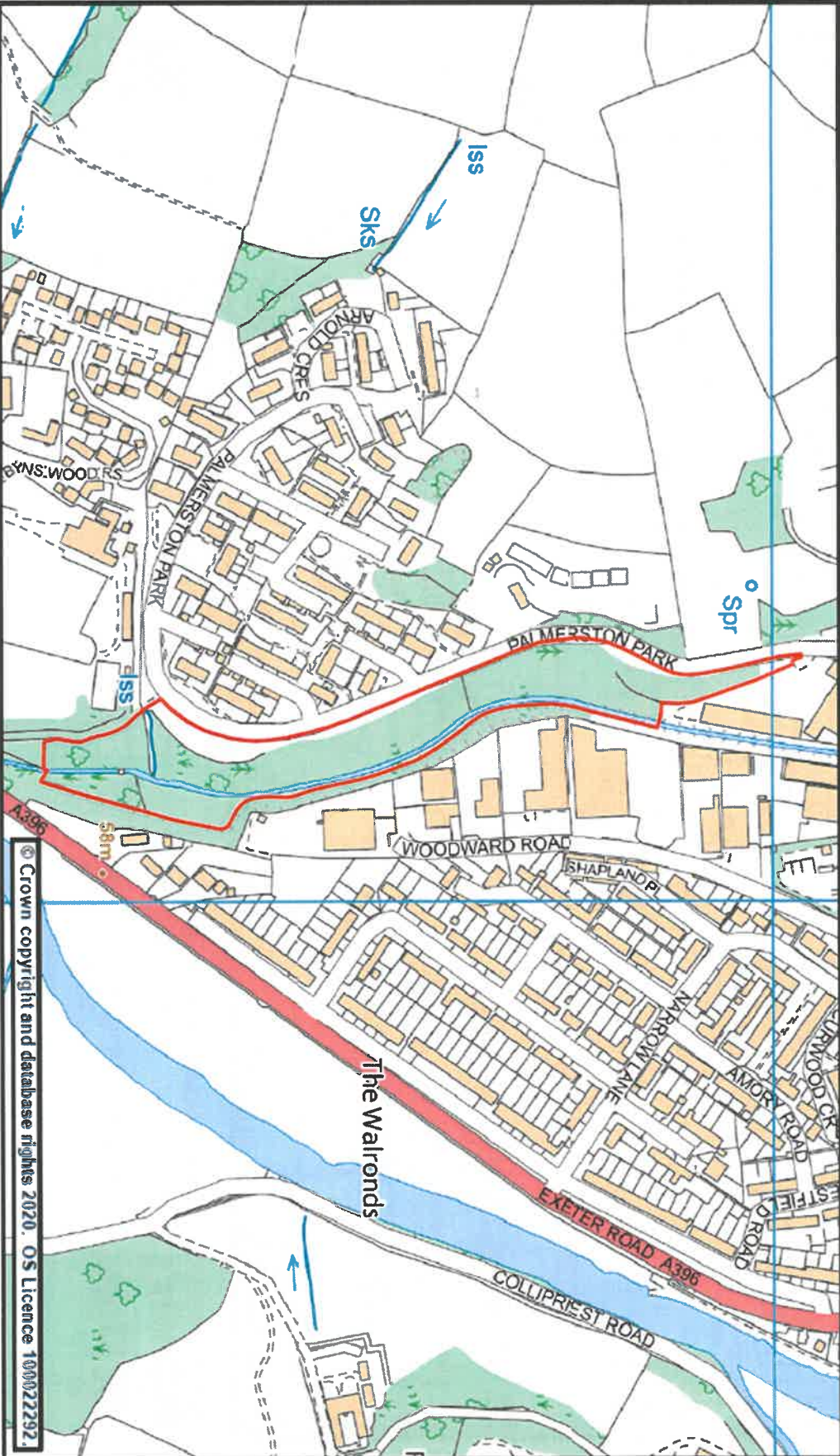




Street Scene Plan 50

Scale	1:3,595 @ A4	Date	23 January 2020
Dwg. No.	Palmerston Park Woods, Tiverton	Produced by	GMS Unit

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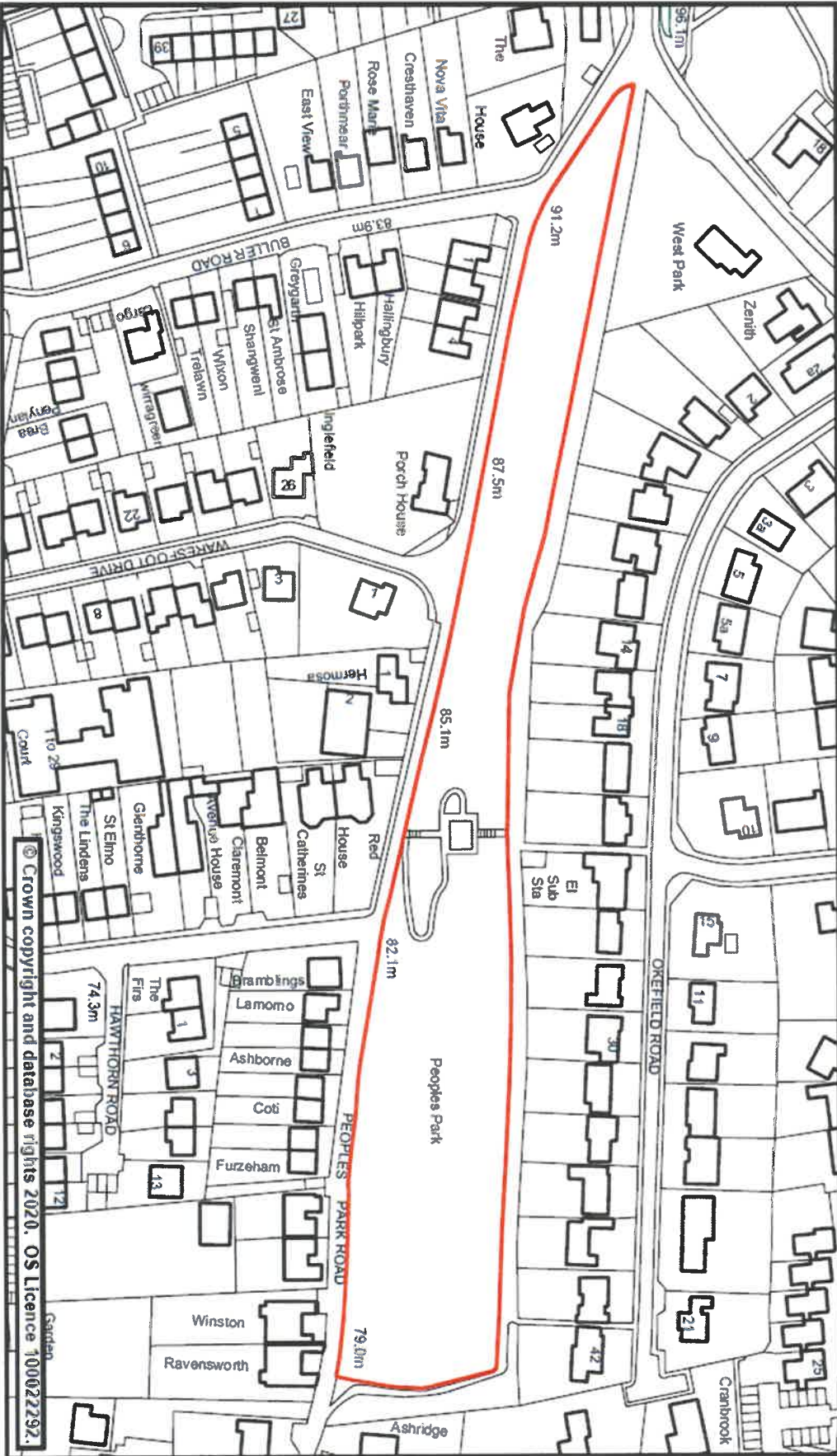


Street Scene Plan 51

Scale	1:1,488 @ A4	Date	23 January 2020
Dwg. No.	Peoples Park, Crediton	Produced by	GMS Unit

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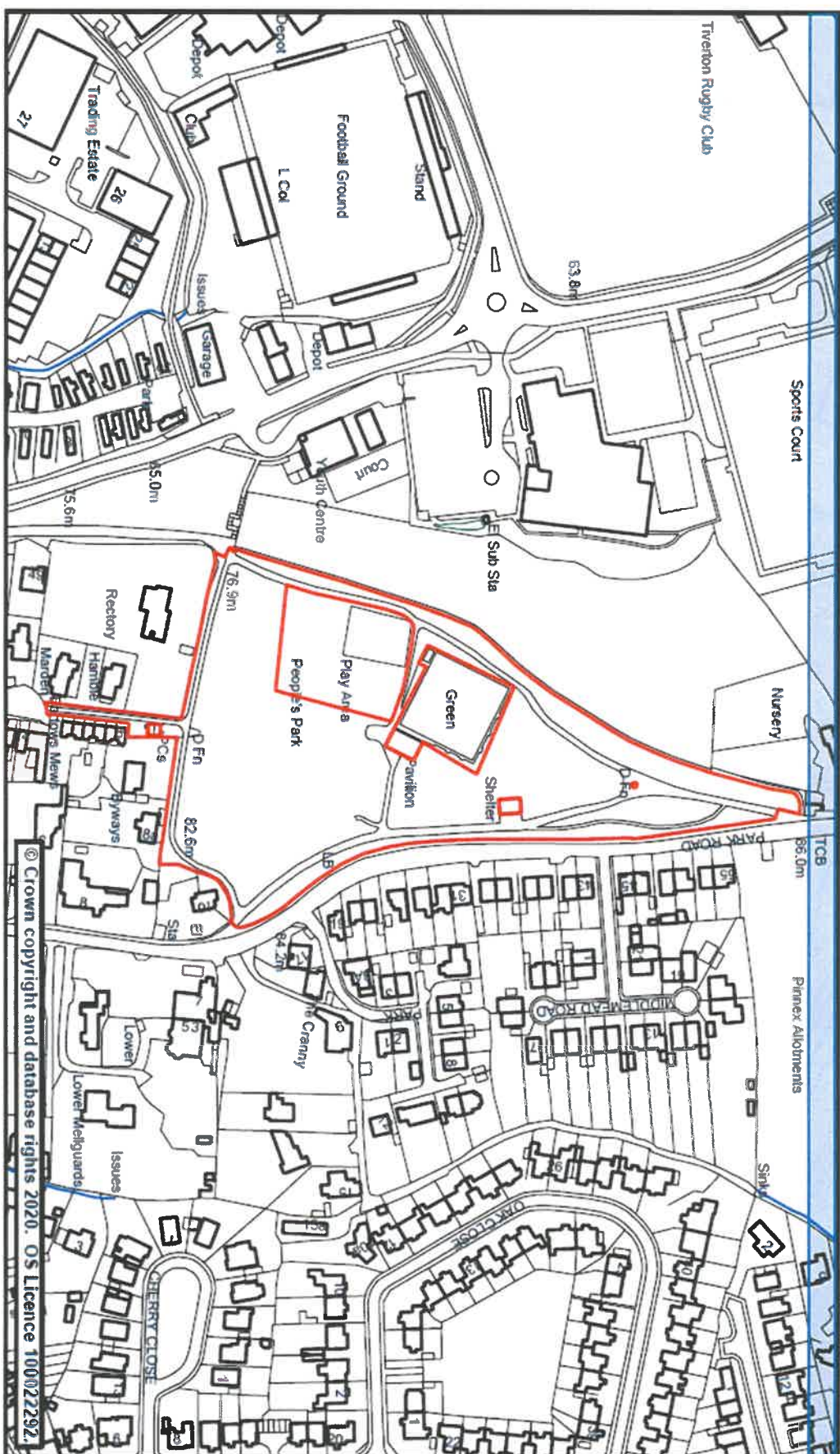




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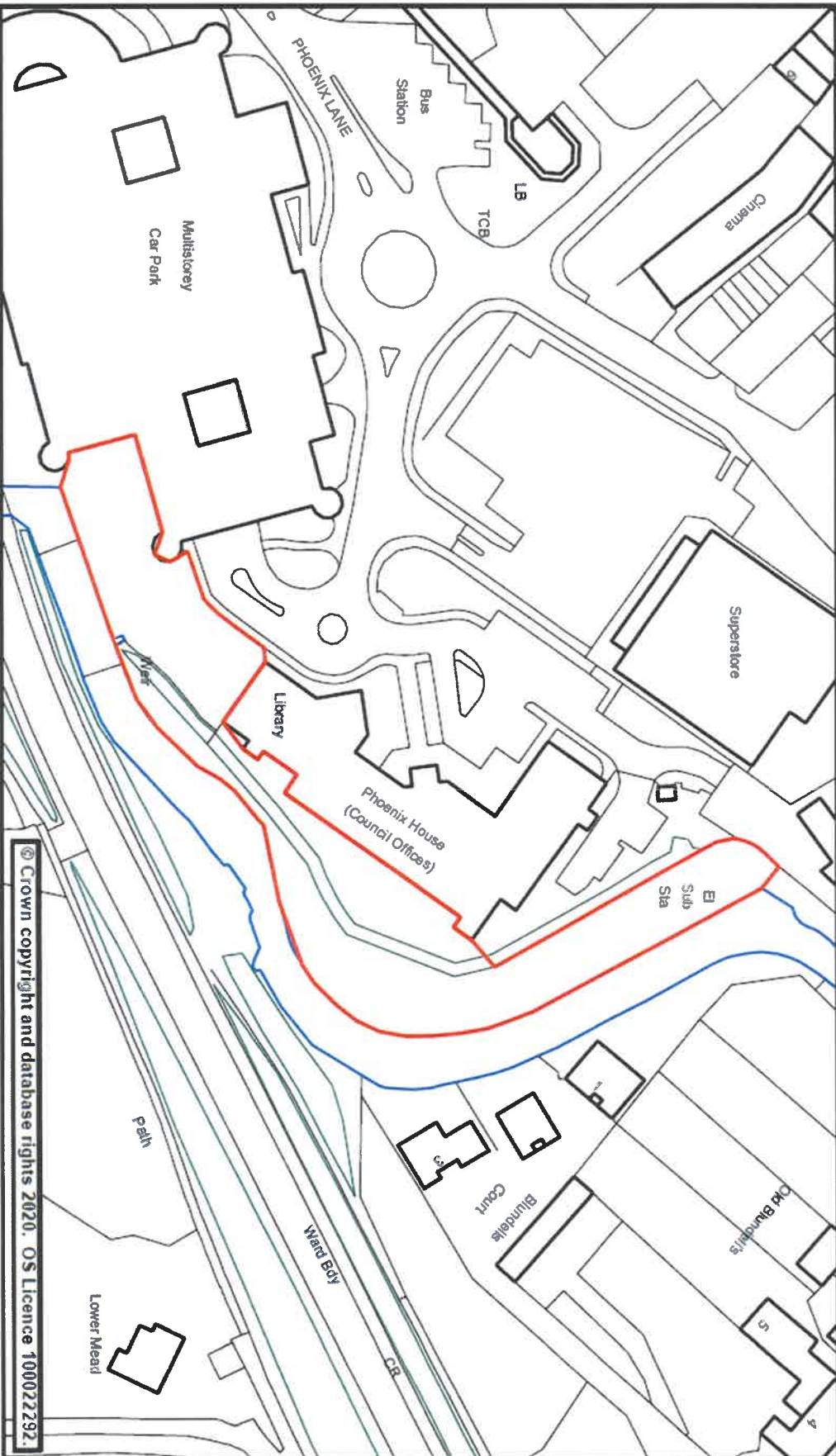


Street Scene Plan 53

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Phoenix House, Tiverton	Produced by	GMS Unit

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Street Scene Plan 54

Scale	1:1,302 @ A4	Date	23 January 2020
Dwg. No.	Queen Elizabeth Drive, Crediton		
		Produced by	GMS Unit

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Street Scene Plan 5.5

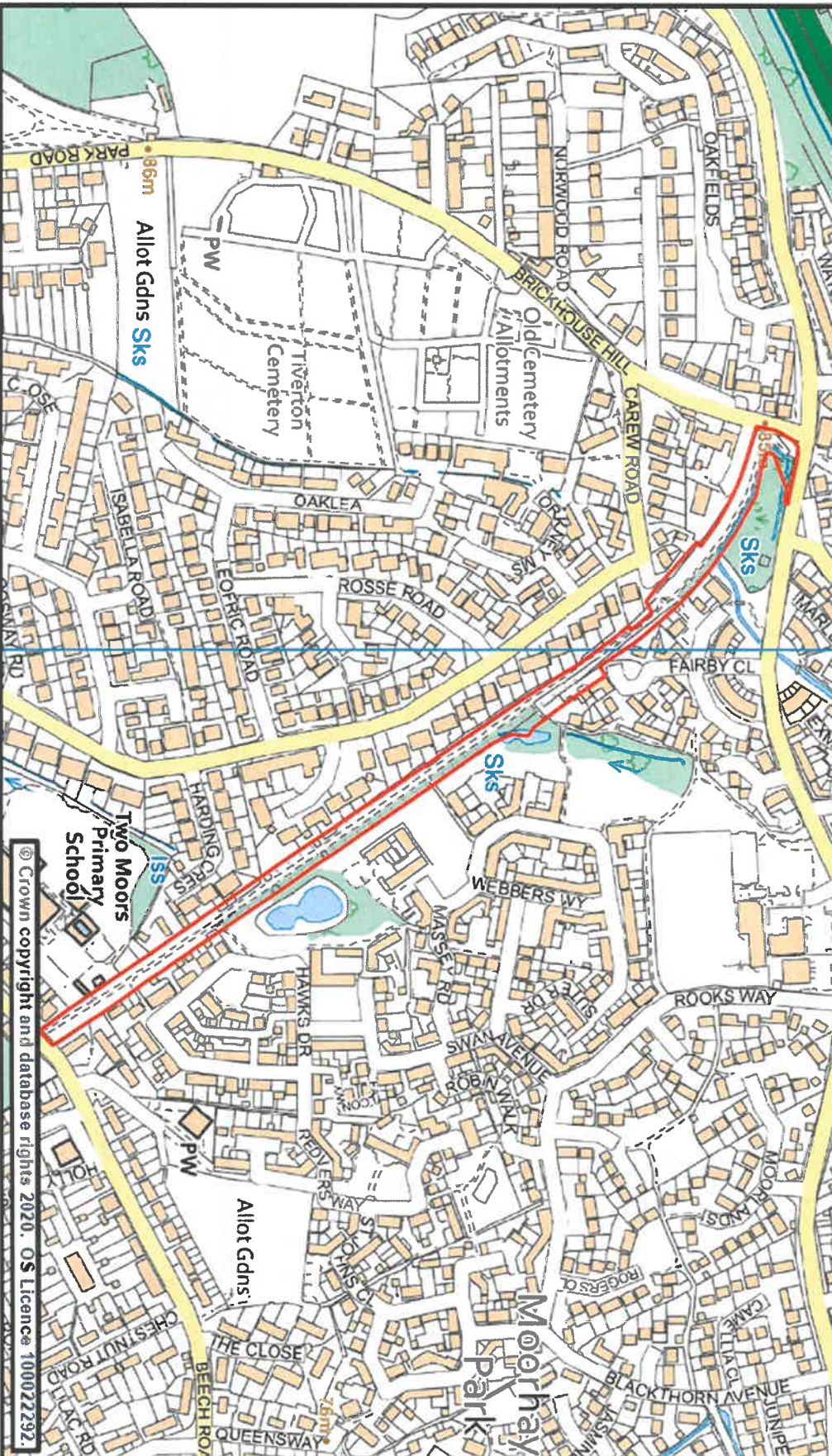
Scale	1:3,842 @ A4	Date	23 January 2020
Dwg. No.	Railway Walk, Tiverton	Produced by	GMS Unit

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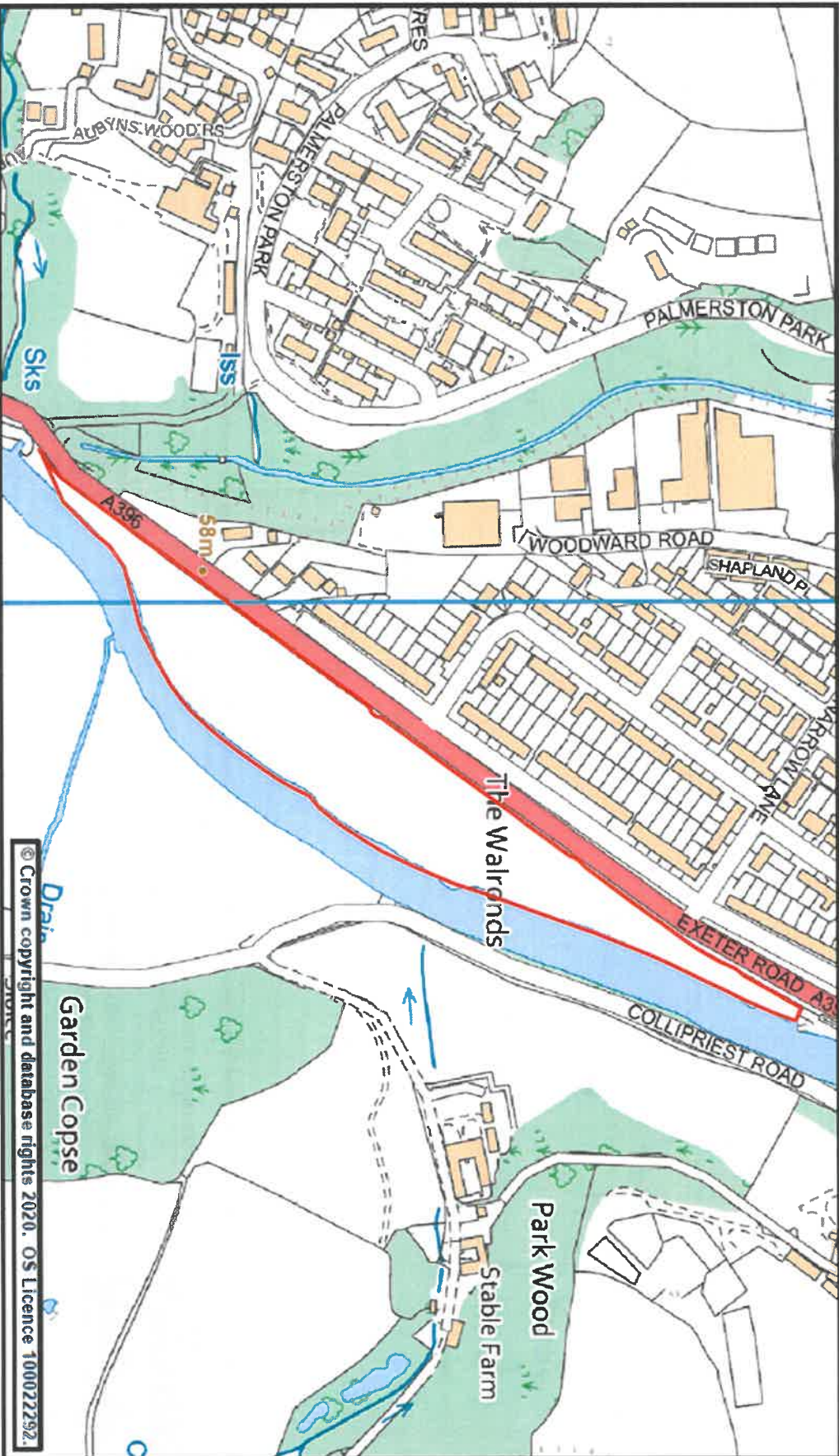
Street Scene Plan 56

Scale	1:3,287 @ A4	Date	23 January 2020
Dwg. No.	River Exe Recreation, Tiverton	Produced by	GMS Unit

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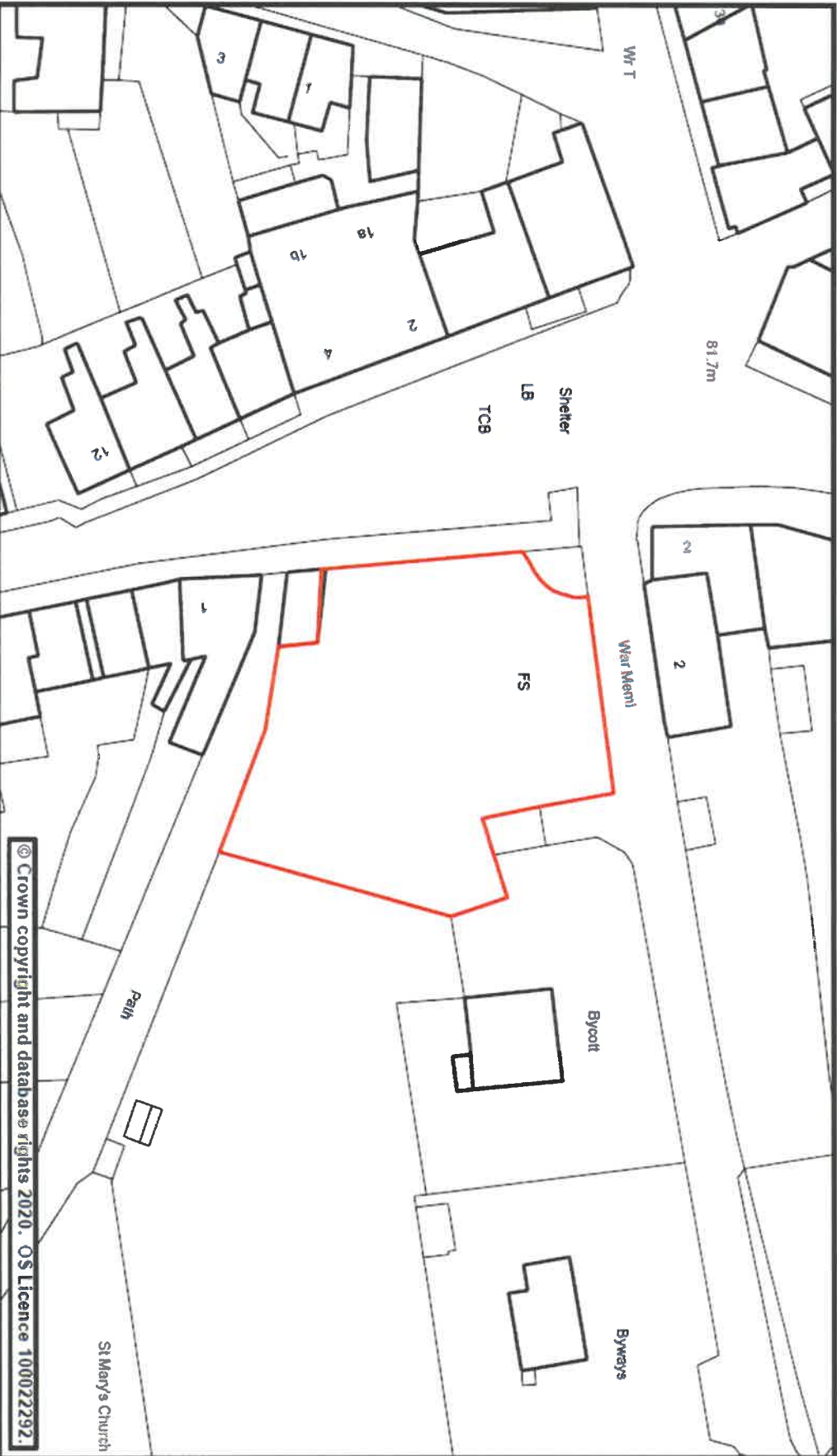
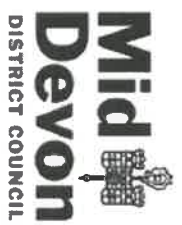
Street Scene Plan 57

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	School Road, Silverton	Produced by	GMS Unit

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Street Scene Plan 58

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Southfield Drive, Crediton	Produced by	GMS Unit

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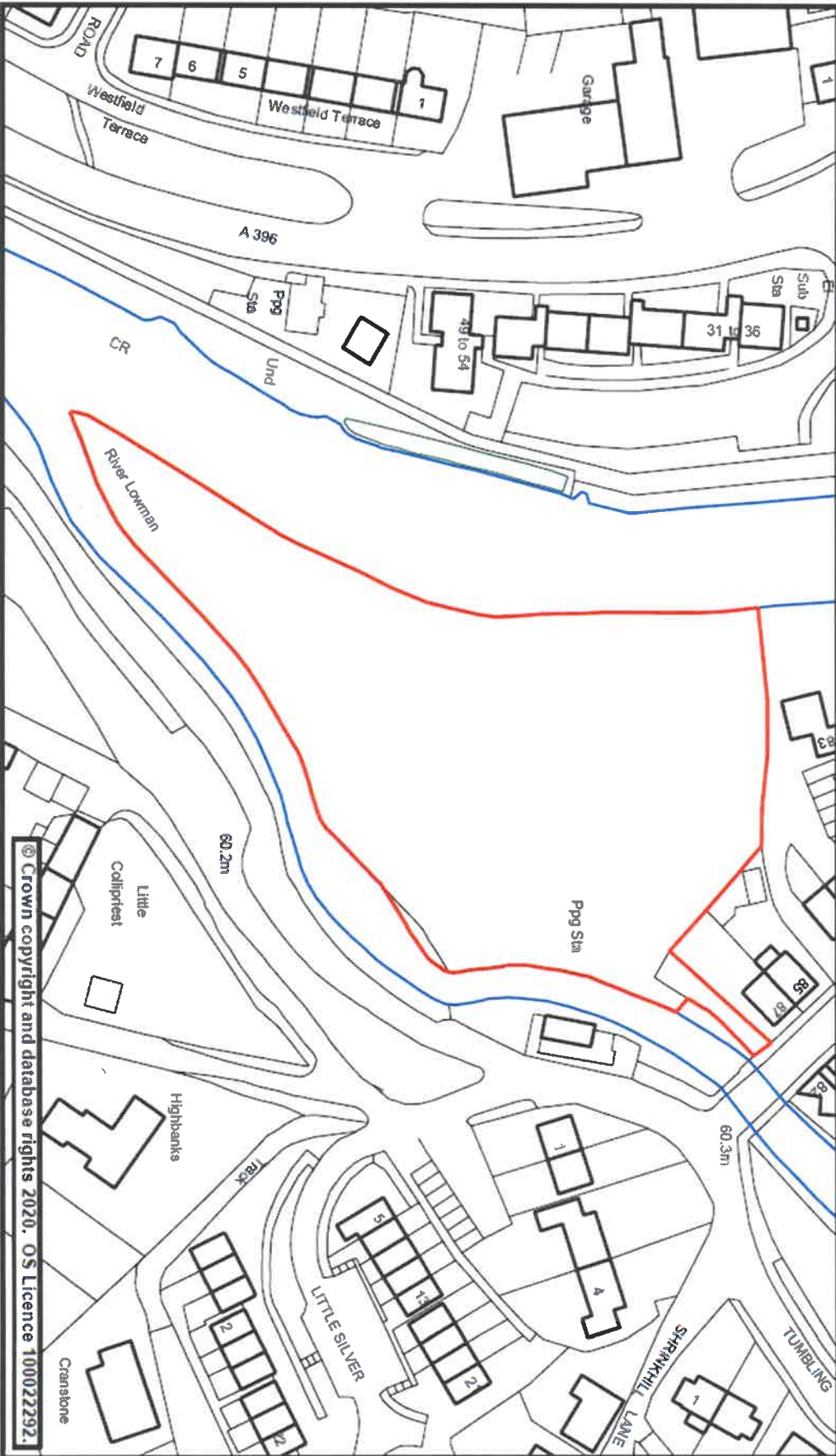


Street Scene Plan 59

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	St Andrew Street, Tiverton	Produced by	GMS Unit

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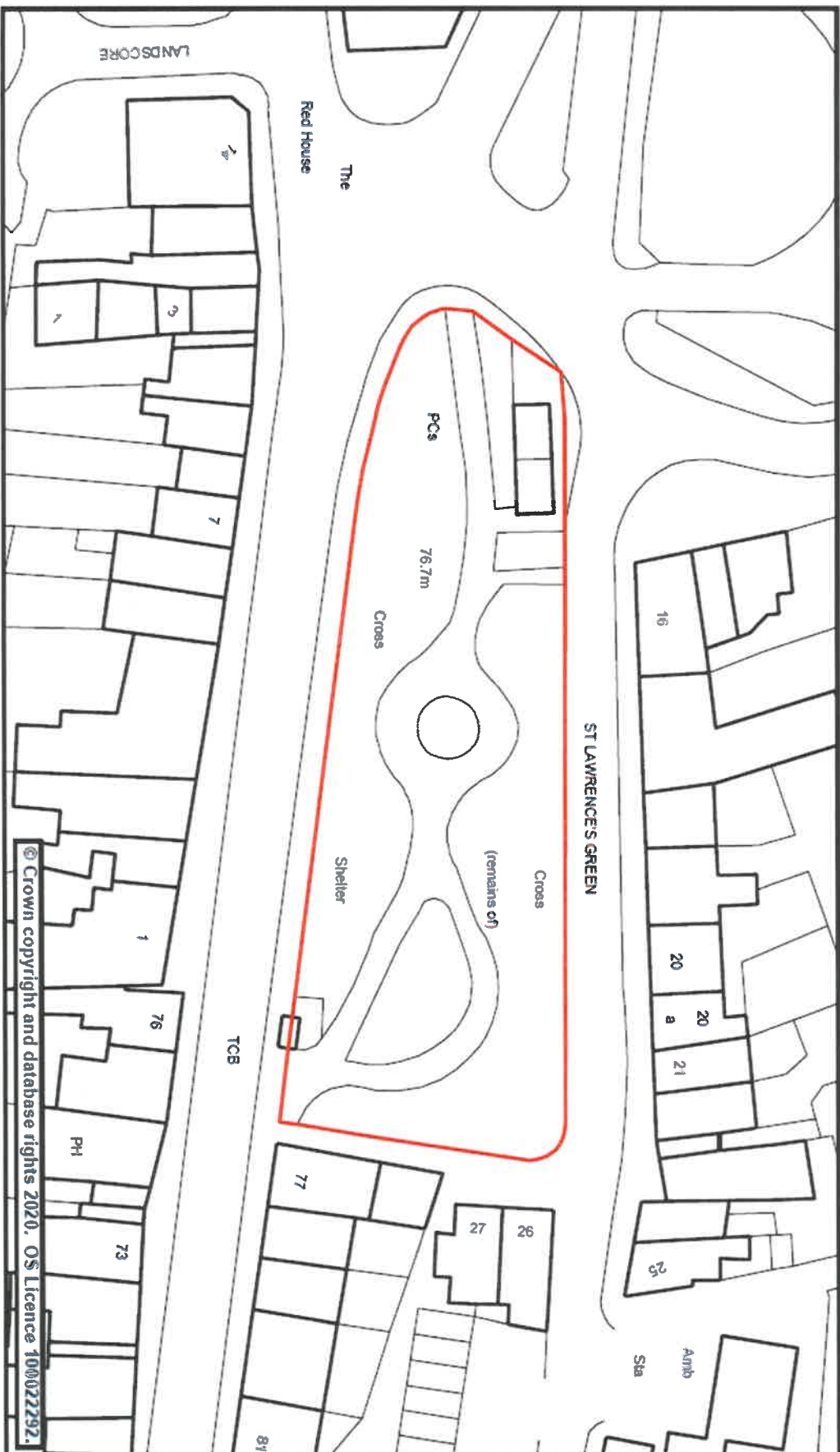
Street Scene Plan 60

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	St Lawrence's Green, Crediton	Produced by	GMS Unit

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Street Scene Plan b1

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Starkey Close, Tiverton	Produced by	GMS Unit

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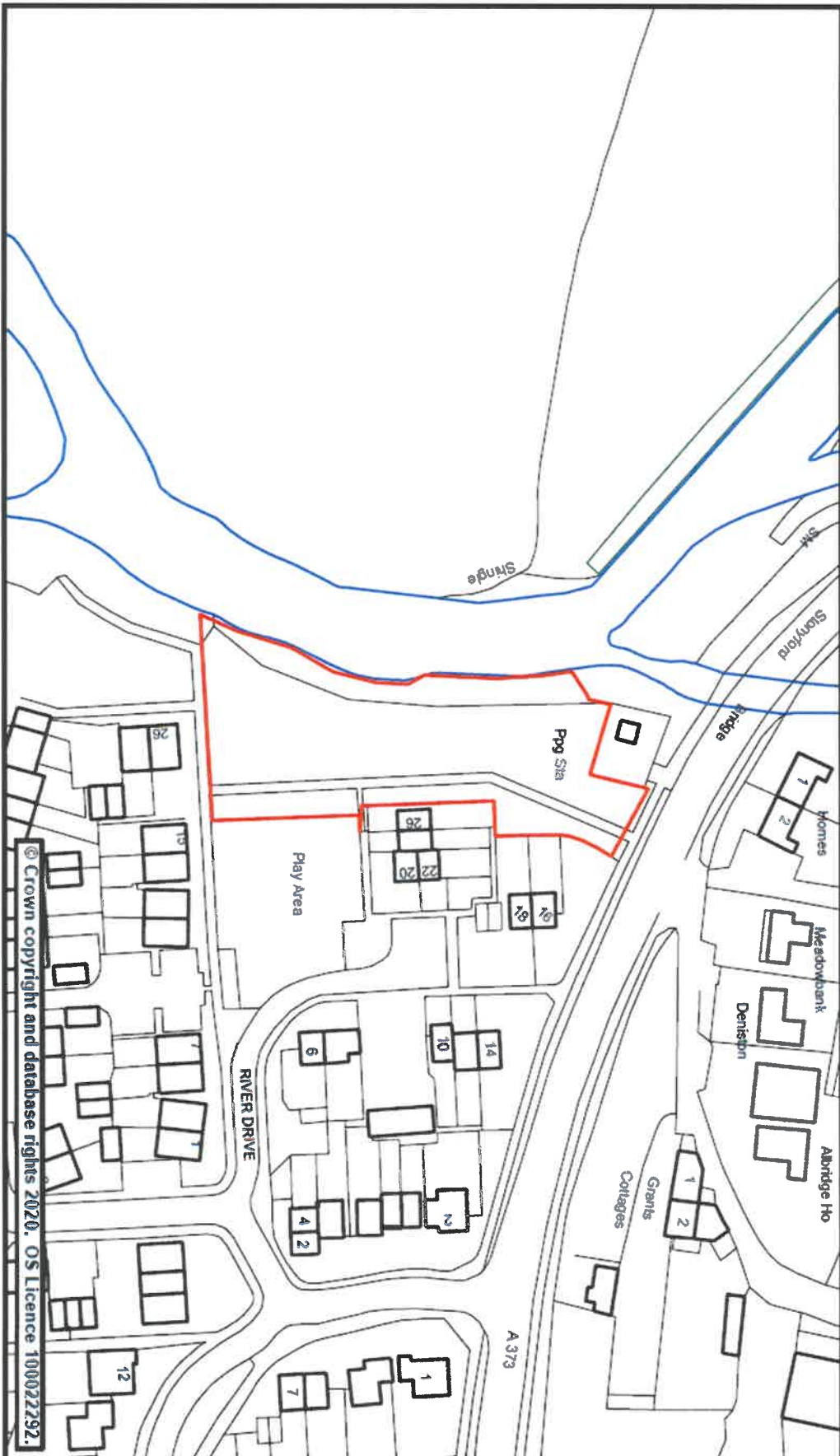
Street Scene Plan 62

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Stoneford, Culmpton	Produced by	GMS Unit

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Street Scene Plan 63

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Sycamore Close Play Area, Willand	Produced by	GMS Unit

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Street Scene Plan 64

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	The Oval, Tiverton	Produced by	GMS Unit

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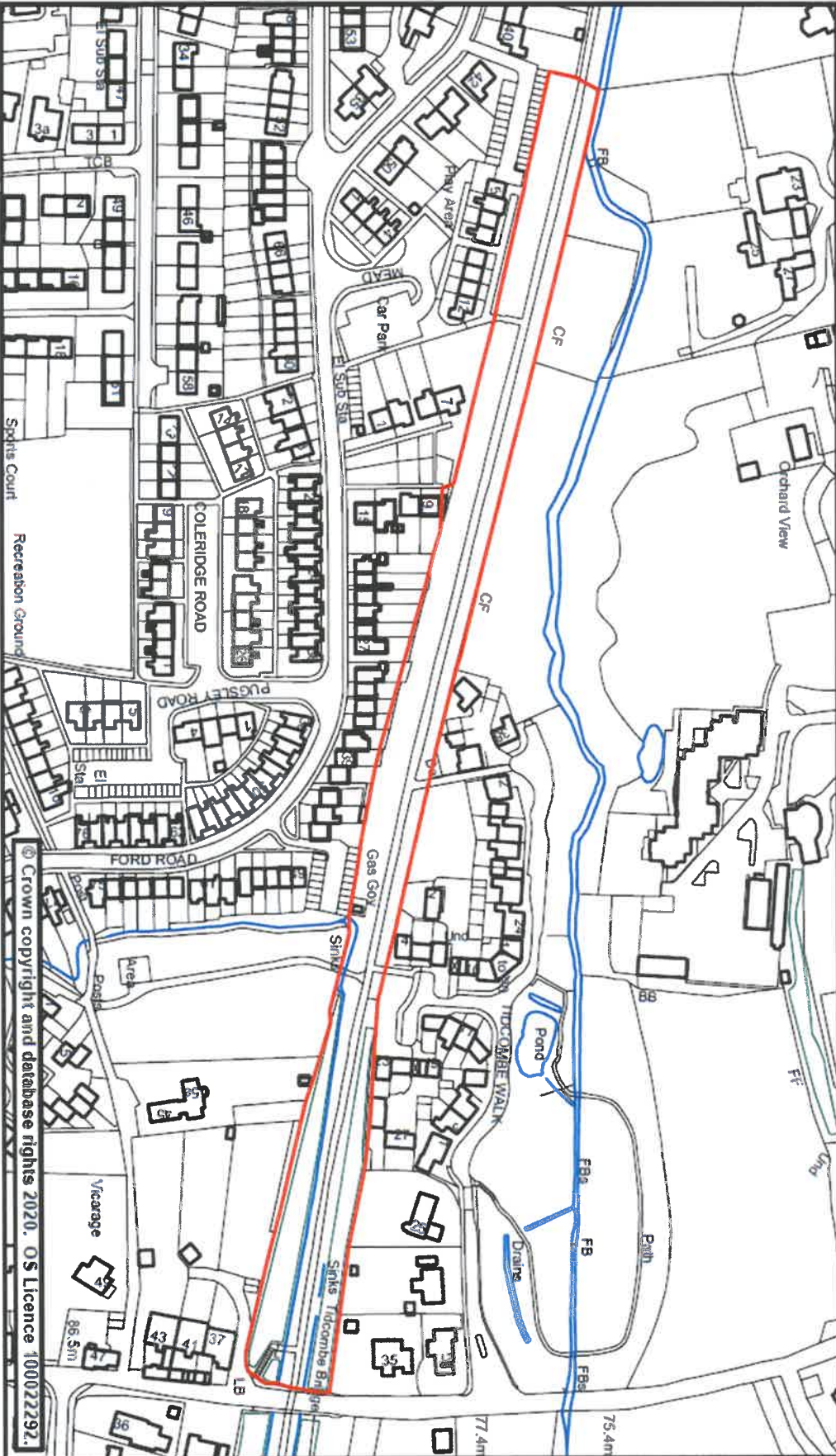
Street Scene Plan 65

Scale	1:1,962 @ A4	Date	23 January 2020
Dwg. No.	Tidcombe Railway Walk, Tiverton	Produced by	GMS Unit

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Street Scene Plan 66

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Tree Field, Tiverton	Produced by	GMS Unit

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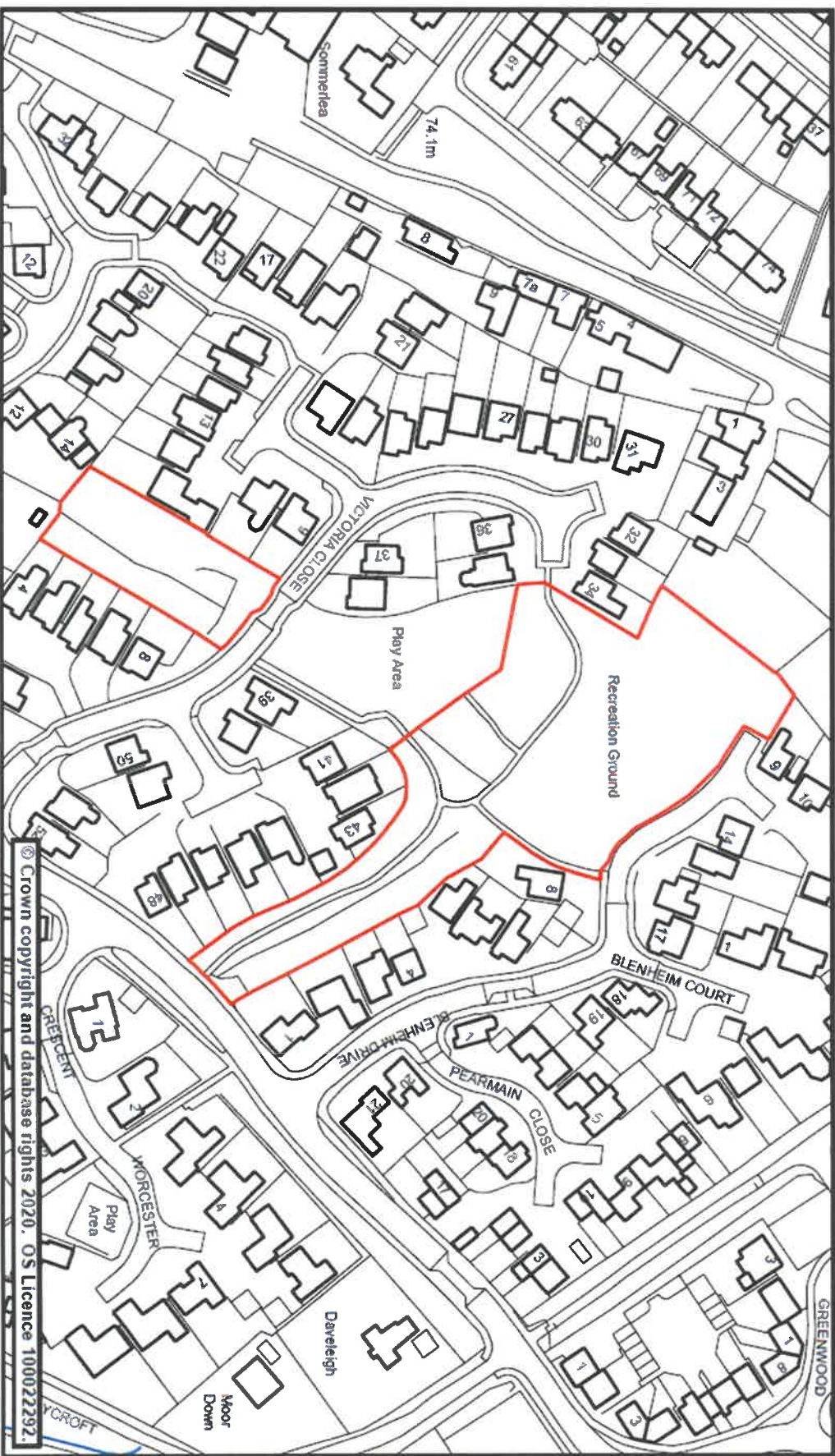
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Street Scene Plan b7

Scale	1:1,352 @ A4	Date	23 January 2020
Dr. No.	Victoria Close, Willand	Produced by	GMS Unit

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Street Scene Plan b8

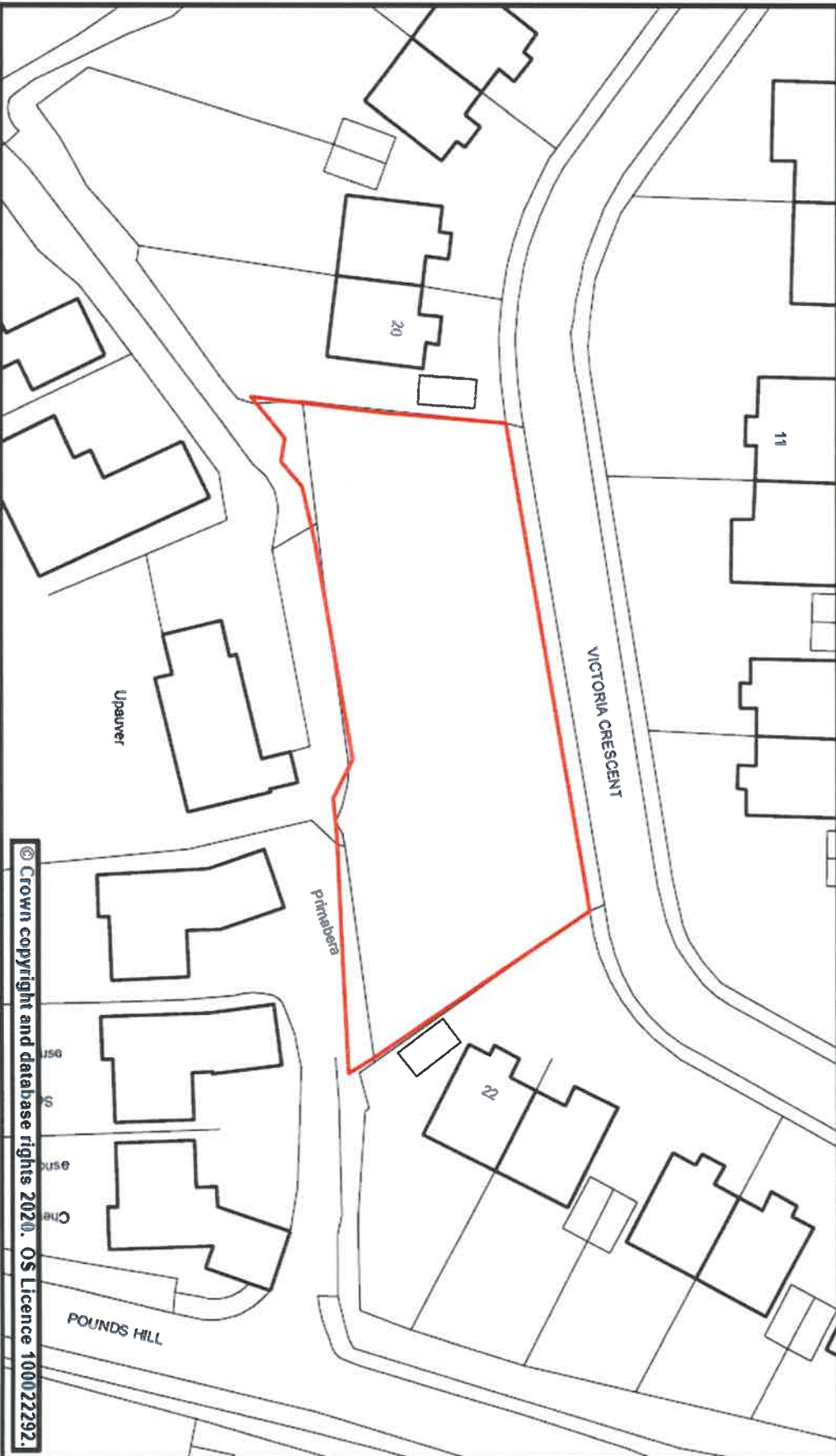
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Victoria Crescent, Crediton	Produced by	GMS Unit

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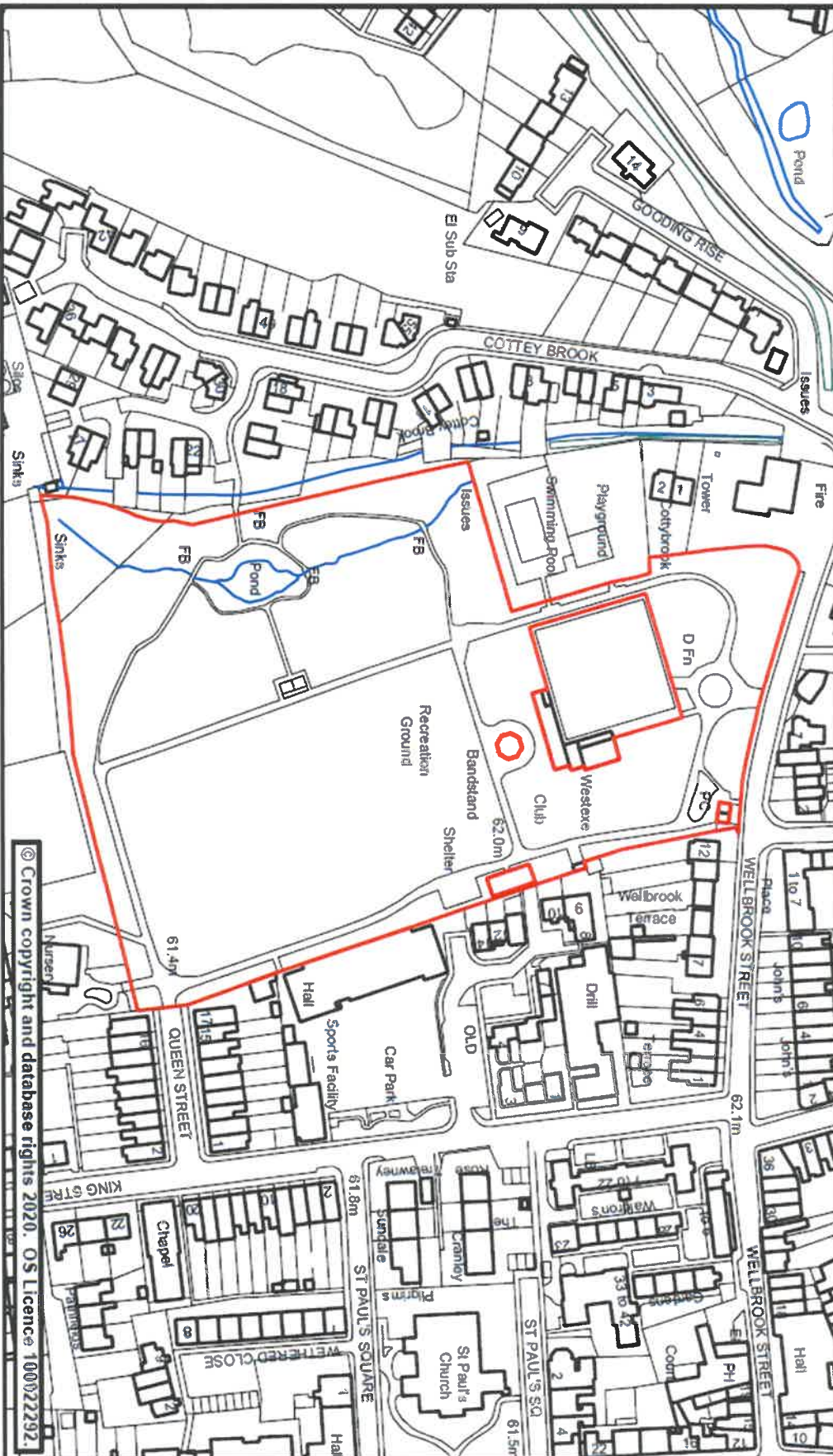
Street Scene

Plan 69

Scale	1:1,635 @ A4	Date	23 January 2020
Dwg. No.	West-Exe Recreation Ground, Tiverton	Produced by	GMS Unit

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Street Scene Plan 70

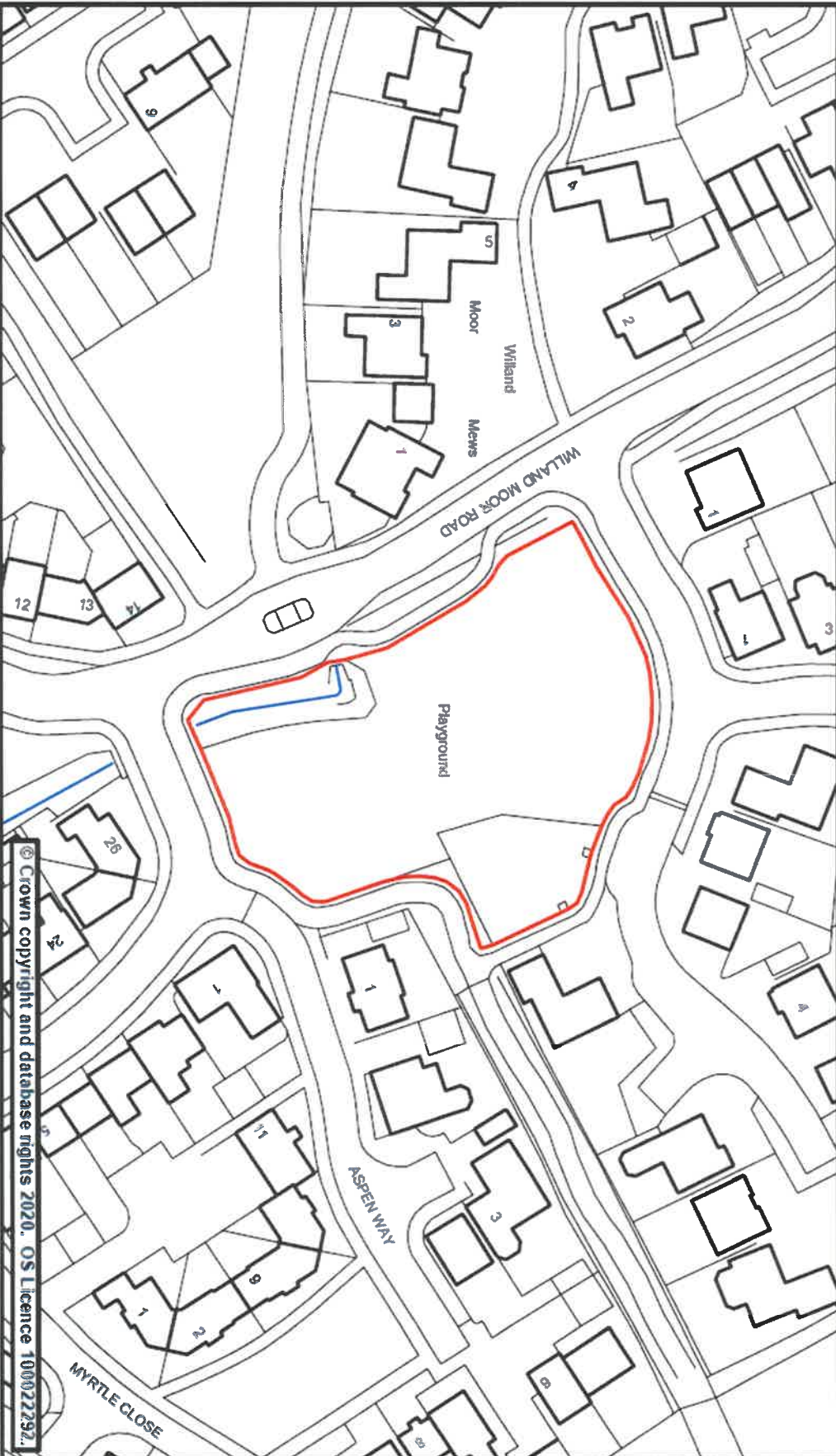
Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Willand Moor Road, Willand	Produced by	GMS Unit

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Street Scene Plan 7/

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Amory Park, Tiverton	Produced by	GMS Unit

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Street Scene Plan 72

Scale	1:250 @ A4	Date	23 January 2020
Eng. No.	Ash Drive, Culmpton	Produced by	GMS Unit

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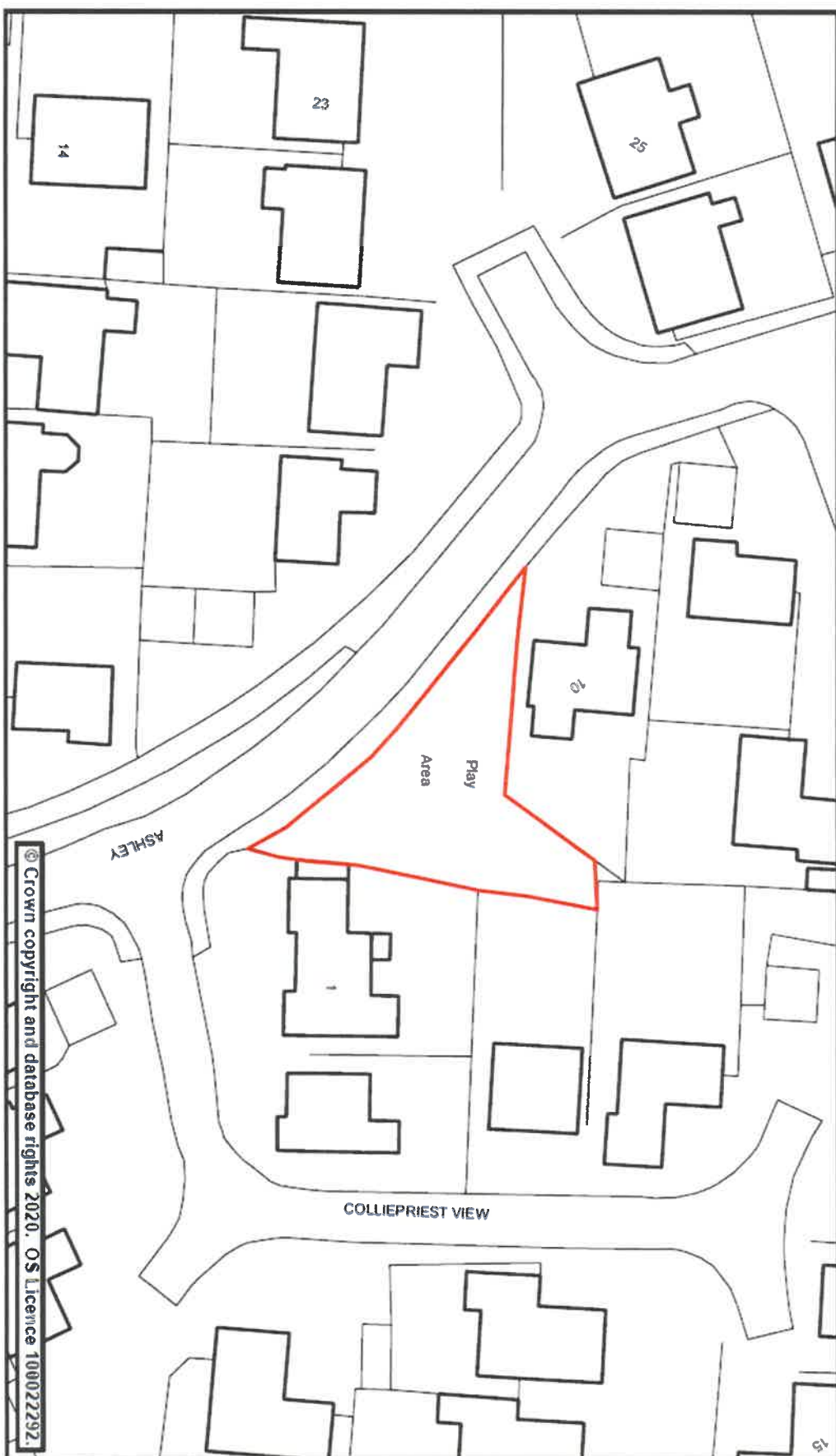
Street Scene Plan 73

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Ashley Rise, Tiverton	Produced by	GMS Unit

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Street Scene Plan 74

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Banksia Close, Tiverton	Produced by	GMS Unit

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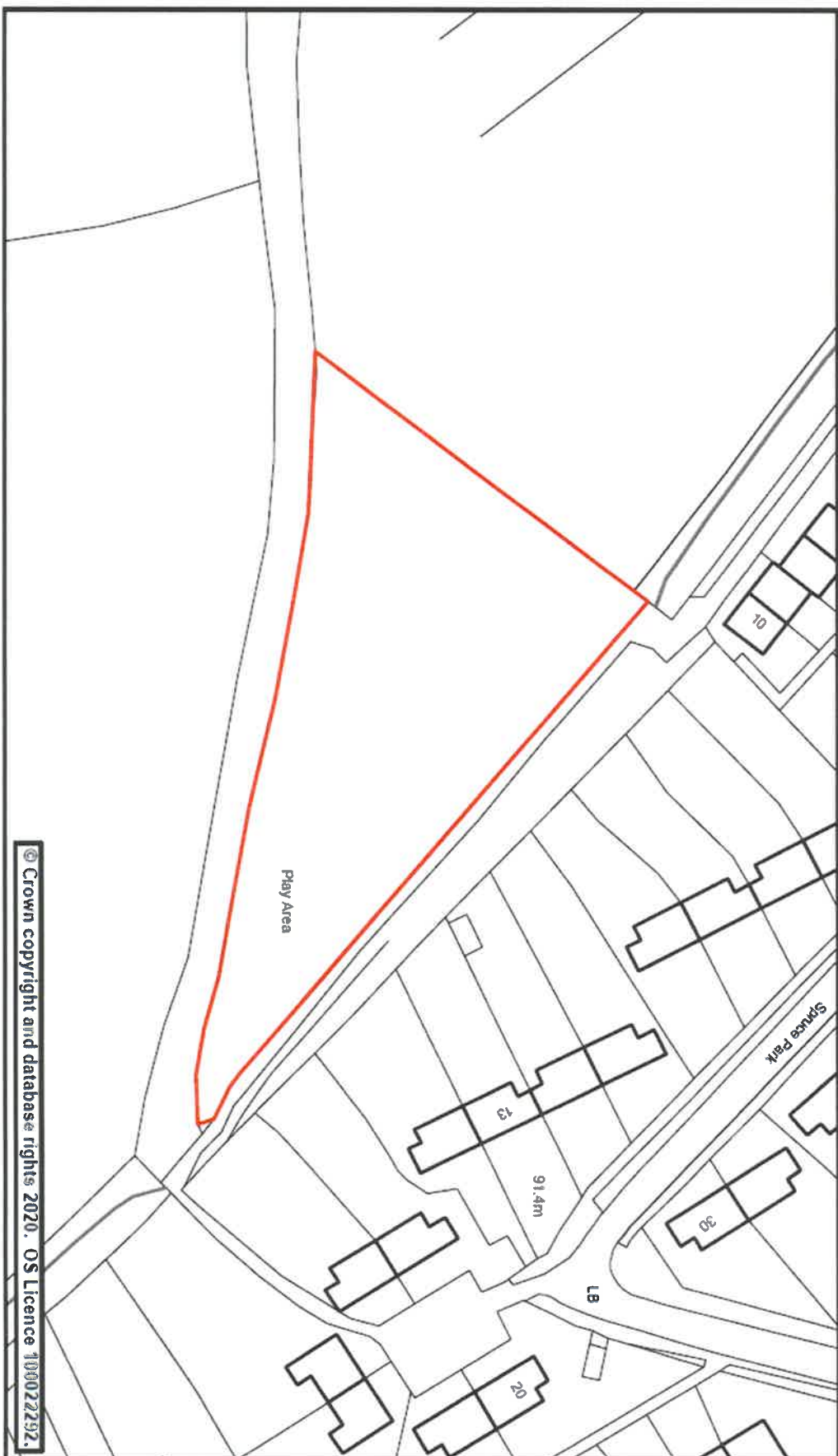
Street Scene Plan 75

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Barnfield, Credition	Produced by	GMS Unit

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Street Scene Plan 76

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Barns Close, Bradninch	Produced by	GMS Unit

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Street Scene Plan 77

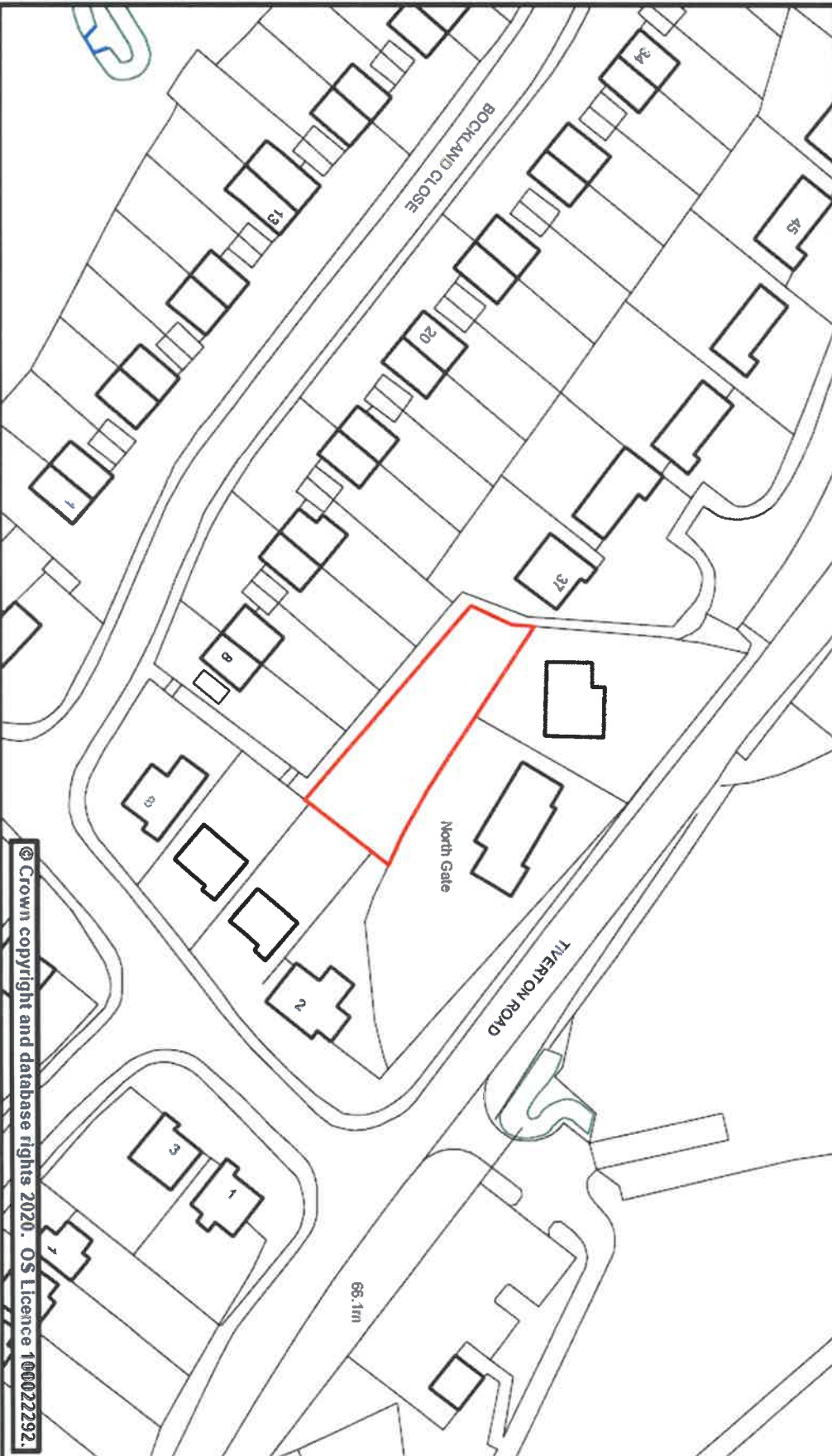
Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Bockland Close, Cullompton	Produced by	GMS Unit

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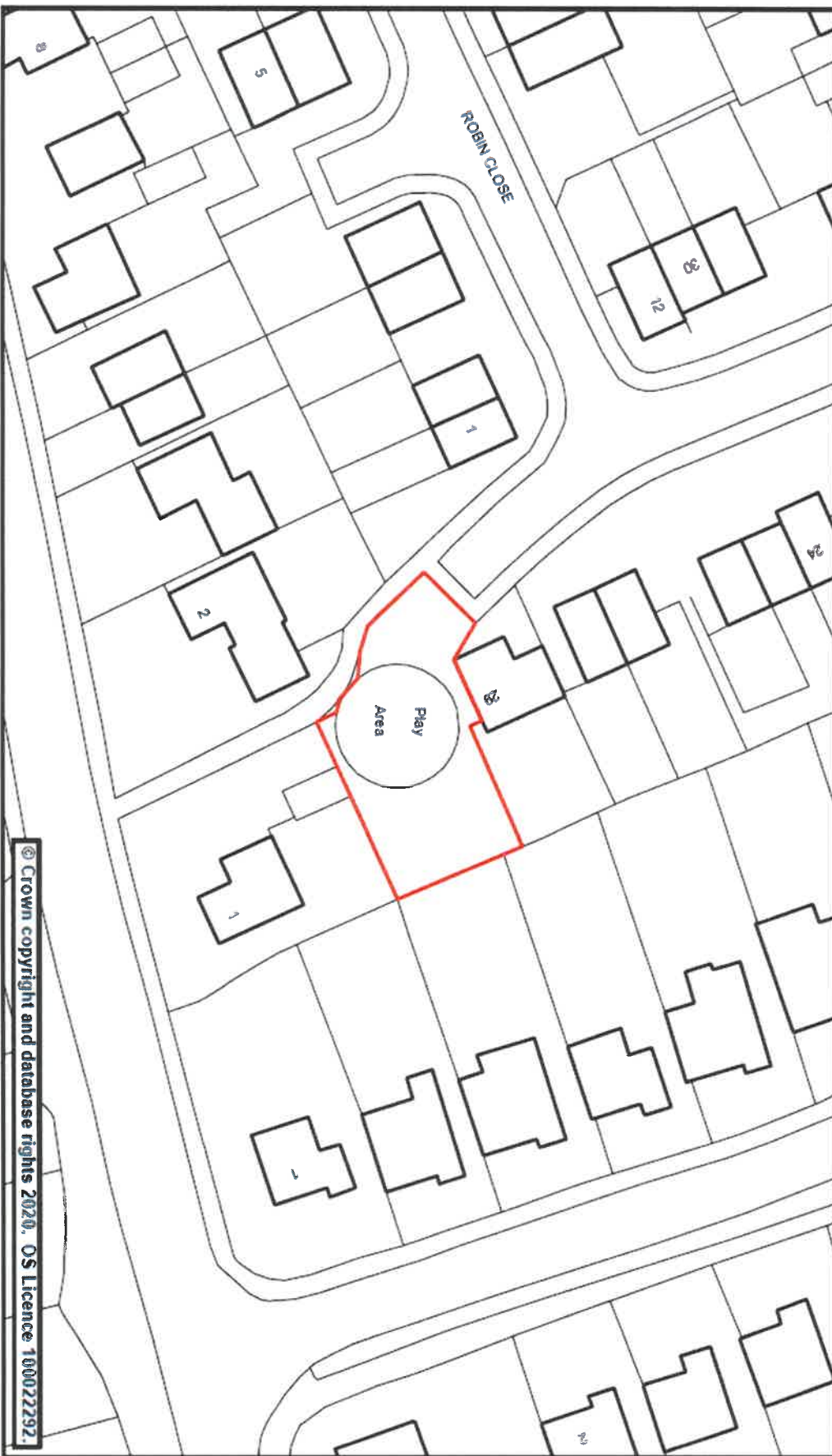


Street Scene Plan 78

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Chaffinch Drive, Culmpton	Produced by	GMS Unit

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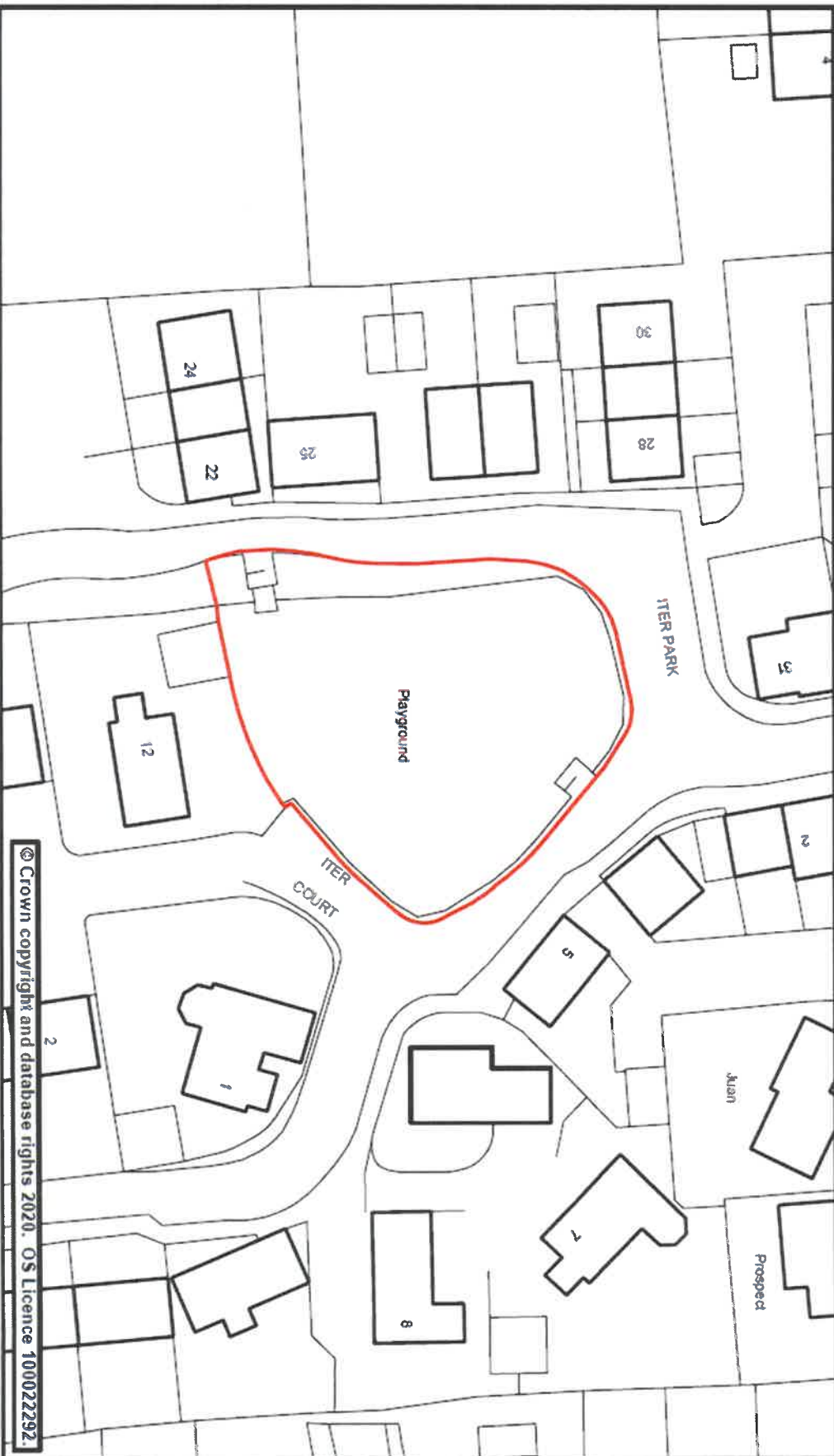


Street Scene Plan 79

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Churchlands, Bow	Produced by	GMS Unit

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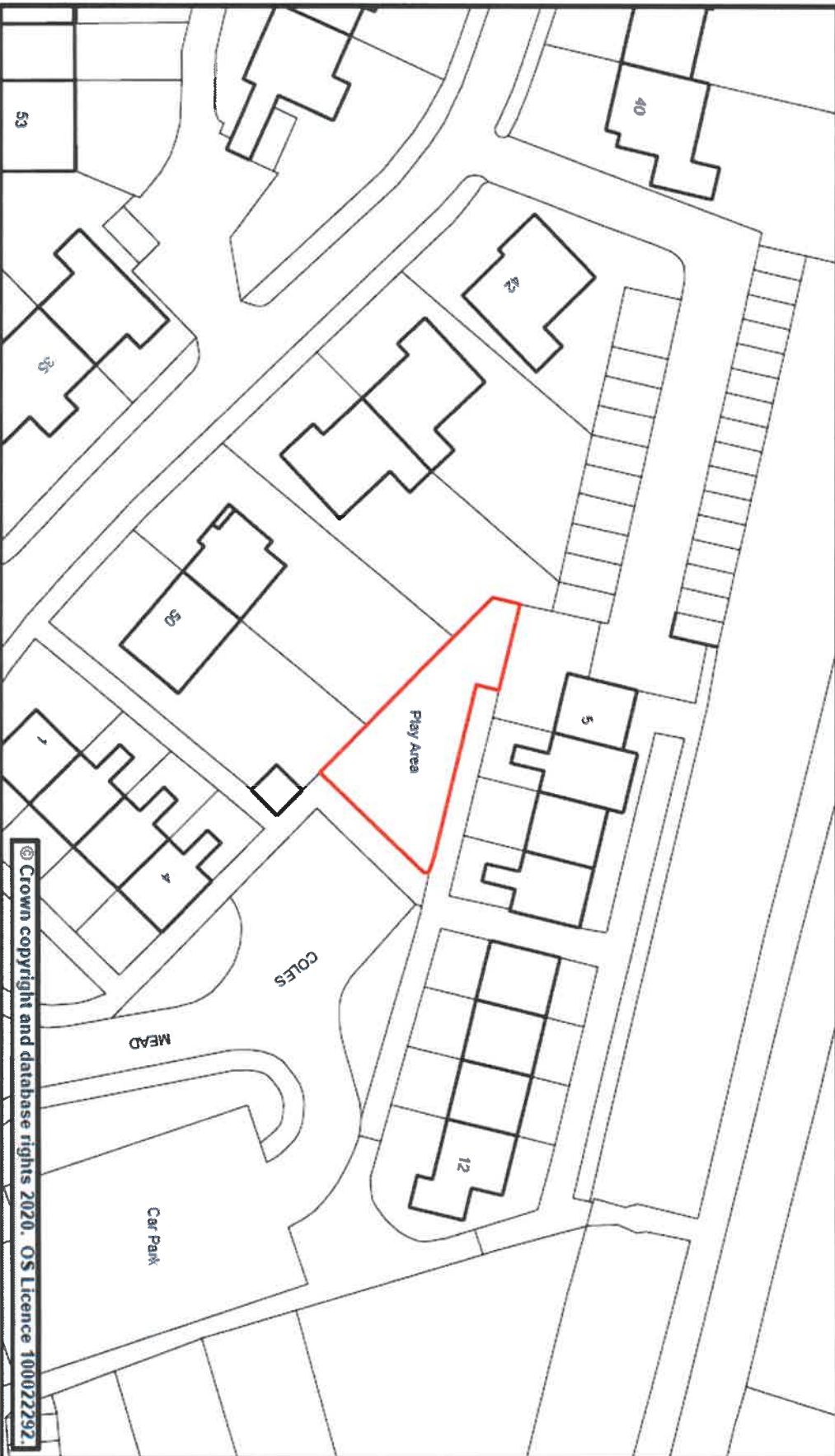
Street Scene Plan 80

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Coles Mead, Tiverton	Produced by	GMS Unit

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Street Scene Plan 81

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Conifer Close, Cullompton	Produced by	GMS Unit

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Street Scene Plan 8'2

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Corrlands, Sampford Peverell	Produced by	GMS Unit

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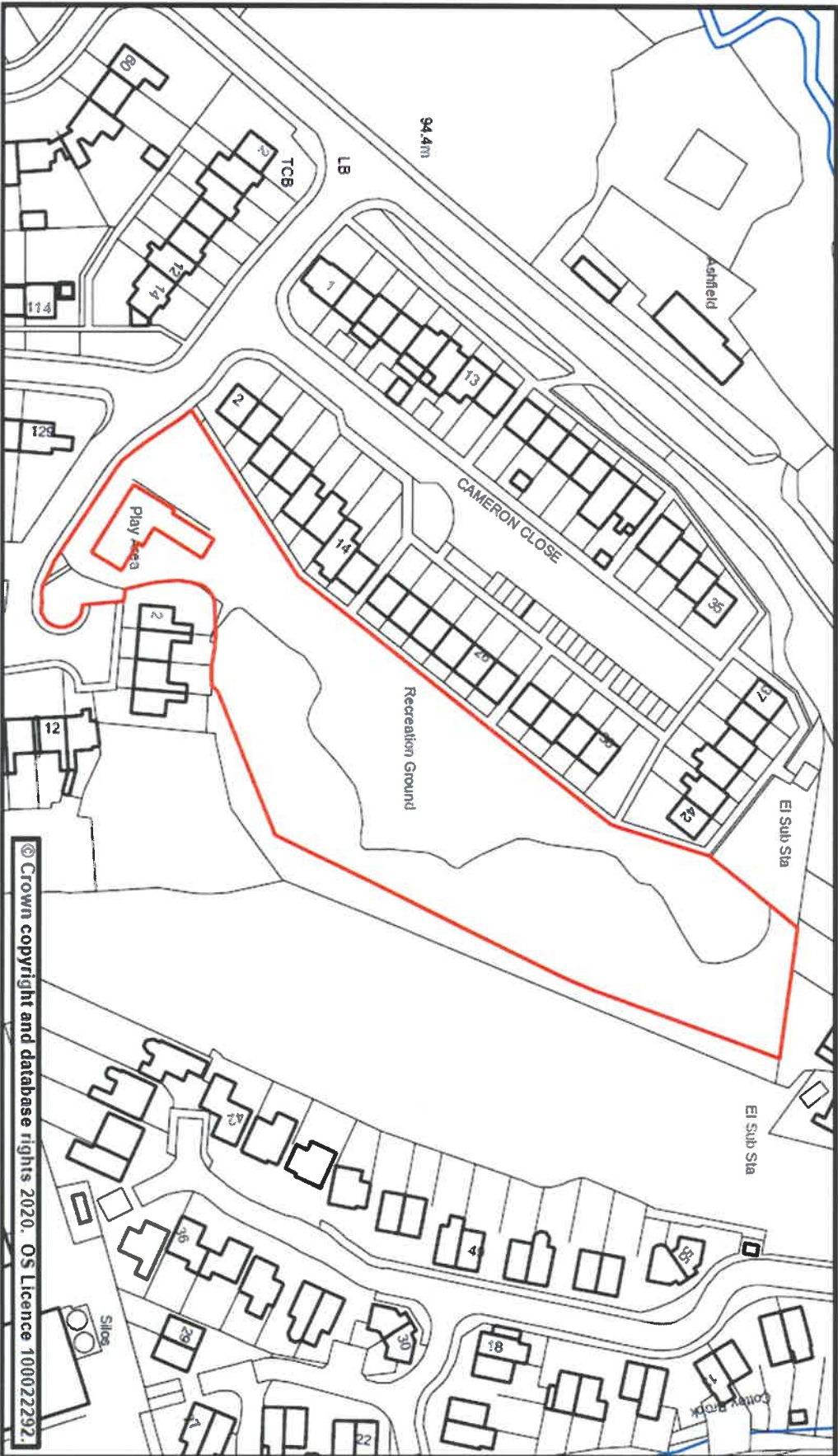
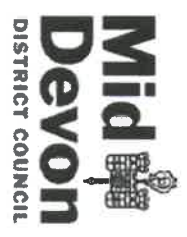
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Street Scene Plan 83

Scale	1:1,093 @ A4	Date	23 January 2020
Dwg. No.	Cotteylands/Cameron Close, Tiverton	Produced by	GMS Unit

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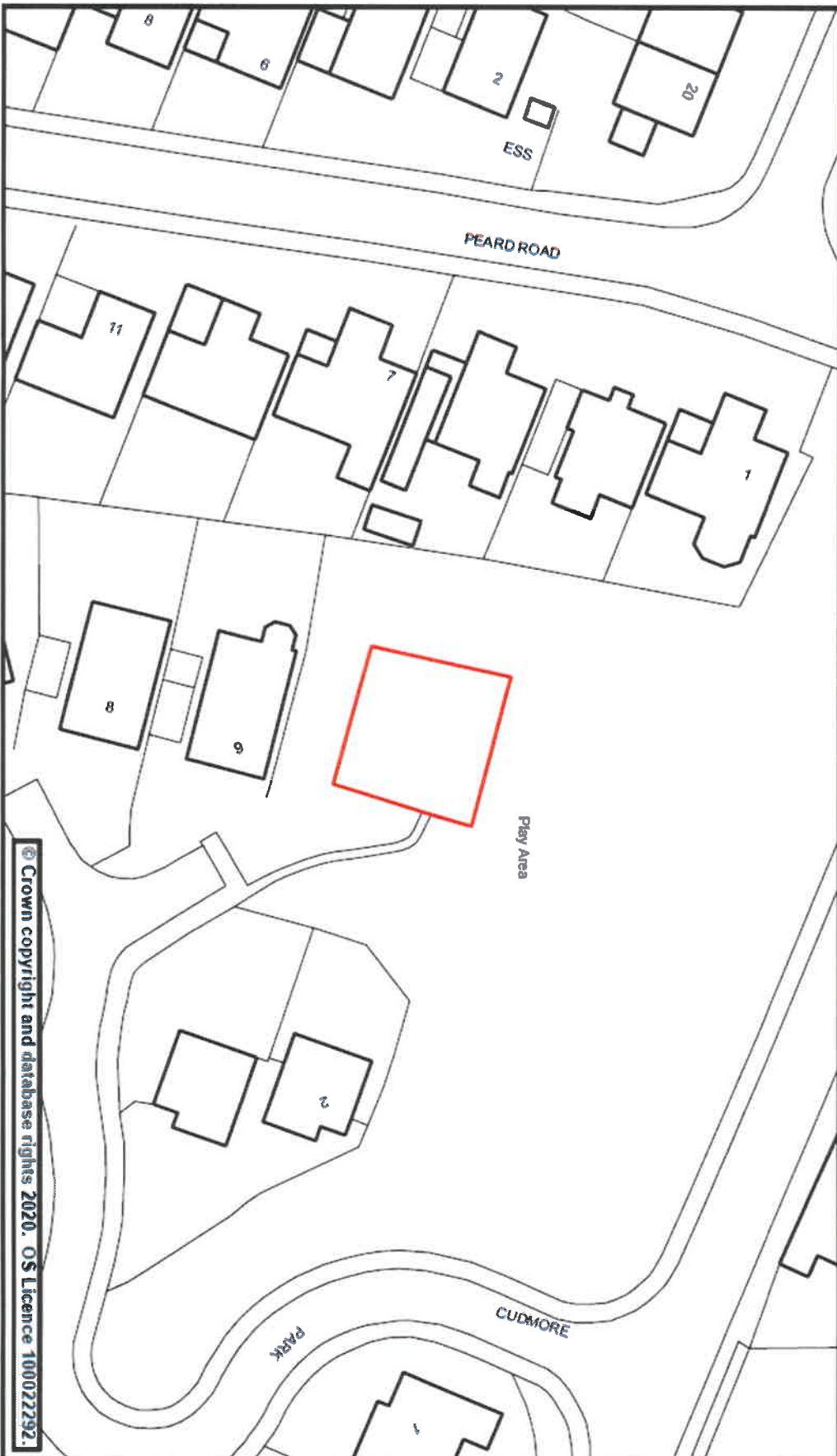
Street Scene Plan 84

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Cudmore Park, Tiverton	Produced by	GMS Unit

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Street Scene Plan 85

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Culm Valley Way, Uffculme	Produced by	GMS Unit

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Street Scene Plan 86

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Dove Close, Culhampton	Produced by	GMS Unit

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Street Scene Plan 87

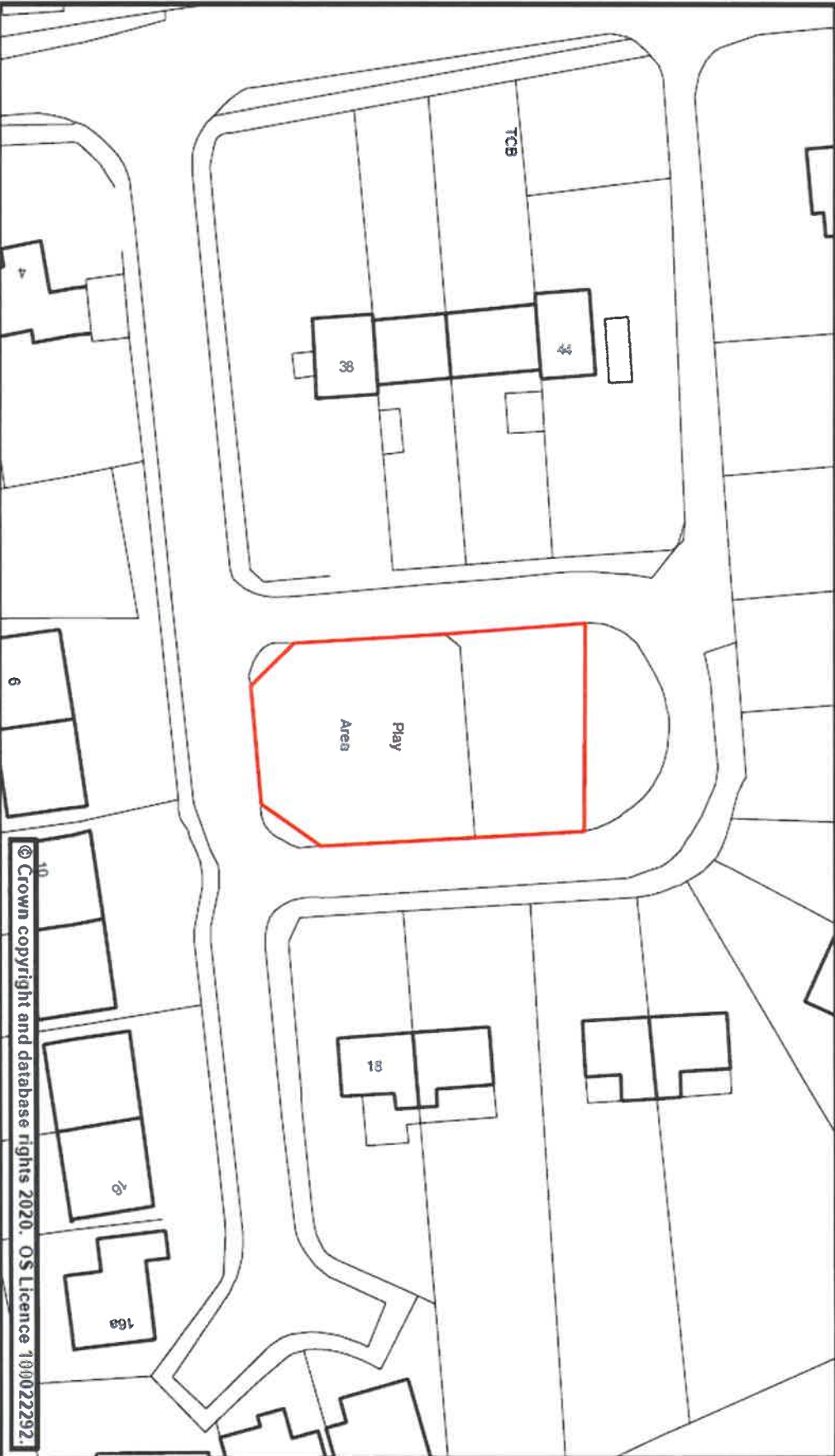
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Ellerhayes, Hele	Produced by	GMS Unit

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Street Scene Plan 88

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Everett Place, Tiverton	Produced by	GMS Unit

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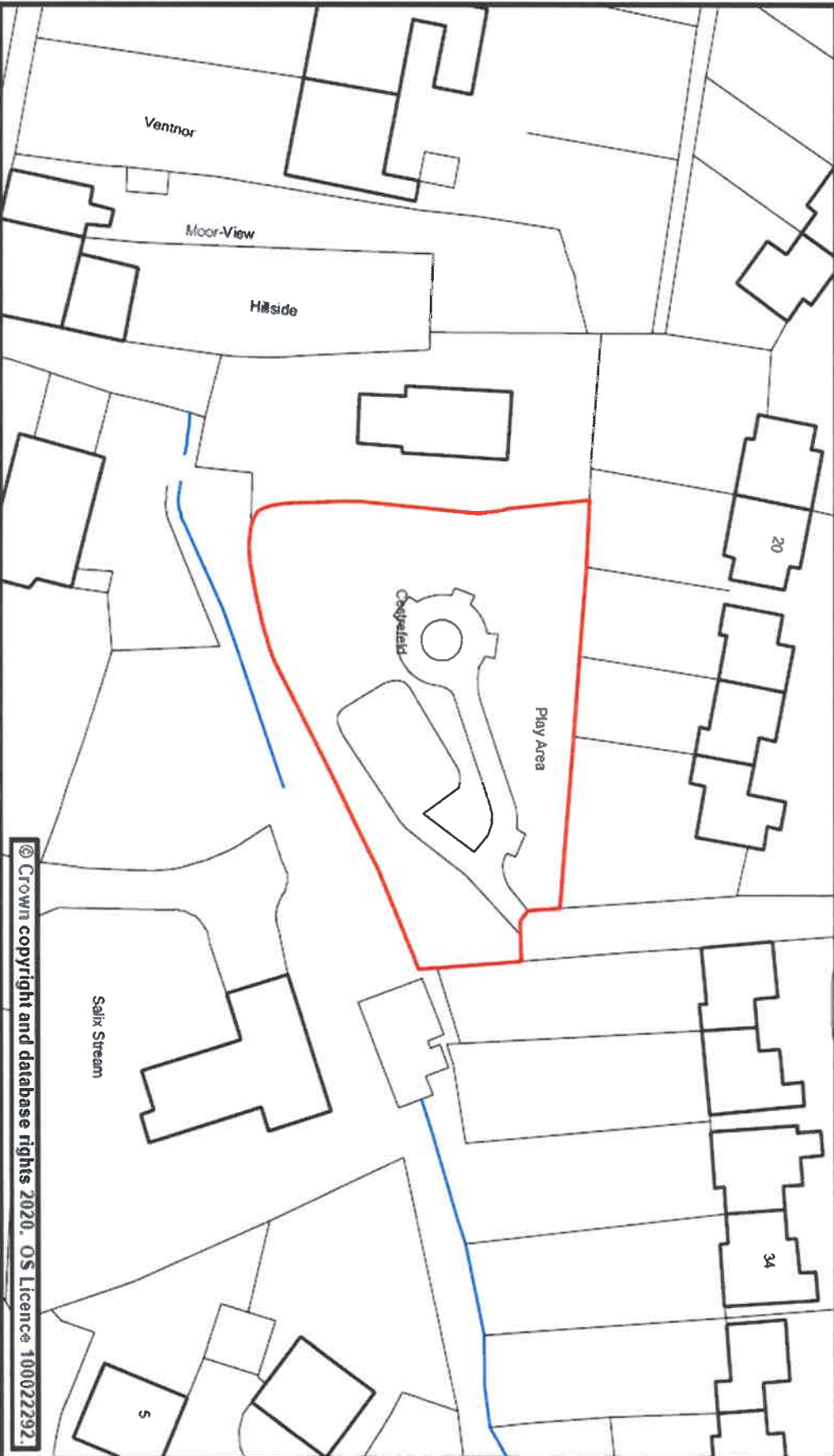
Street Scene Plan 89

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Fernworthy, Coplestone	Produced by	GMS Unit

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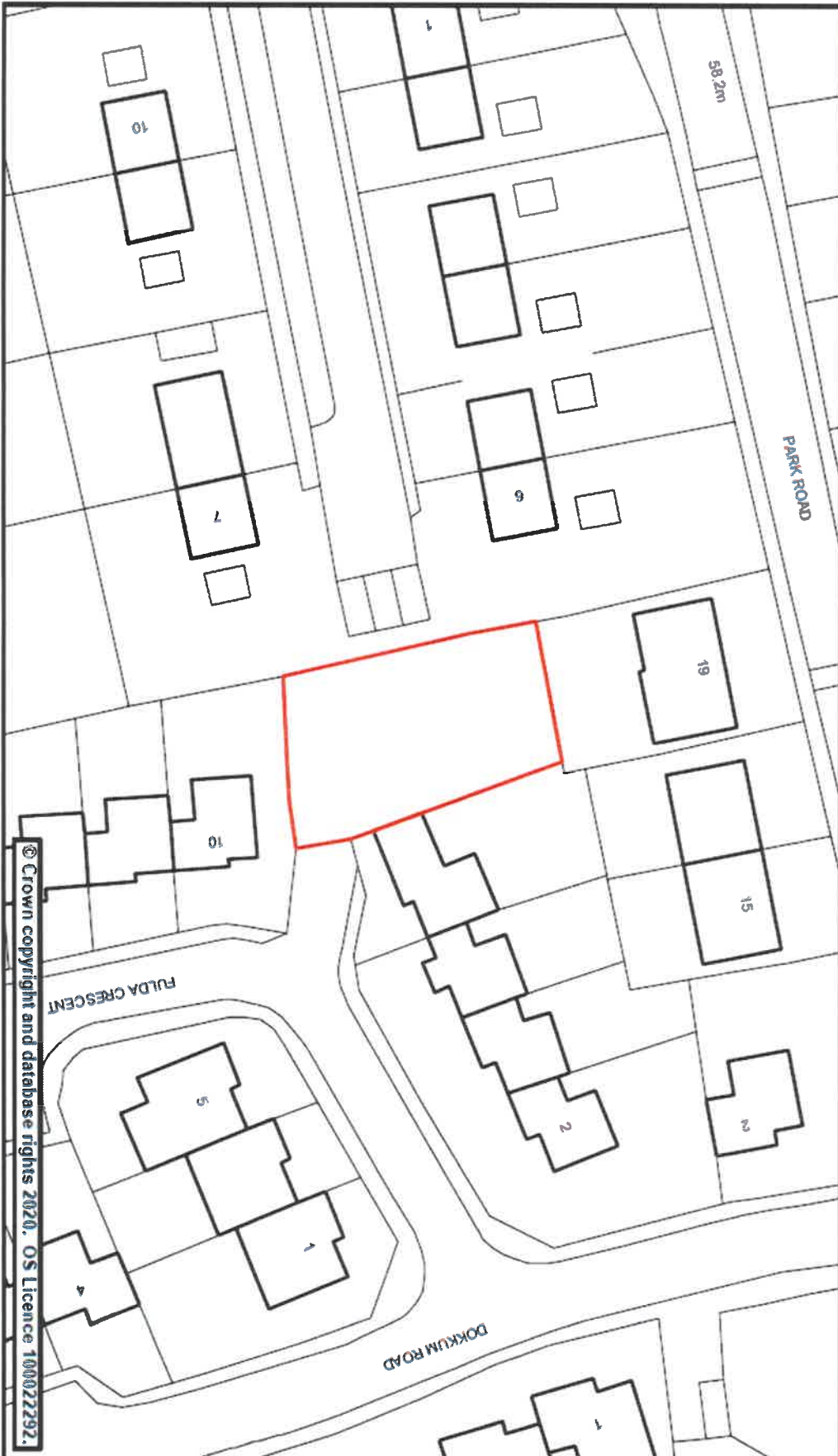
Street Scene Plan 96

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Fulda Crescent, Credition	Produced by	GMS Unit

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Street Scene

Plan 91

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Glebelands, Cheriton Bishop	Produced by	GMS Unit

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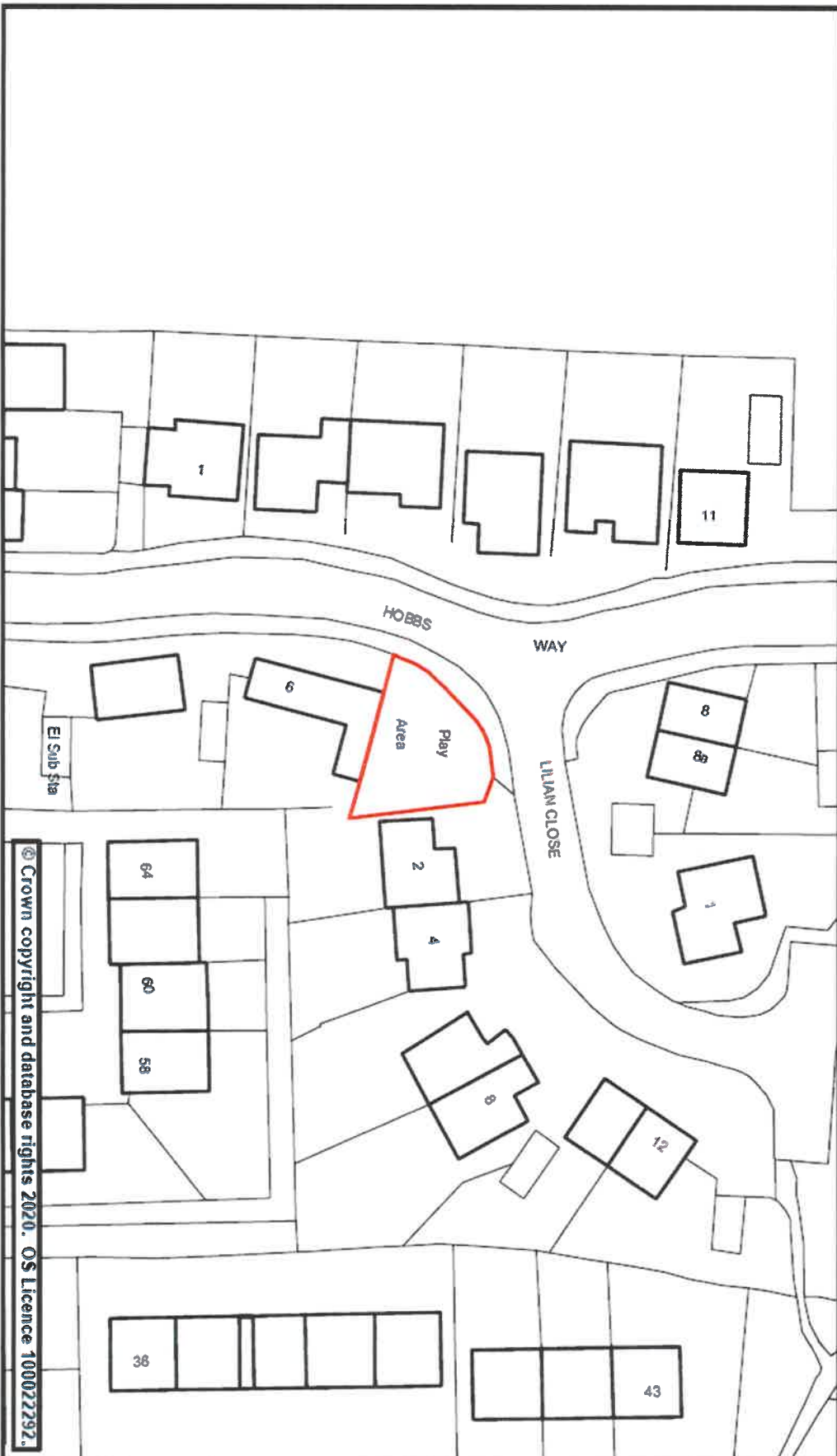
Street Scene Plan 92

Scale	1:500 @ A4	Date	23 January 2020
Org. No.	Godfreys Garden, Bow	Produced by	GMS Unit

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Street Scene Plan 93

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Greenaway, Morchard Bishop	Produced by	GMS Unit

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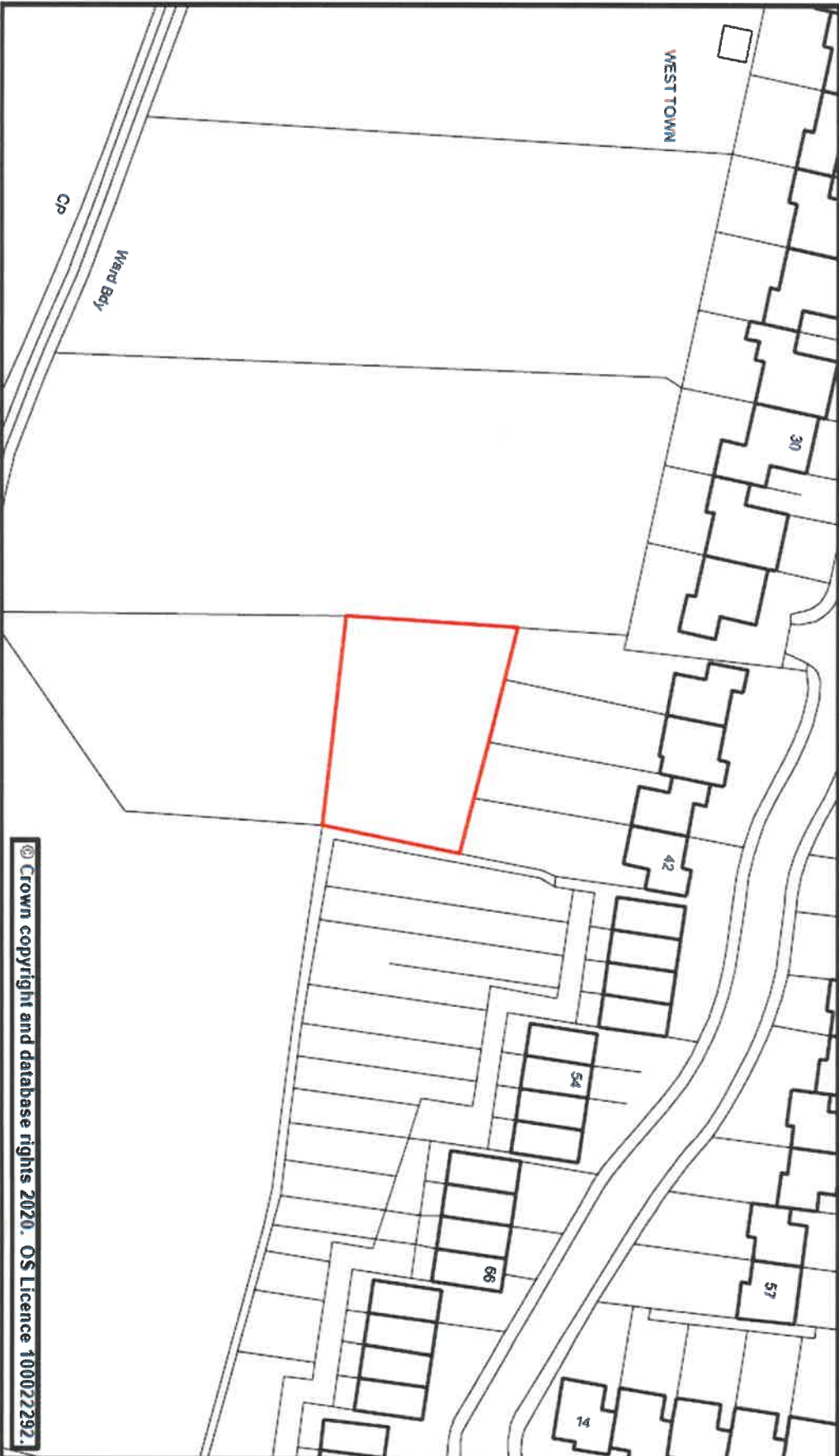
Street Scene Plan 94

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Greenway, Crediton	Produced by	GMS Unit

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Street Scene Plan 95

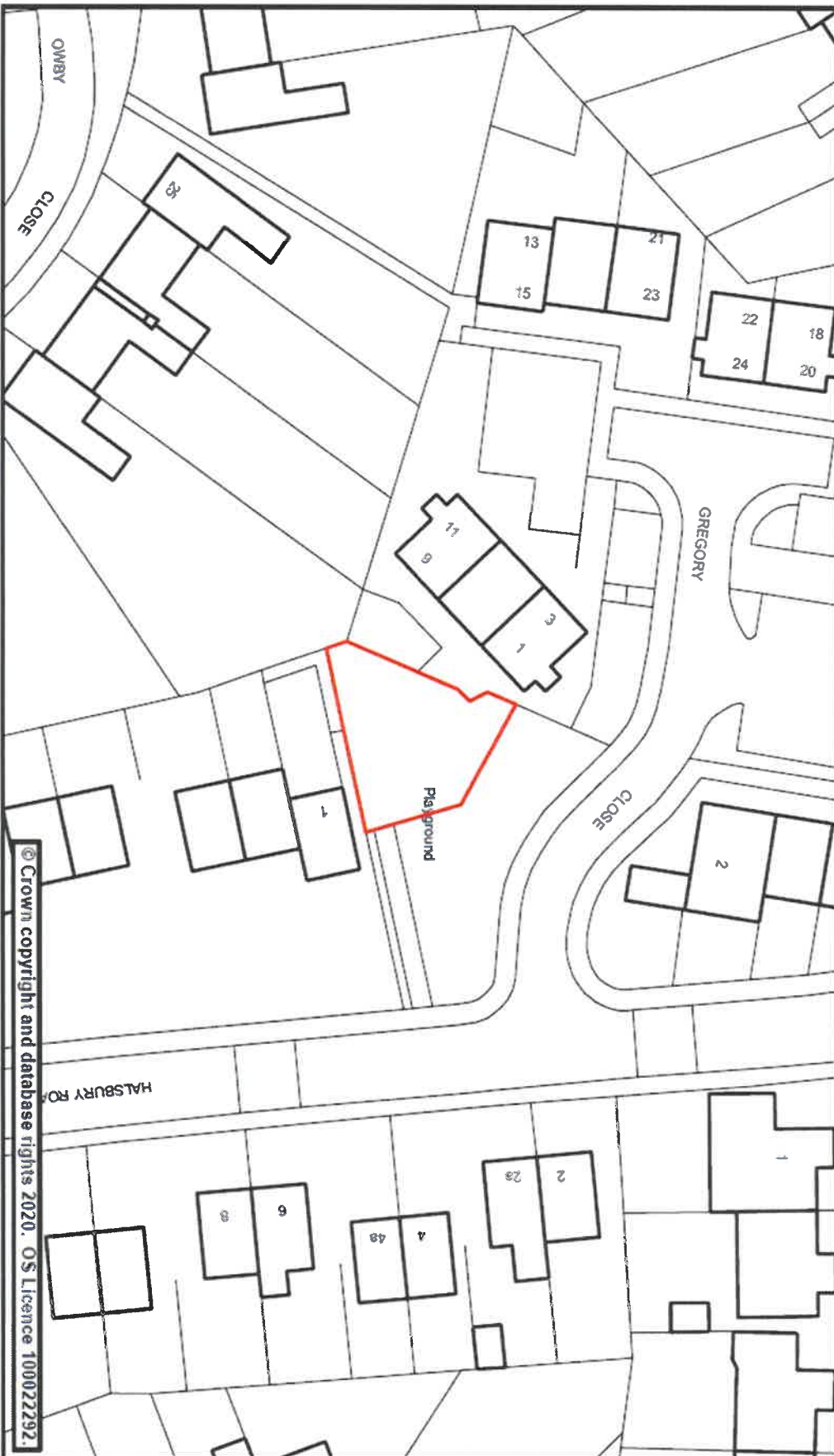
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Halsbury Road, Tiverton	Produced by	GMS Unit

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Street Scene Plan 96

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Harpitt Close, Willand	Produced by	GMS Unit

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Street Scene Plan 97

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Hawthorne Road, Tiverton	Produced by	GMS Unit

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Street Scene Plan 98

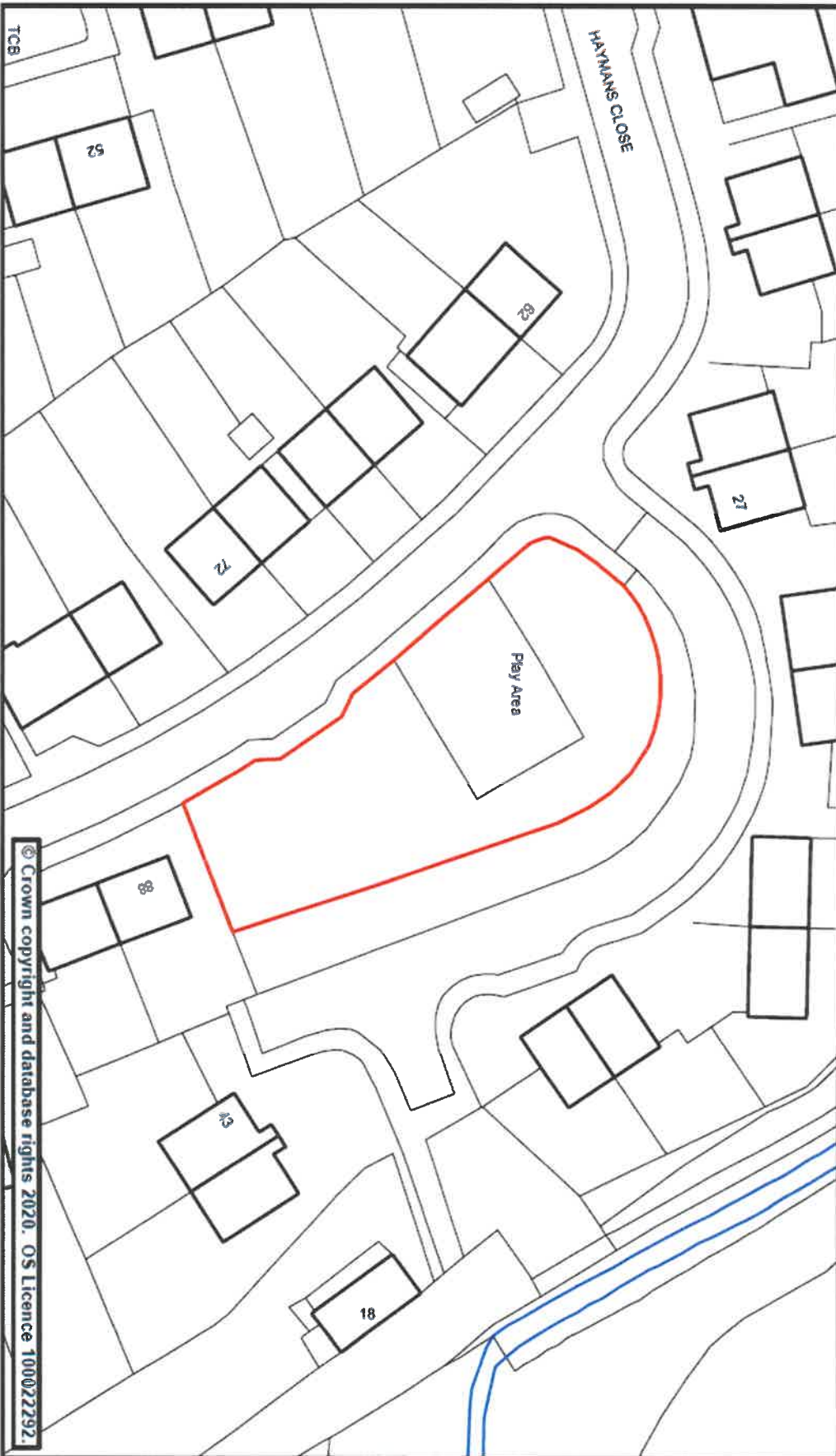
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Haymans Close, Culmpton	Produced by	GMS Unit

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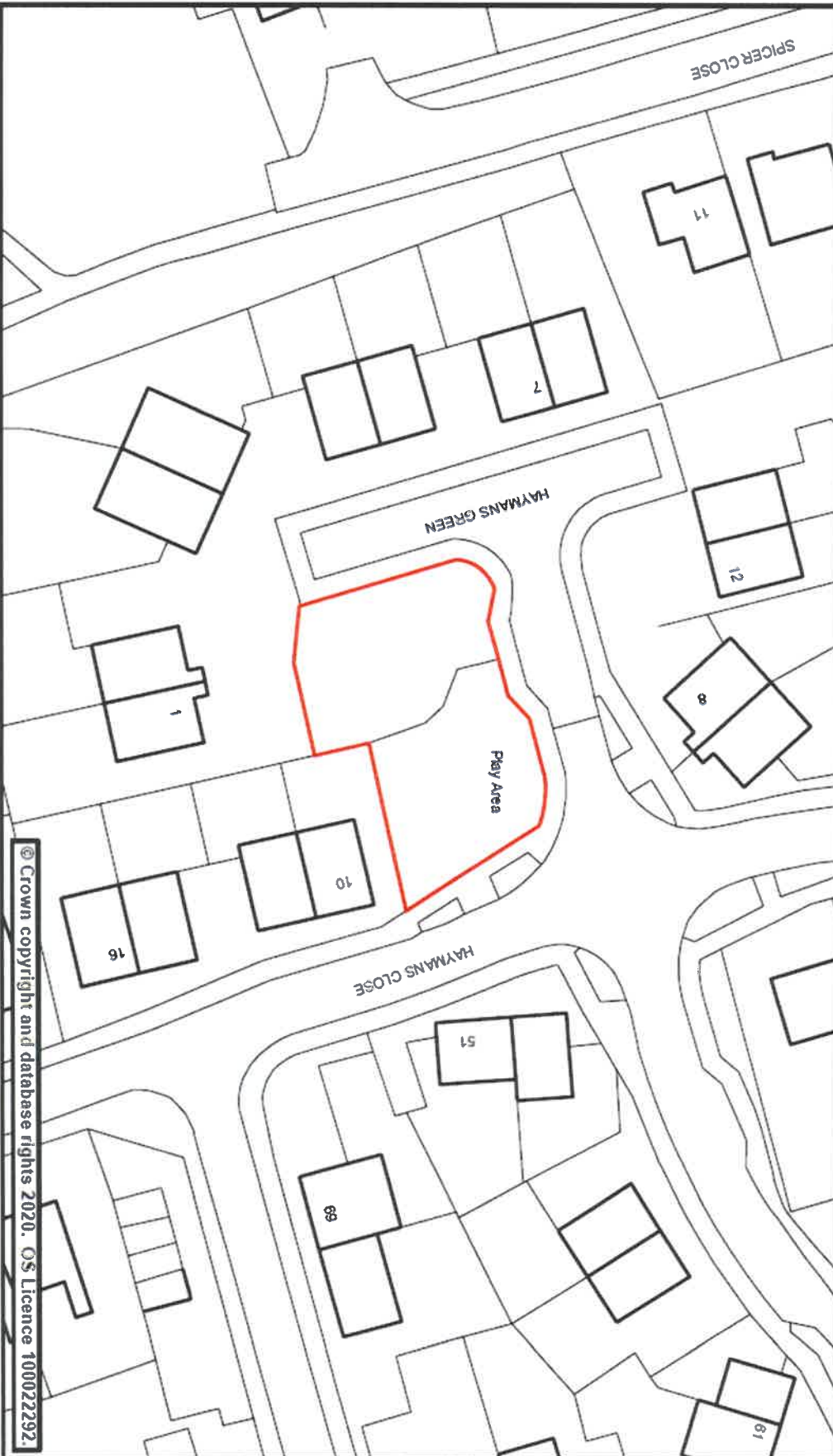
Street Scene Plan 99

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Haymans Green, Culmpton	Produced by	GMS Unit

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Street Scene Plan 100

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Headweir Road, Culmpton	Produced by	GMS Unit

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Street Scene Plan 101

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Knightswood, Culmpton	Produced by	GMS Unit

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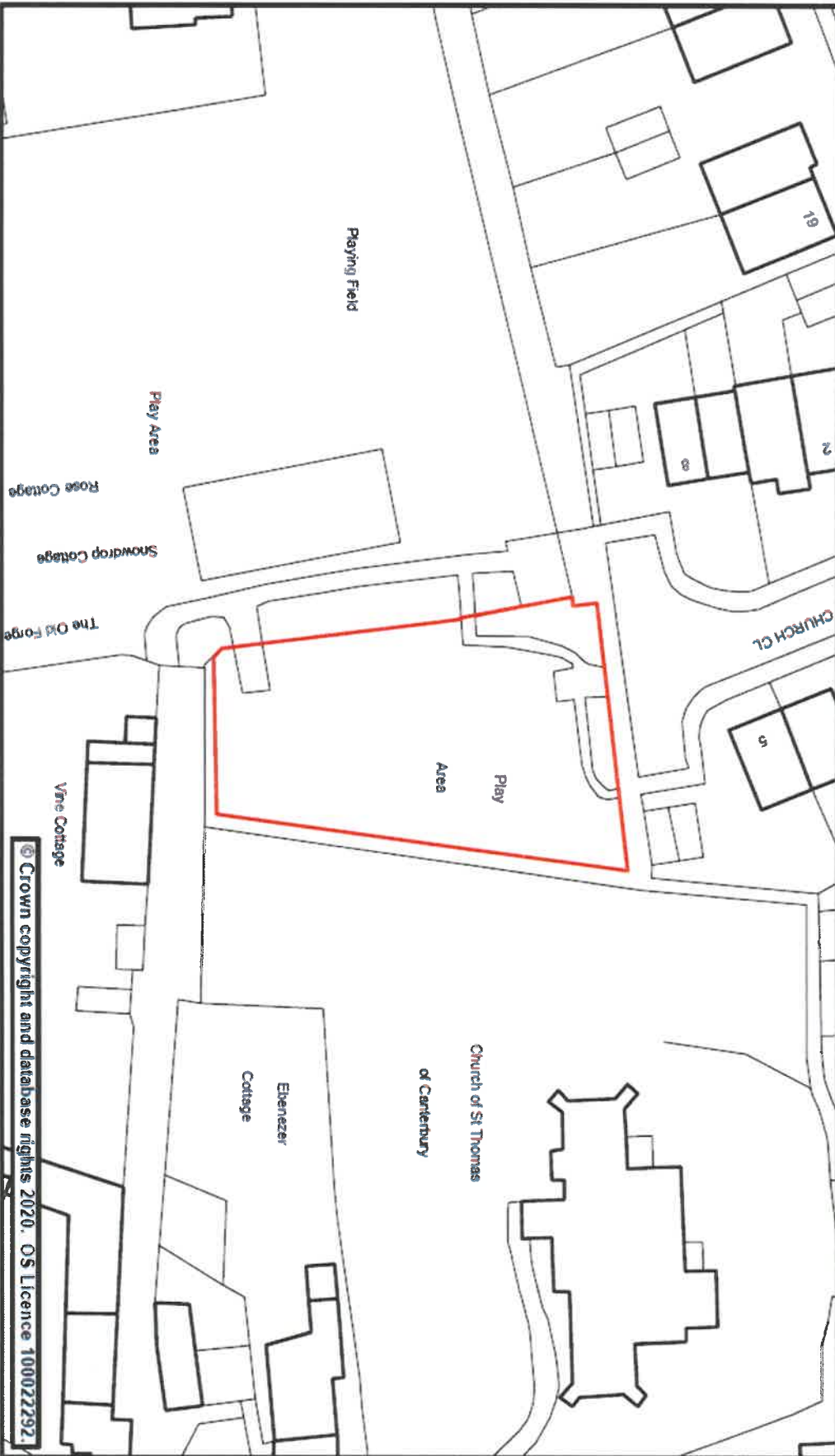
Street Scene Plan 102

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Lapford Play Area	Produced by	GMS Unit

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Street Scene Plan /03

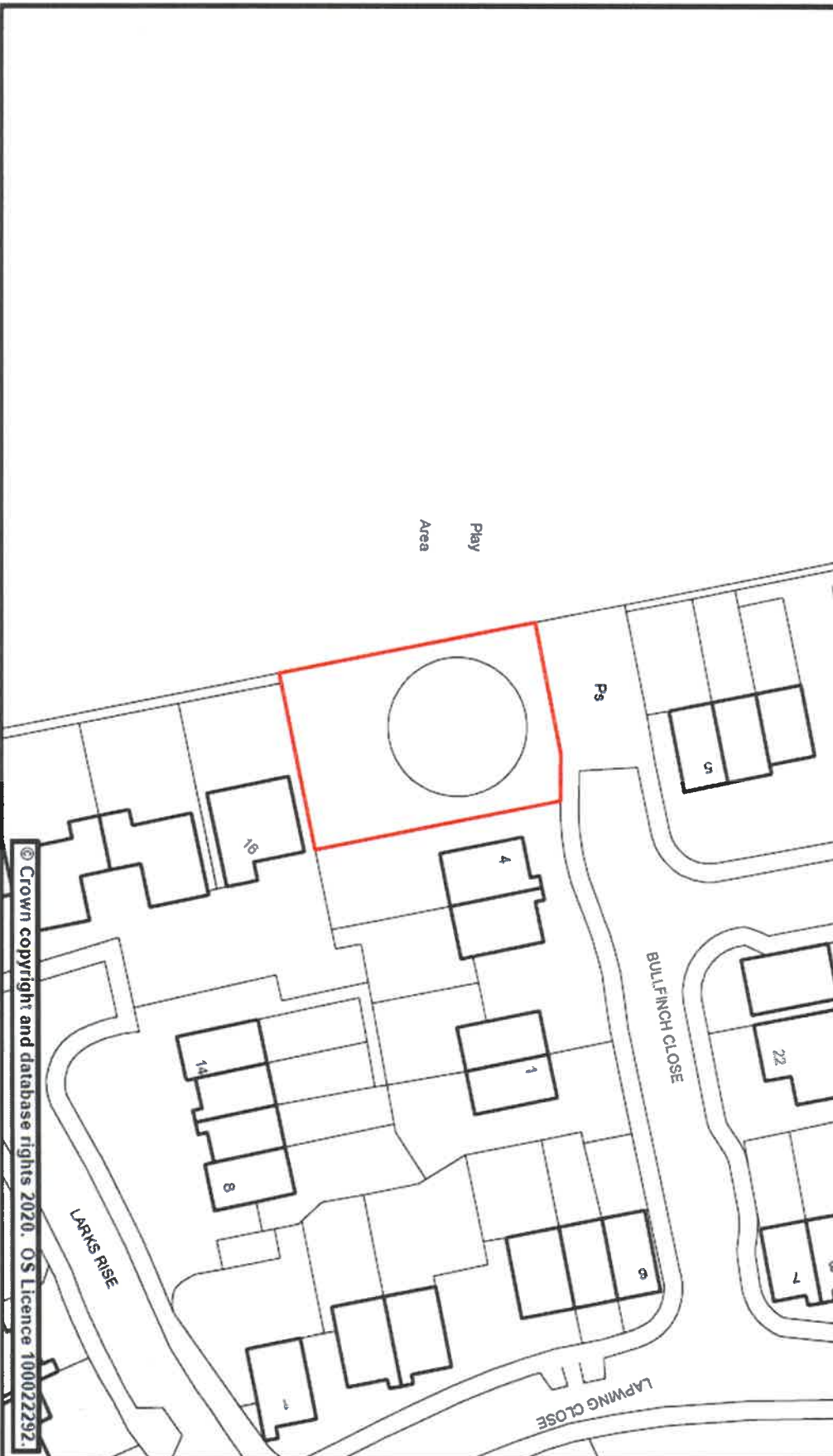
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Larks Drive, Cullompton	Produced by	GMS Unit

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Street Scene Plan 104

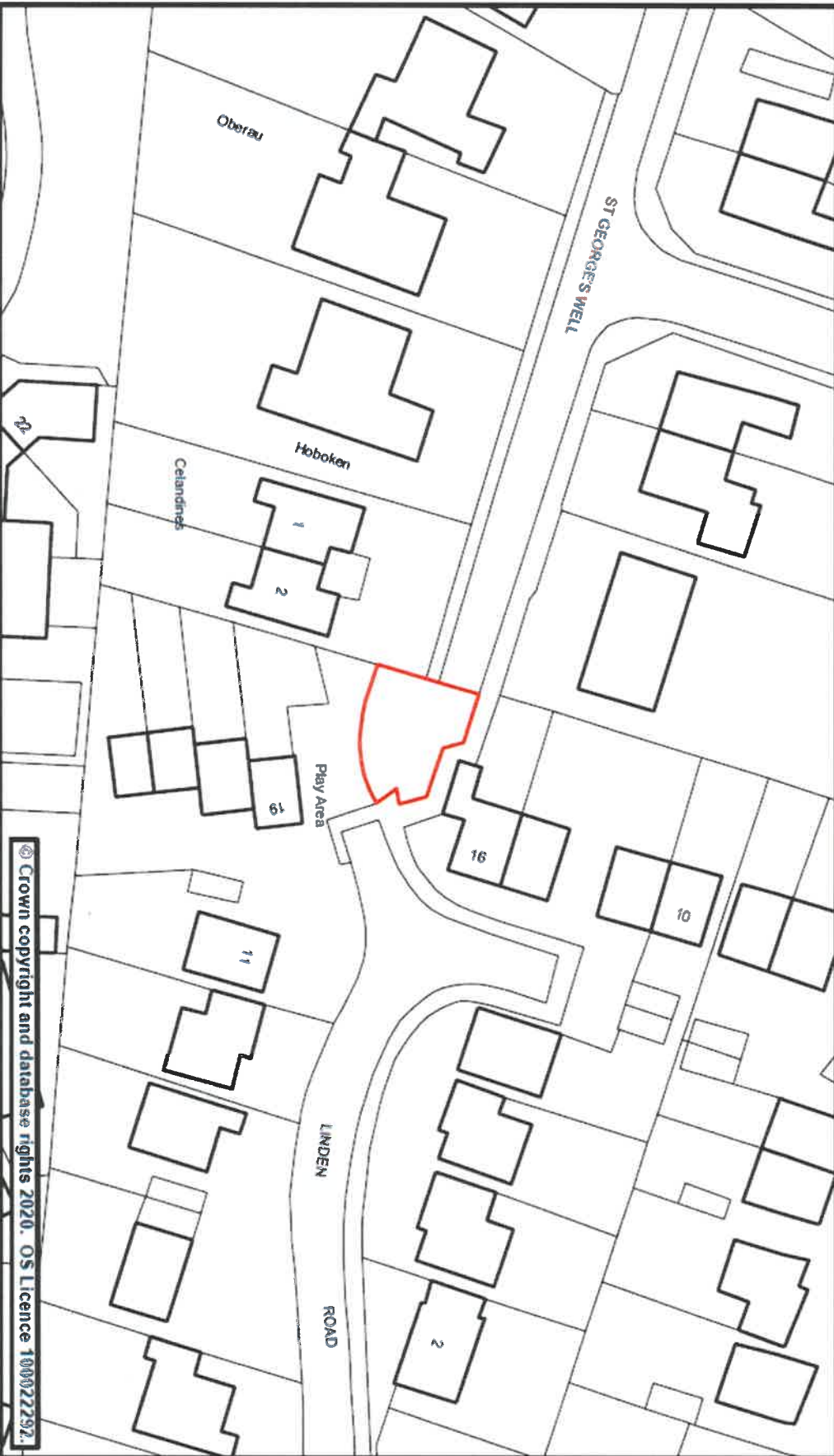
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Linden Road, Culmpton	Produced by	GMS Unit

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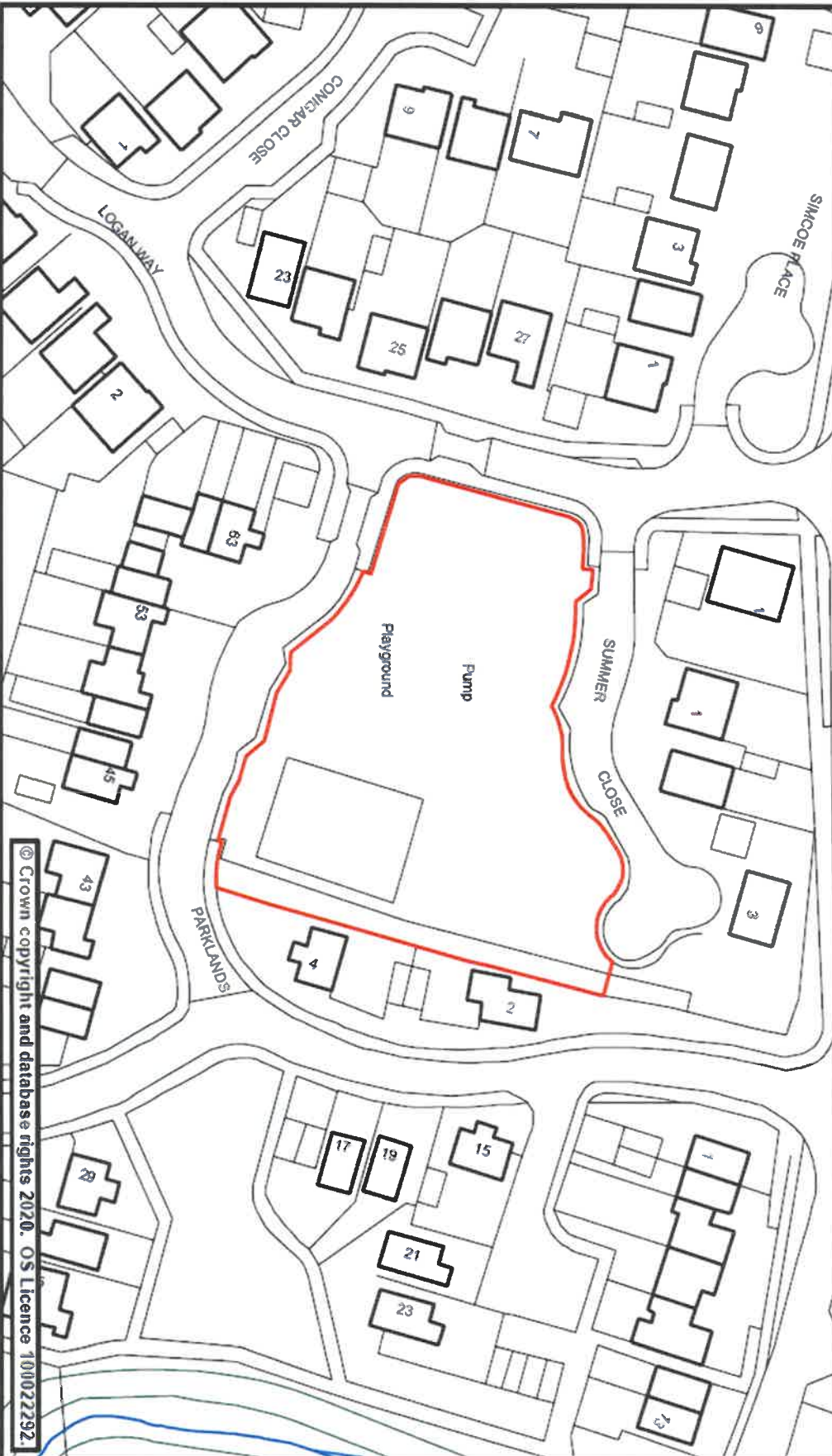


Street Scene Plan 105

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Logan Way, Hemmock	Produced by	GMS Unit

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Street Scene Plan 106

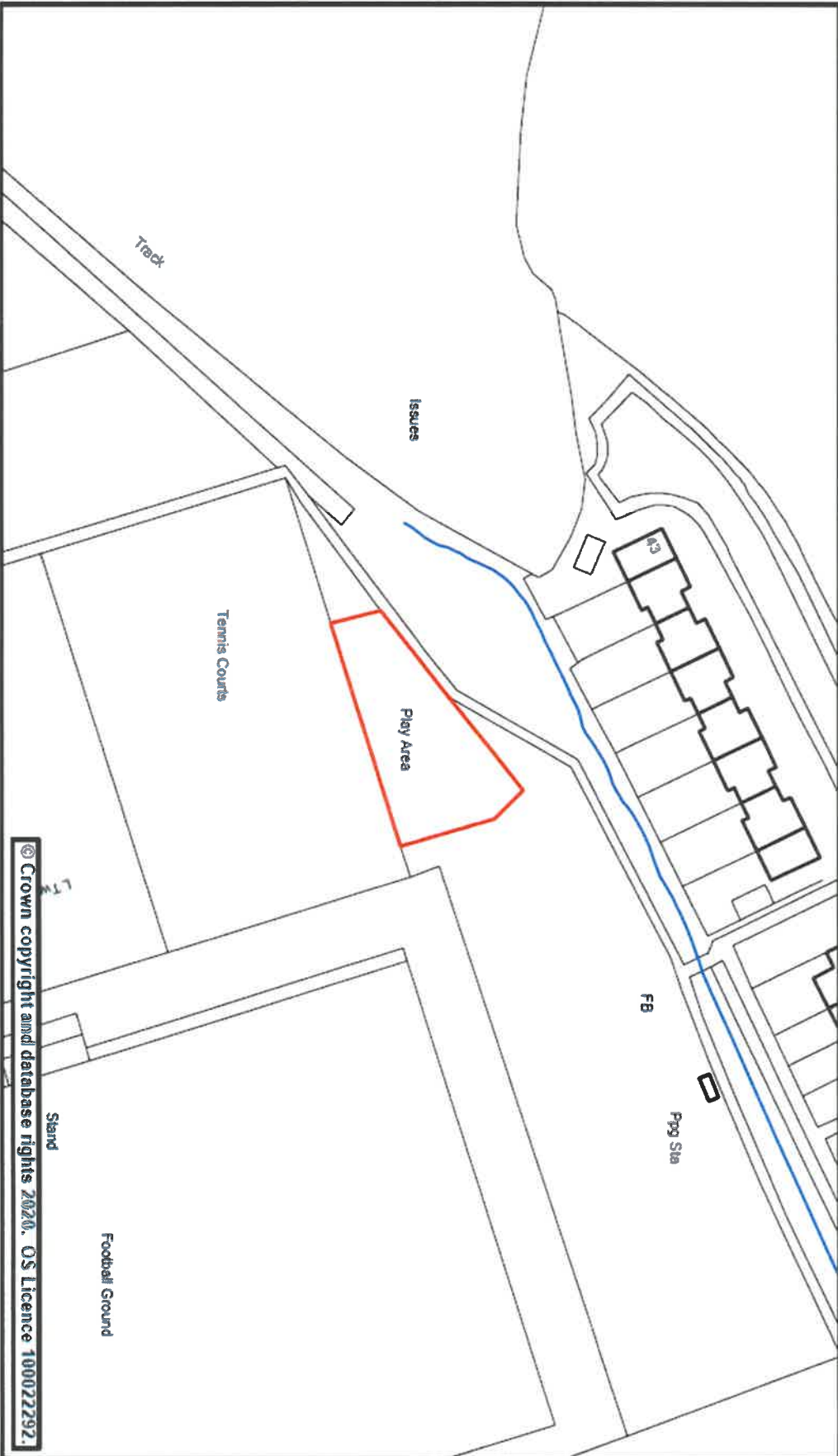
Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Lords Meadow, Crediton	Produced by	GMS Unit

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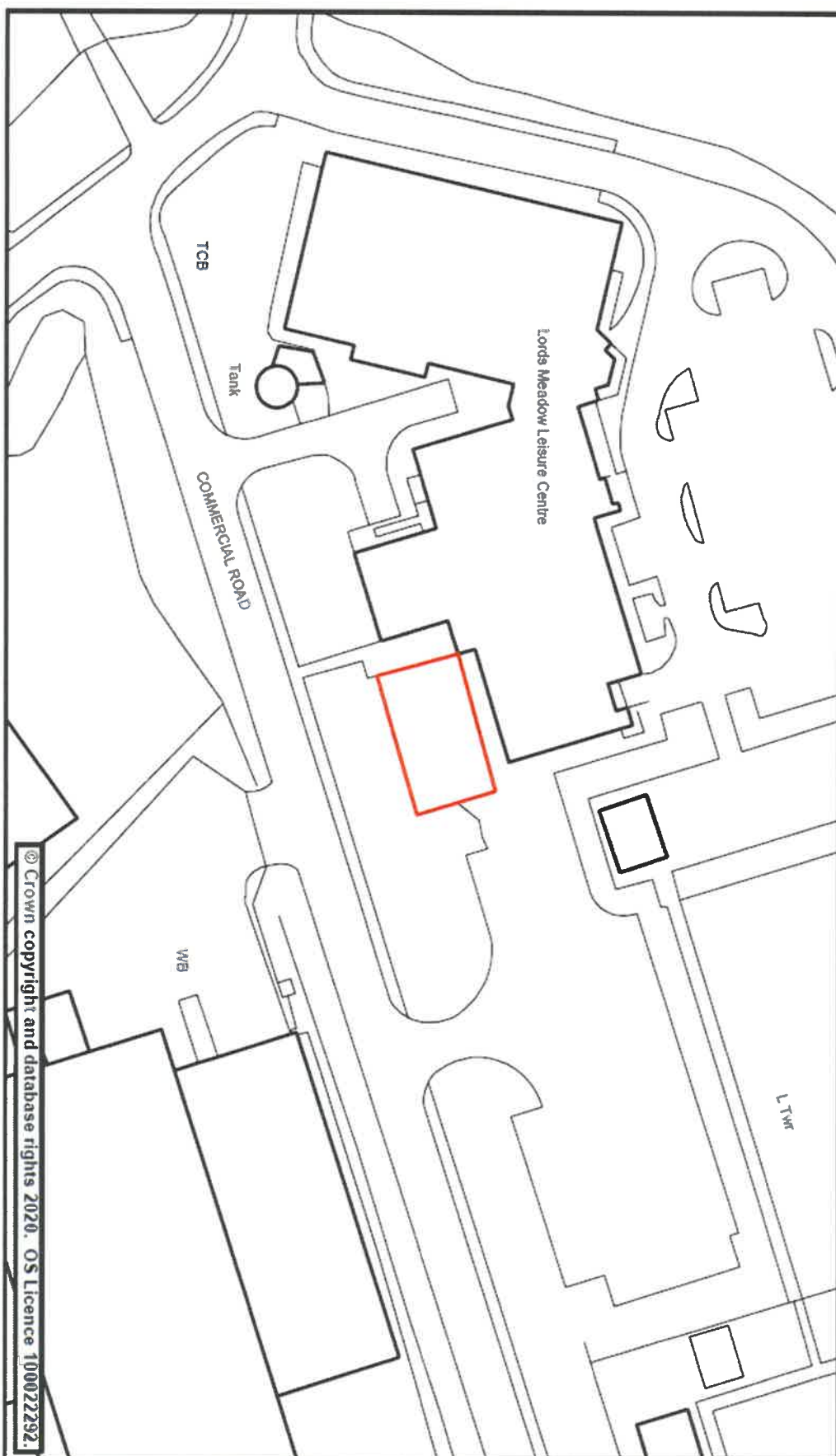


Street Scene Plan 107

Scale	1:750 @ A4	Date	23 January 2020
Drw. No.	Lords Meadow Skate Park, Crediton	Produced by	GMS Unit

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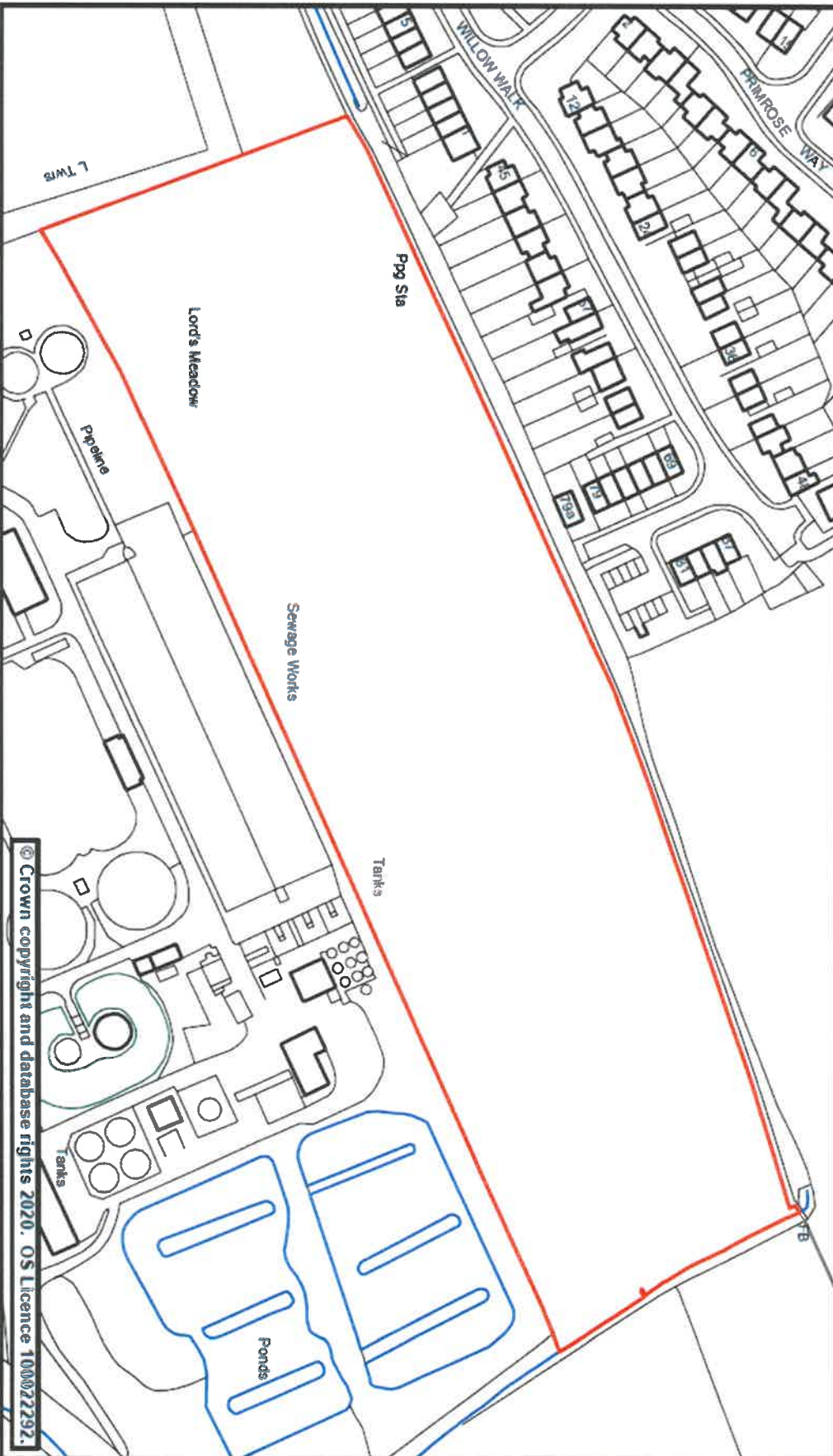
Street Scene Plan /08

Scale	1:1,540 @ A4	Date	23 January 2020
Dwg. No.	Lords Meadow, Crediton	Produced by	GMS Unit

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Street Scene Plan / 09

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Mallow Court, Willand	Produced by	GMS Unit

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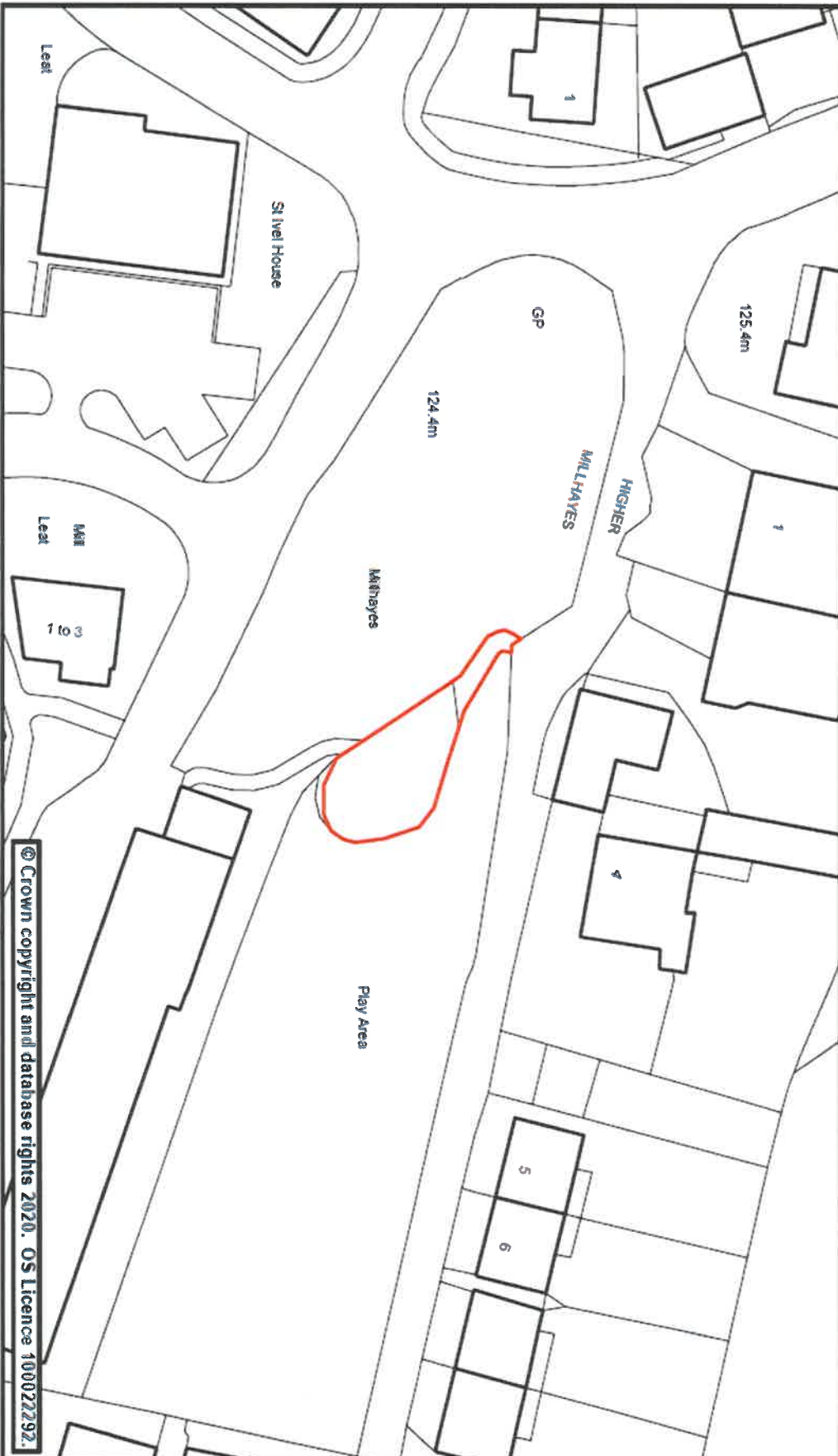
Street Scene Plan 110

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Milhayes, Henryock	Produced by	GMS Unit

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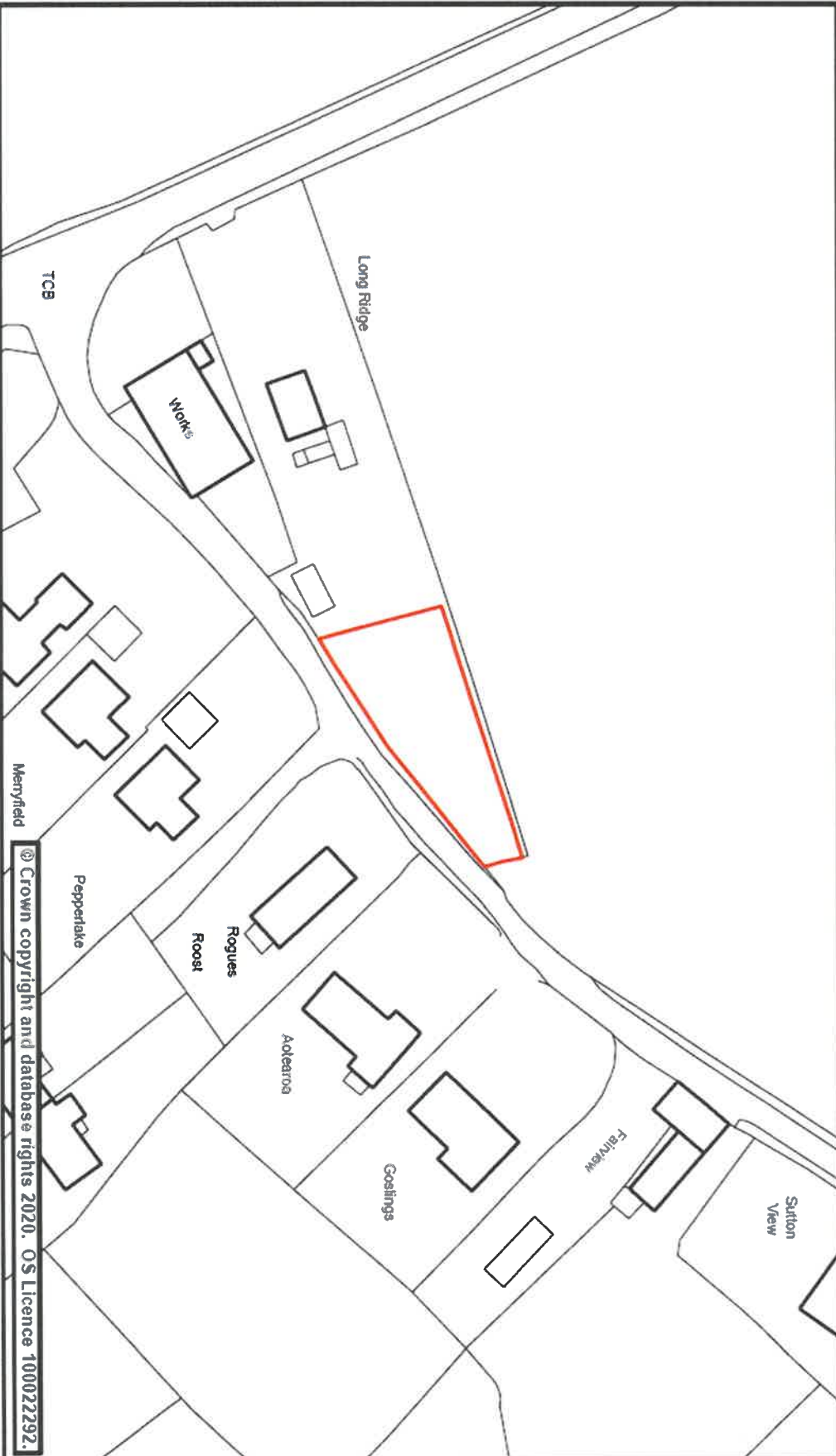


Street Scene Plan 111

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	New Buildings, Sandford	Produced by	GMS Unit

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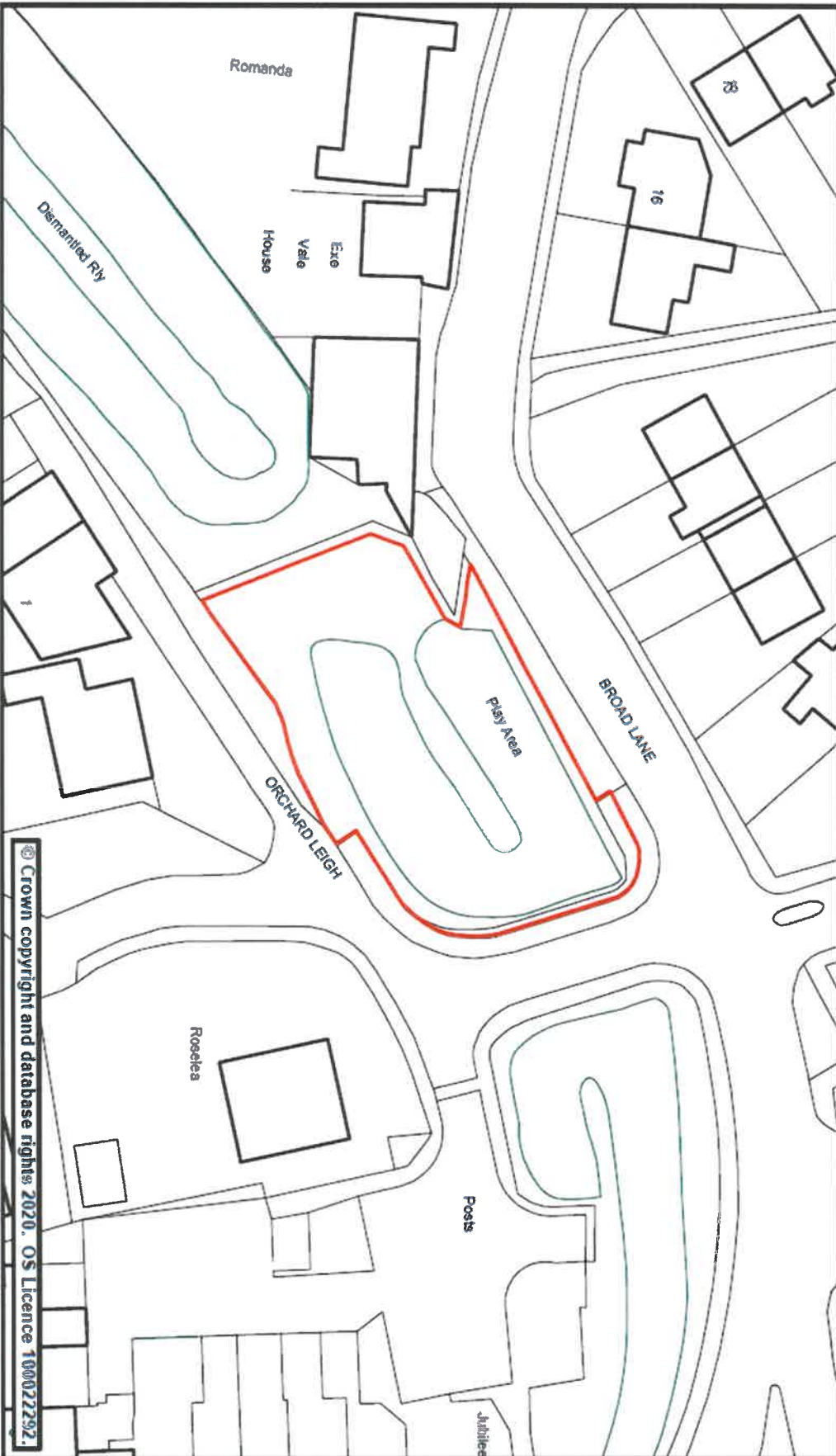


Street Scene Plan 1:2

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Orchard Leigh, Tiverton	Produced by	GMS Unit

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Street Scene Plan 1/3

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Orchard Way, Willand	Produced by	GMS Unit

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Street Scene Plan 1/4

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Palmerston Park, Tiverton	Produced by	GMS Unit

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Street Scene

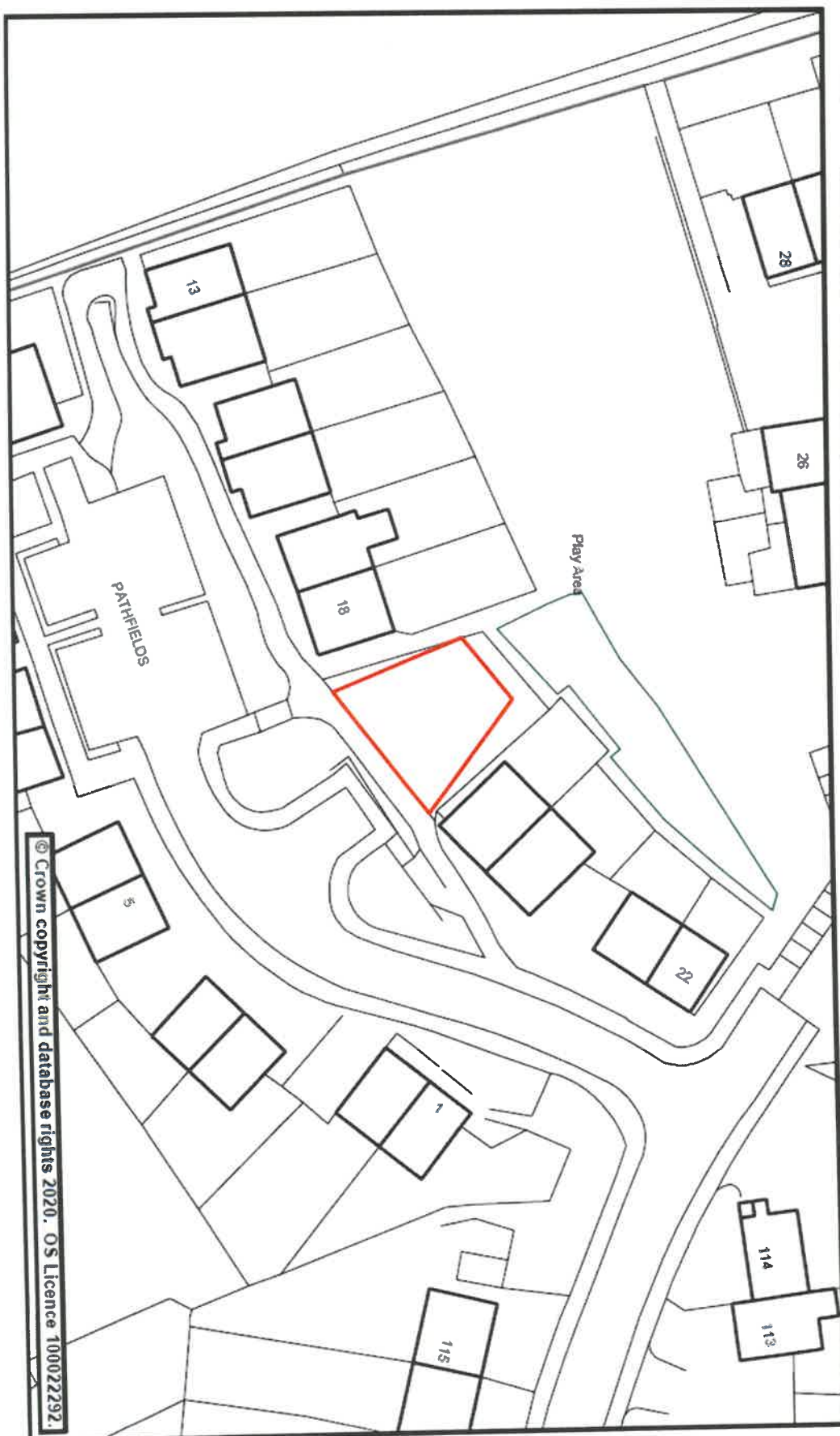
Plan 115

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Pathfields, Uffculme	Produced by	GMS Unit

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Street Scene Plan 116

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Pippins Field, Uffculme	Produced by	GMS Unit

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Street Scene Plan 1/17

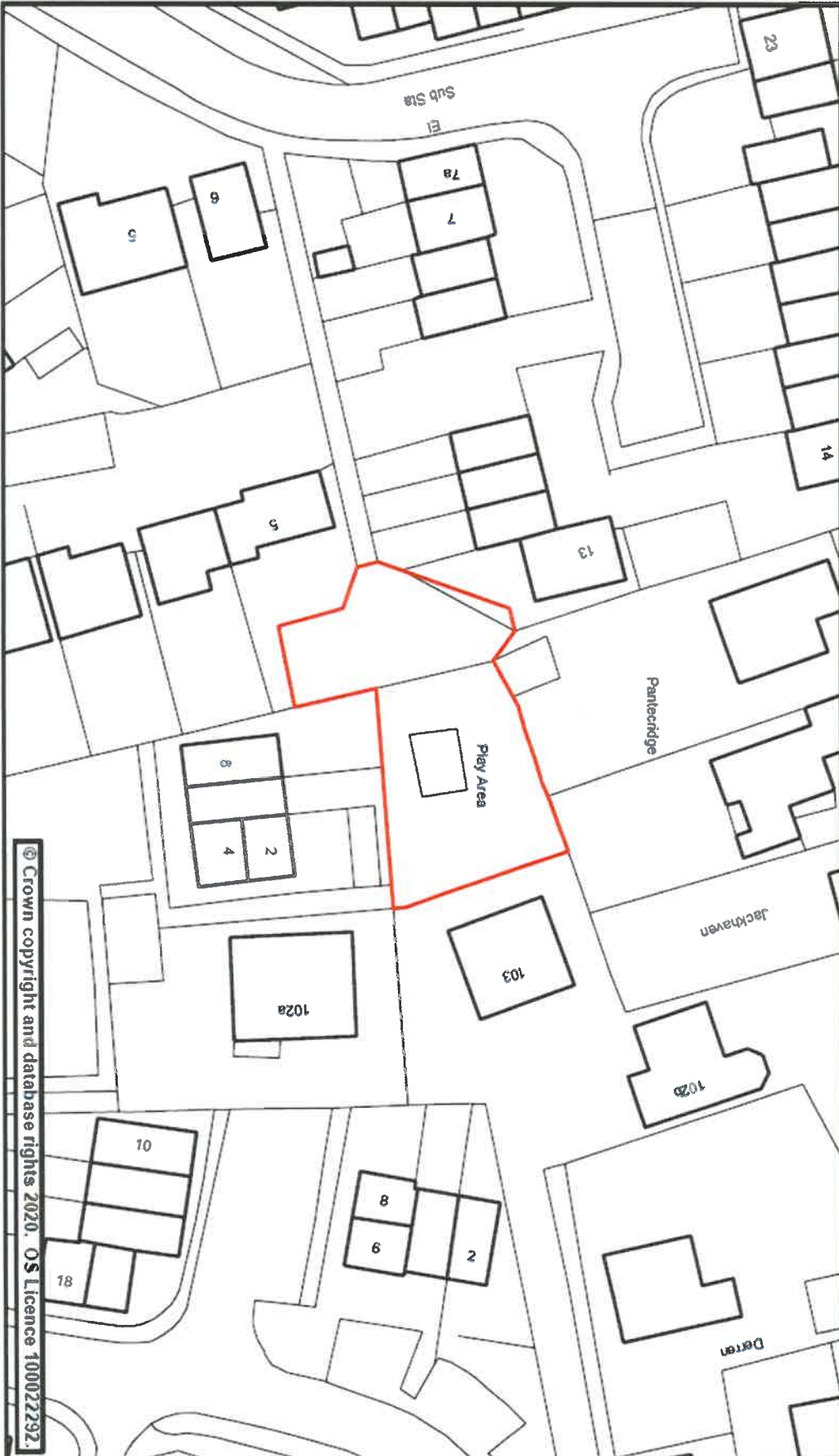
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Ploudal Road, Culmpton	Produced by	GMS Unit

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Street Scene Plan 118

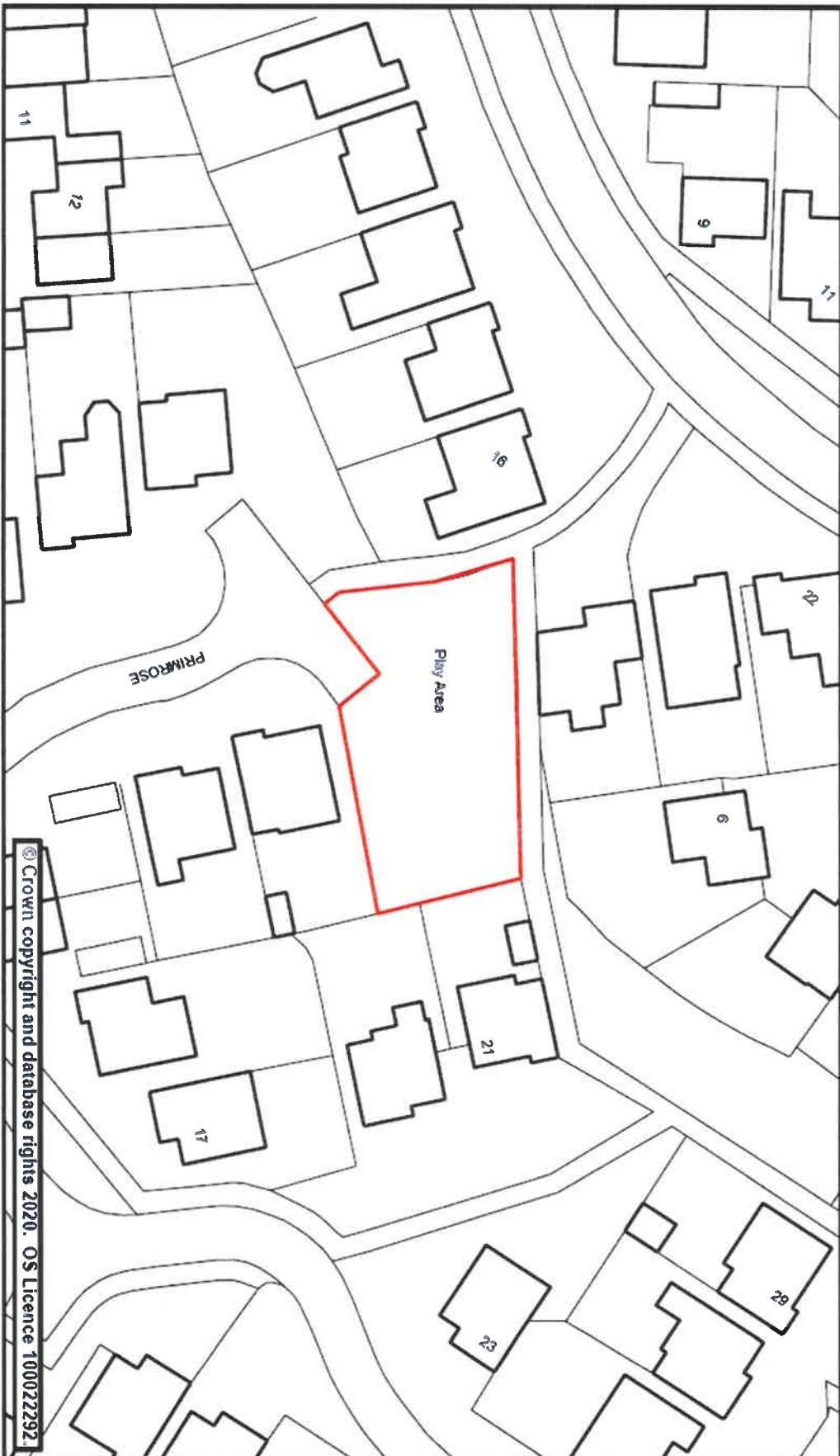
Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Primrose Close, Tiverton	Produced by	GMS Unit

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Street Scene Plan 119

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Priority Road, Tiverton	Produced by	GMS Unit

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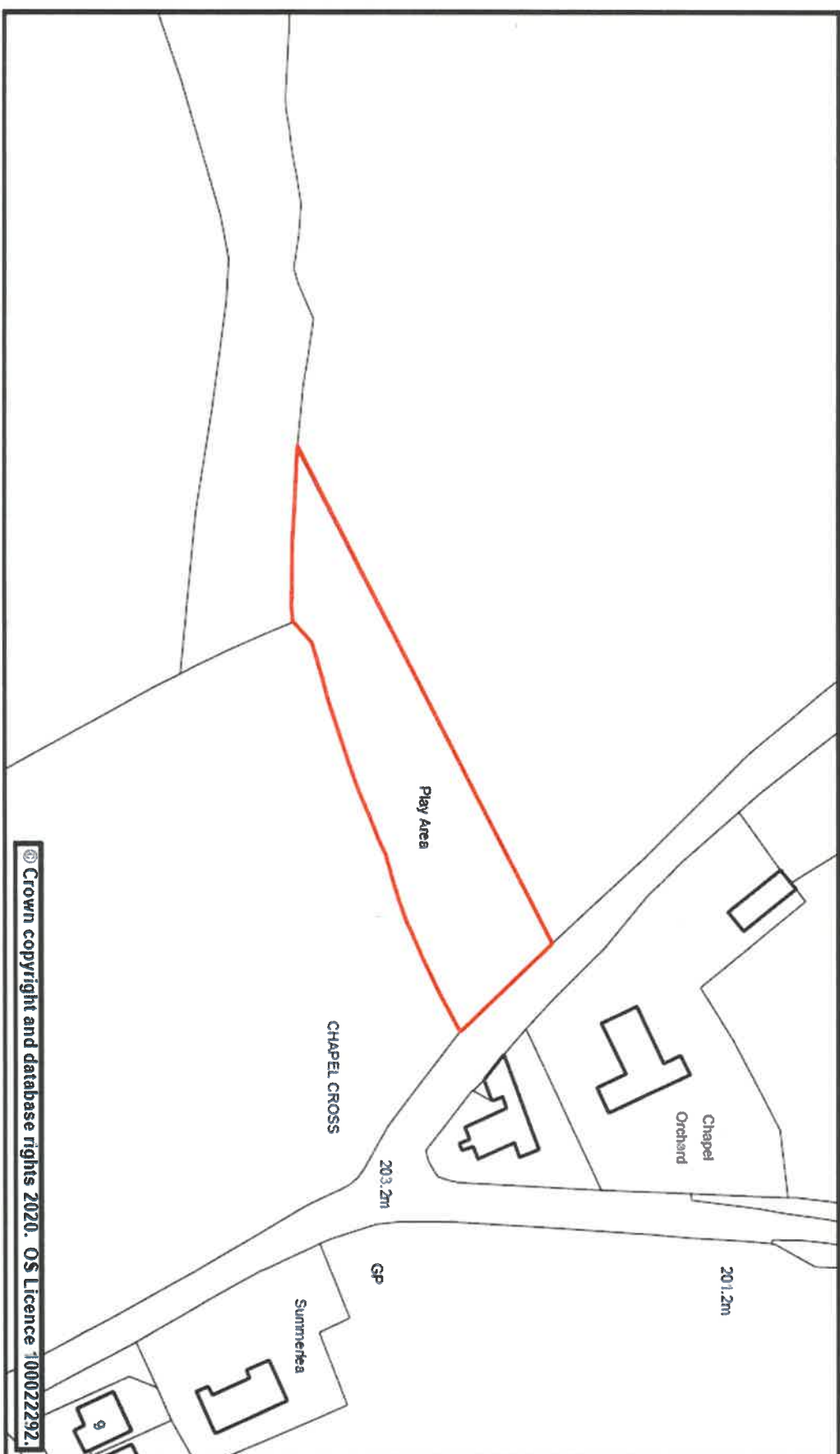
Street Scene Plan 120

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	Puddington Play Area	Produced by	GMS Unit

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Street Scene Plan 121

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Queen Elizabeth Drive, Crediton	Produced by	GMS Unit

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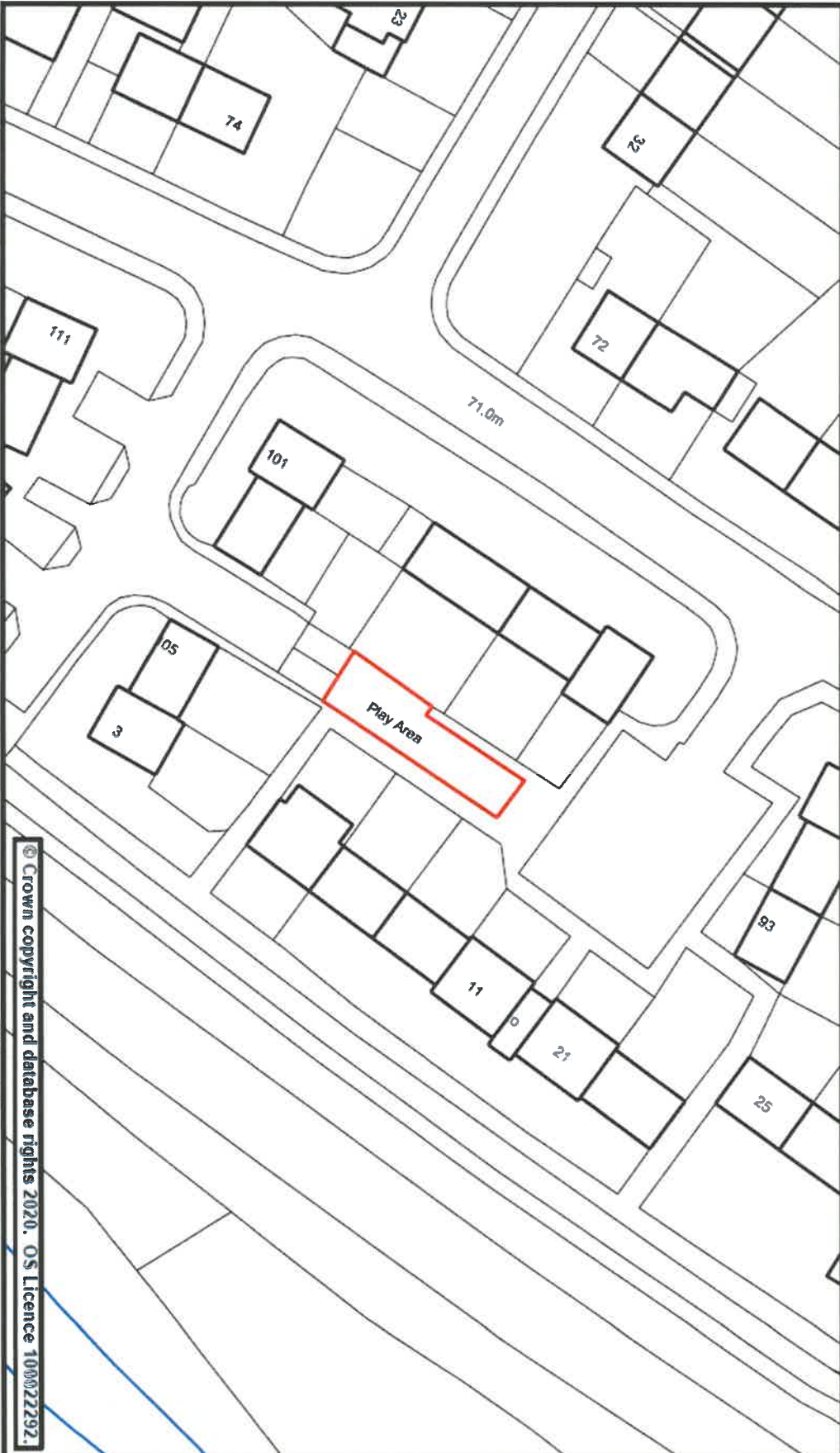
Street Scene Plan 122

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Queensway, Tiverton	Produced by	GMS Unit

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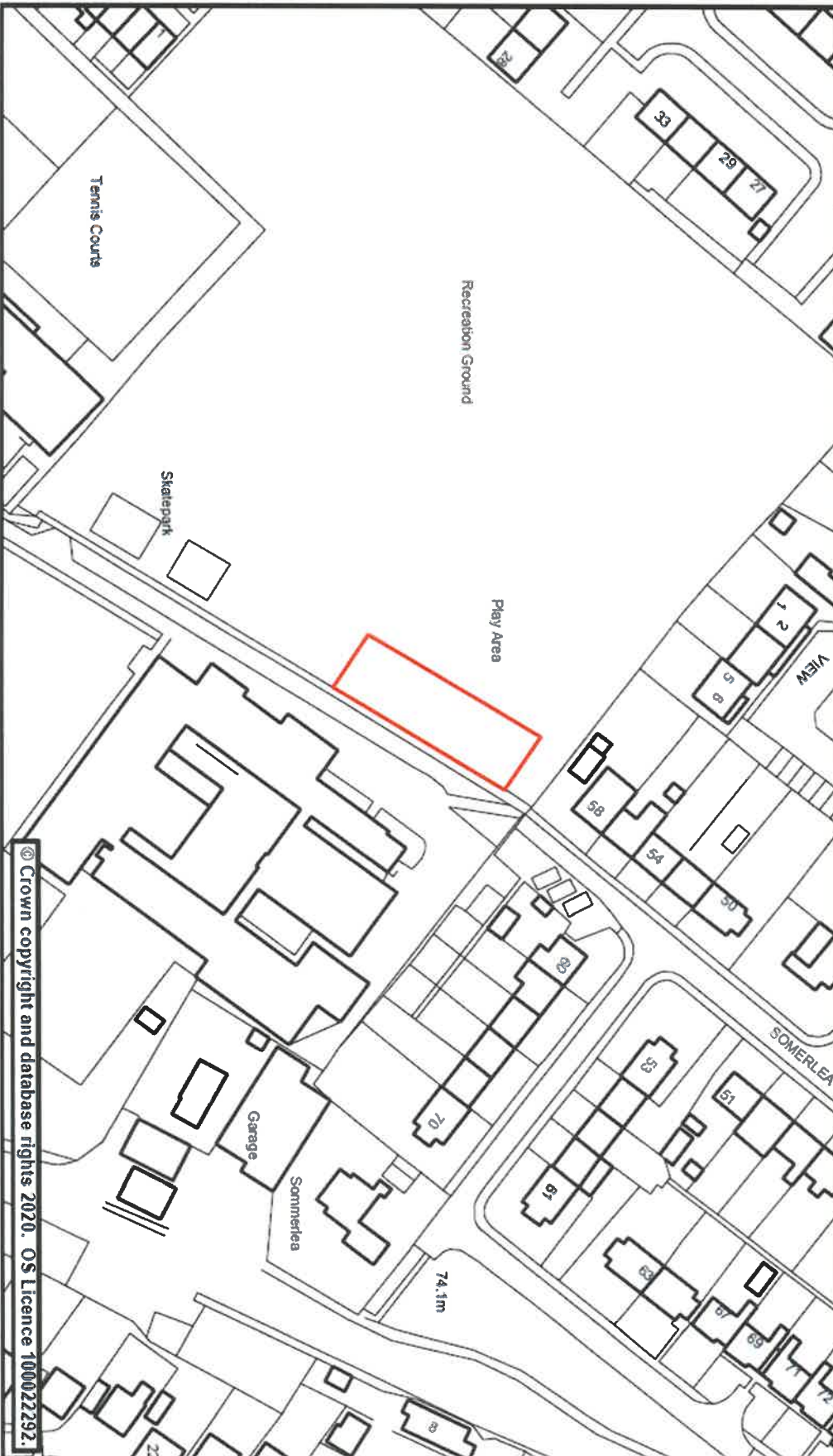
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Street Scene Plan 123

Scale	1:1,000 @ A4	Date	06 February 2020
Dwg. No	Recreation Ground, Willand	Produced by	GMS Unit

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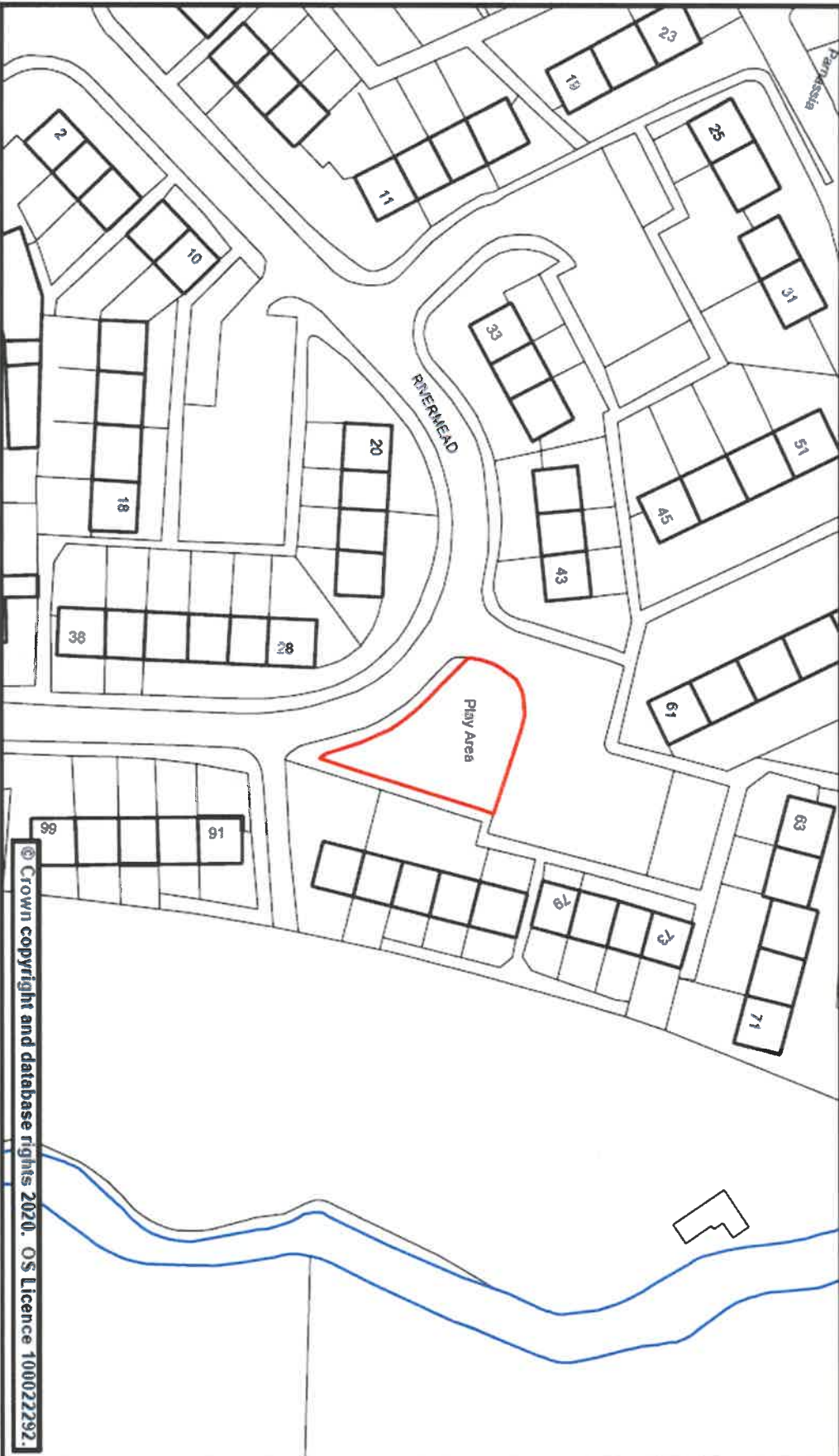
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Street Scene Plan 124

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Rivemead, Cullompton	Produced by	GMS Unit

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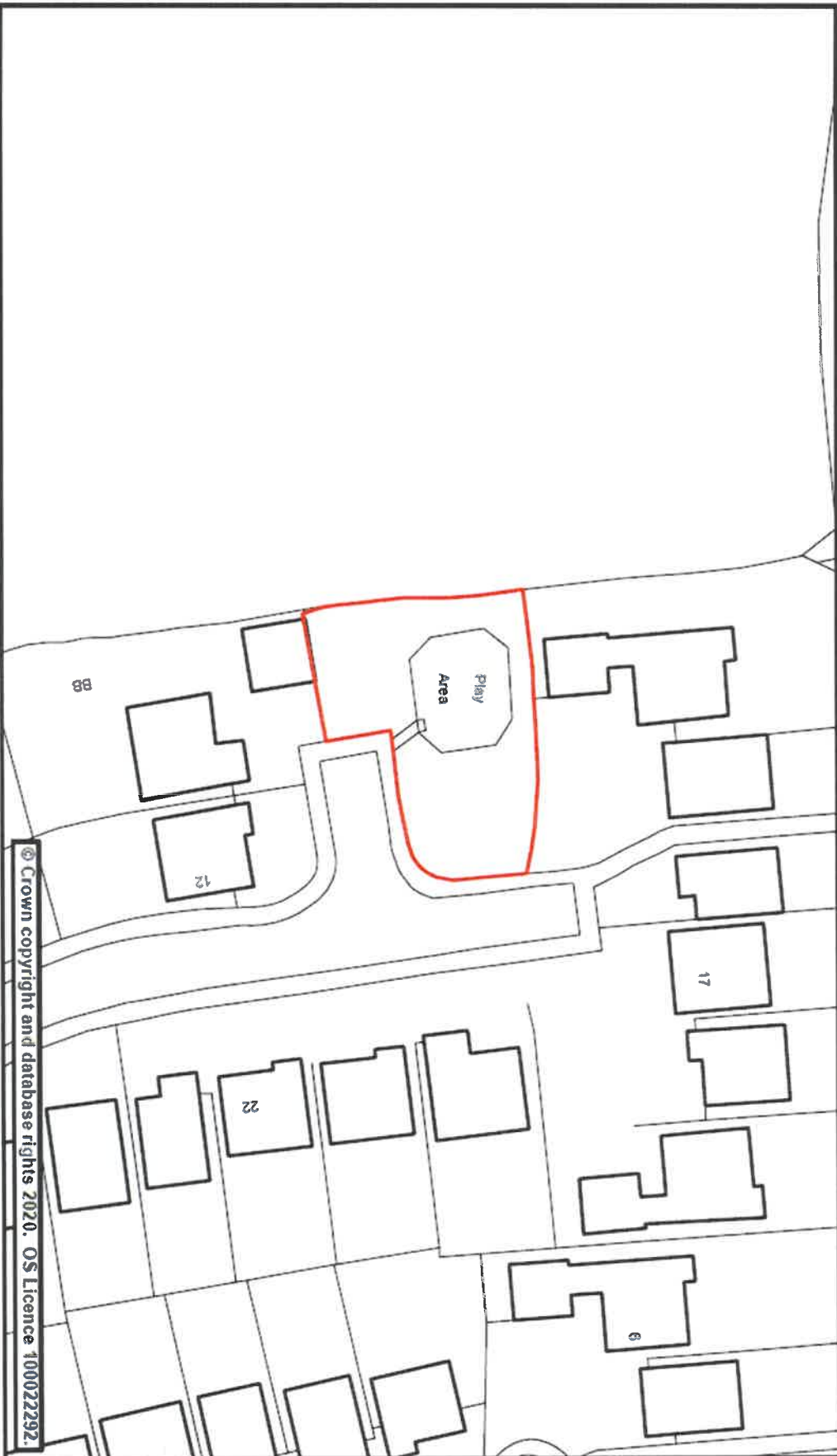
Street Scene Plan 125

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Siskin Chase, Culiompton	Produced by	GMS Unit

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Street Scene Plan 126

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	South View, Willand	Produced by	GMS Unit

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Street Scene Plan 127

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Spencer Drive, Tiverton	Produced by	GMS Unit

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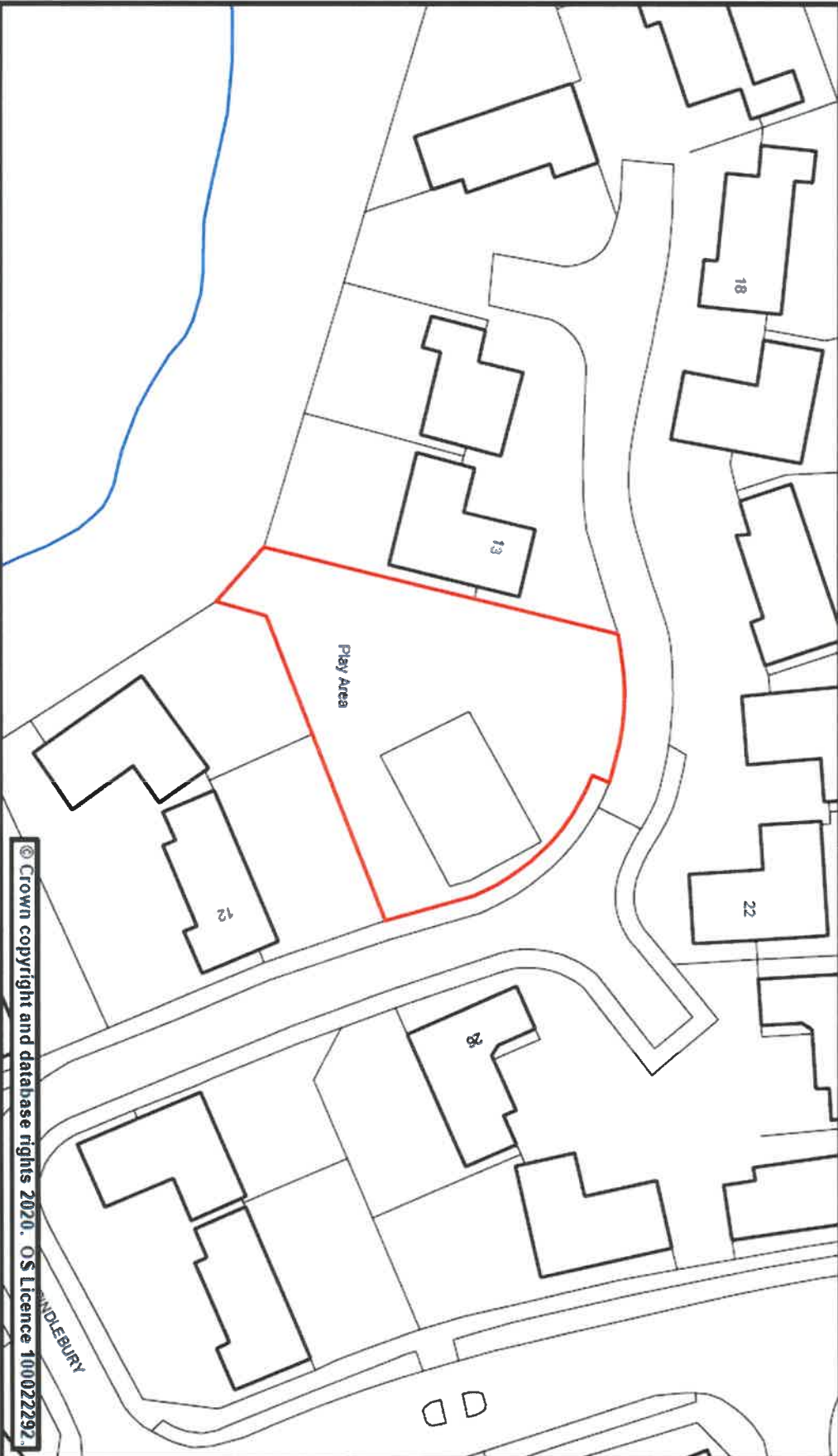
Street Scene Plan 128

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Spindlebury Road, Cullompton	Produced by	GMS Unit

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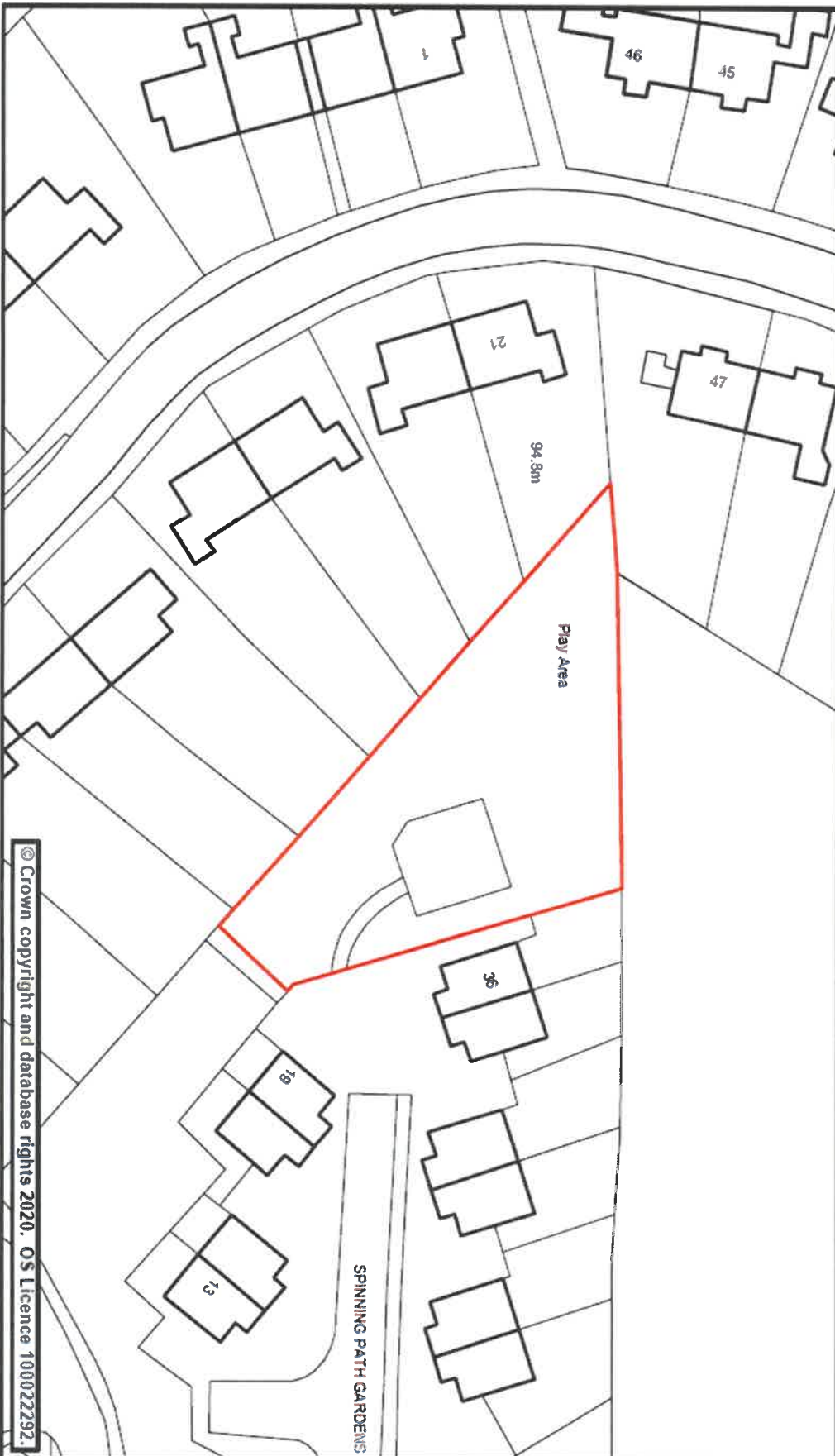


Street Scene Plan 129

Scale	1:500 @ A4	Date	23 January 2020
Org. No.	Spinning Path Gardens, Credition	Produced by	GMS Unit

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Street Scene Plan 130

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	SI Martins Close, Bow	Produced by	GMS Unit

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Street Scene Plan 131

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Starkey Close, Tiverton	Produced by	GMS Unit

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Street Scene Plan 132

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Starlings Roost, Cullampton	Produced by	GMS Unit

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Street Scene Plan 133

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Station Rd/Bray Close, Burlescombe	Produced by	GMS Unit

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Street Scene Plan 134

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Sunnymead, Coppistone	Produced by	GMS Unit

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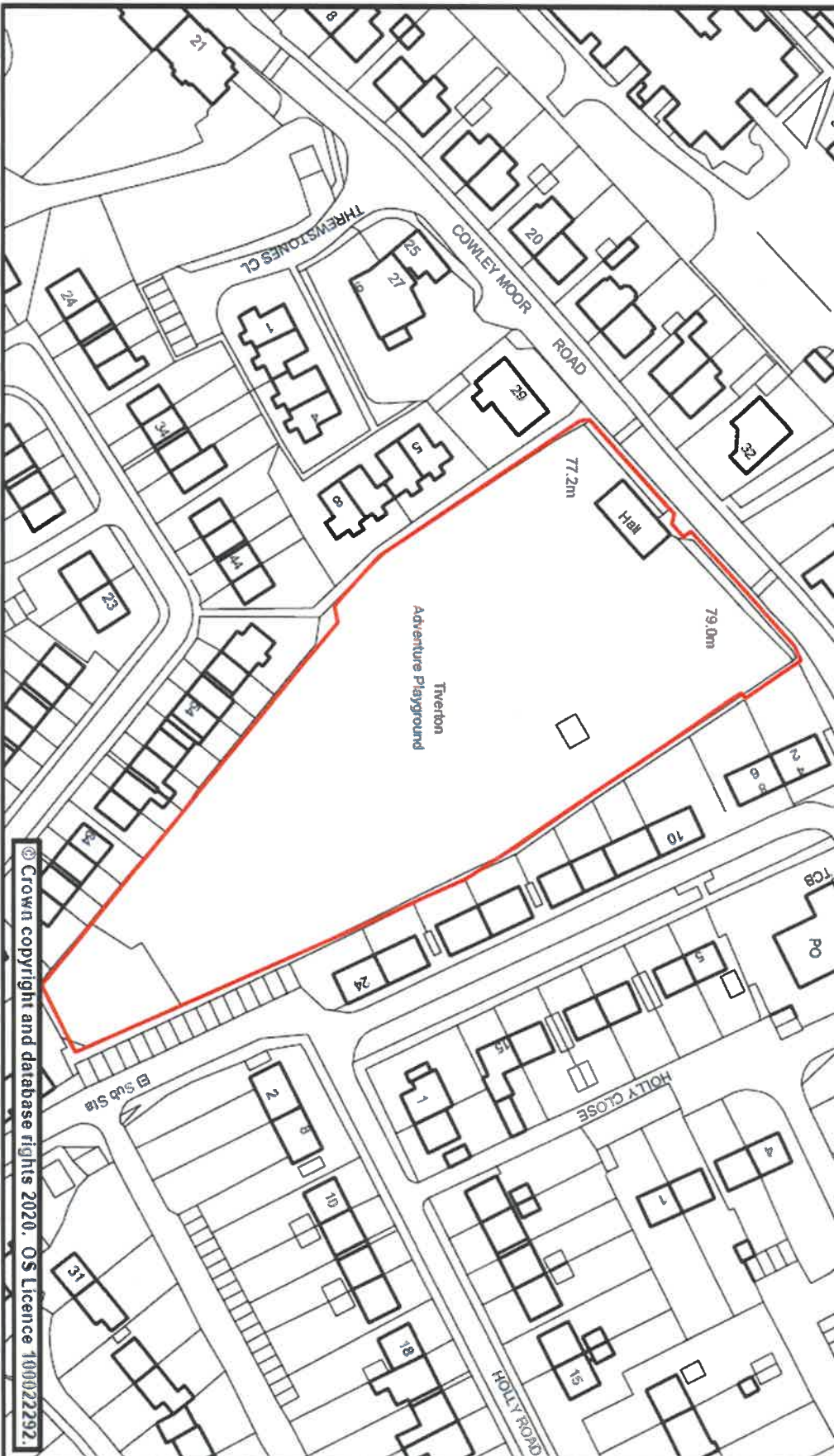
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Street Scene Plan f35

Scale	1:1,066 @ A4	Date	23 January 2020
Dwg. No.	Tiverton Adventure Playground	Produced by	GMS Unit

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Street Scene Plan 1/36

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Town Barton, Sandford	Produced by	GMS Unit

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Street Scene Plan 137

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Townlands, Bradninch	Produced by	GMS Unit

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Street Scene Plan 1:38

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Trickey Close, Tiverton	Produced by	GMS Unit

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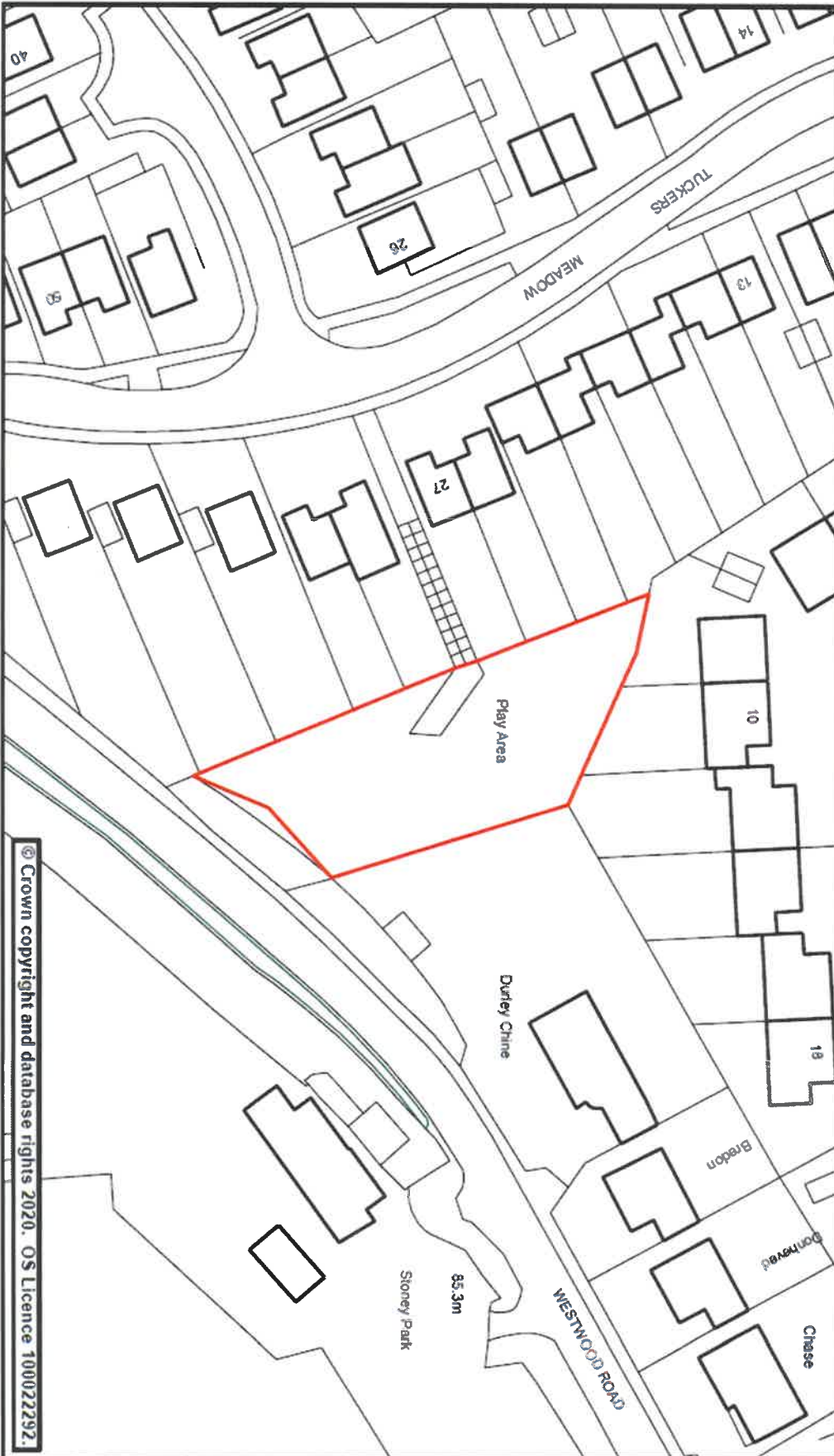


Street Scene Plan / 39

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Tuckers Meadow, Credion	Produced by	GMS Unit

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Street Scene Plan 140

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Tuffy Park, Culmpton	Produced by	GMS Unit

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Street Scene Plan /4/

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	Victoria Close, Willand	Produced by	GMS Unit

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Street Scene Plan 142

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Walnut Drive, Crediton	Produced by	GMS Unit

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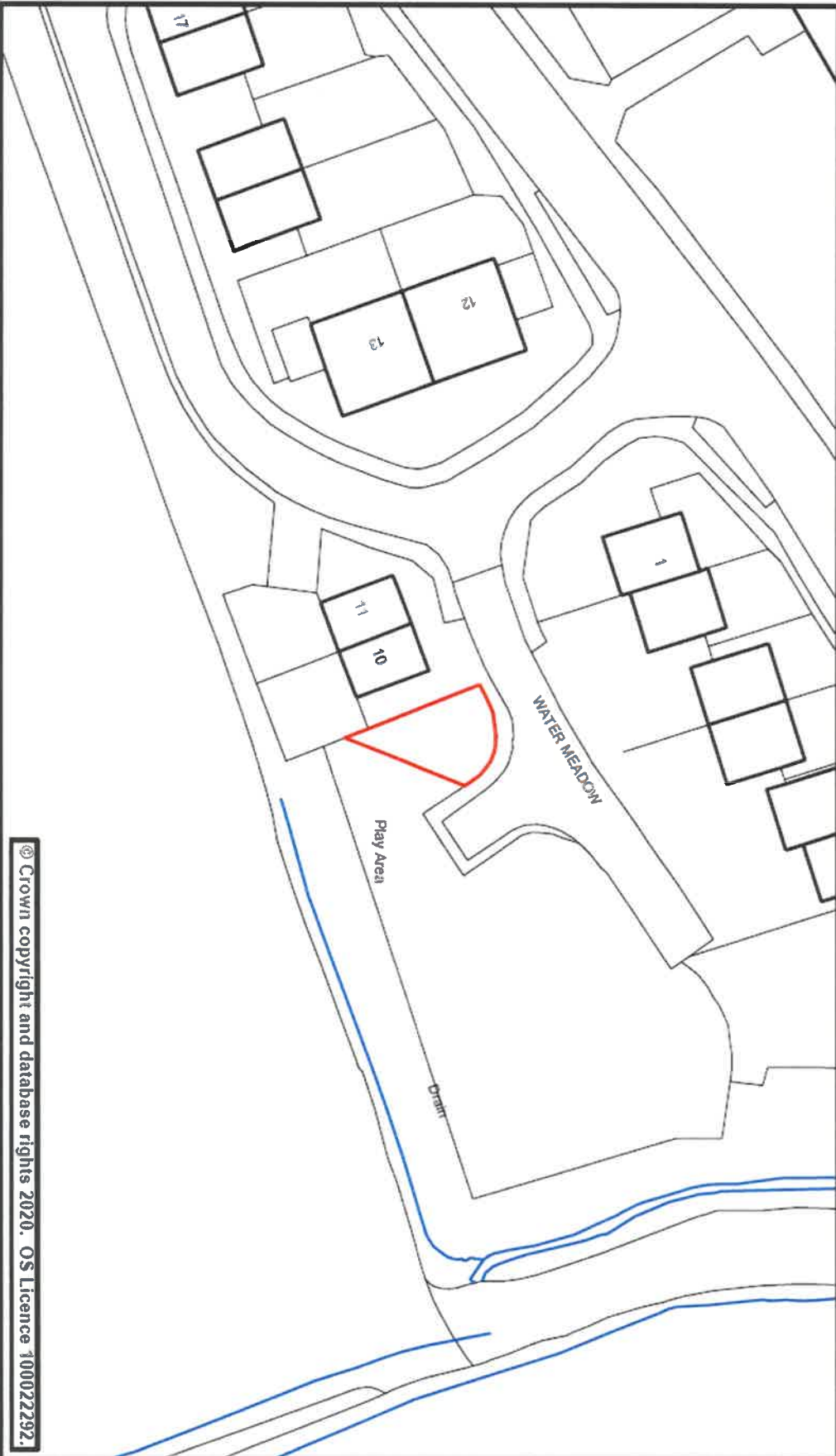


Street Scene Plan 1/43

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Water Meadow, Cullompton	Produced by	GMS Unit

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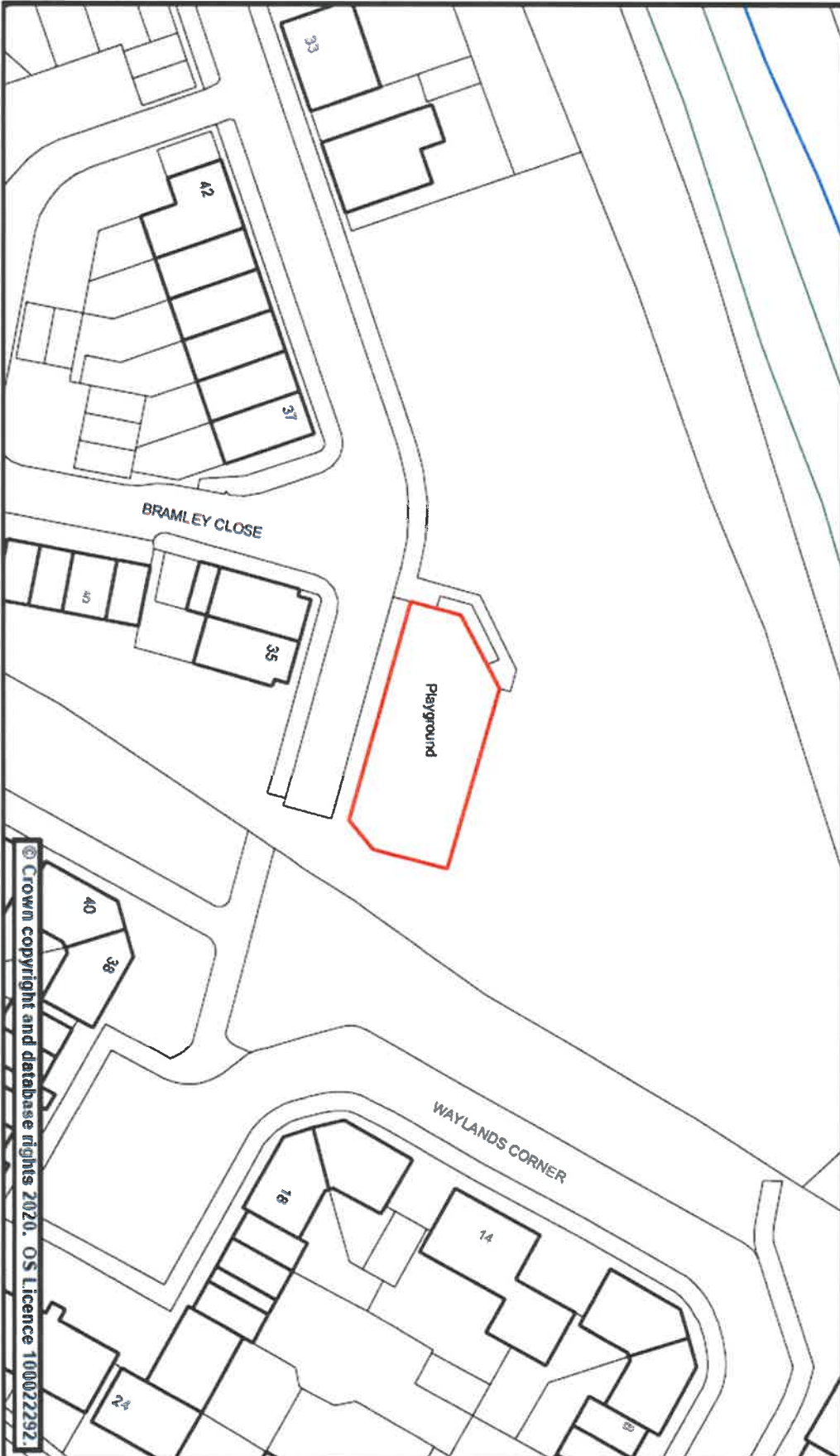
Street Scene Plan 144

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Waylands Road, Tiverton	Produced by	GMS Unit

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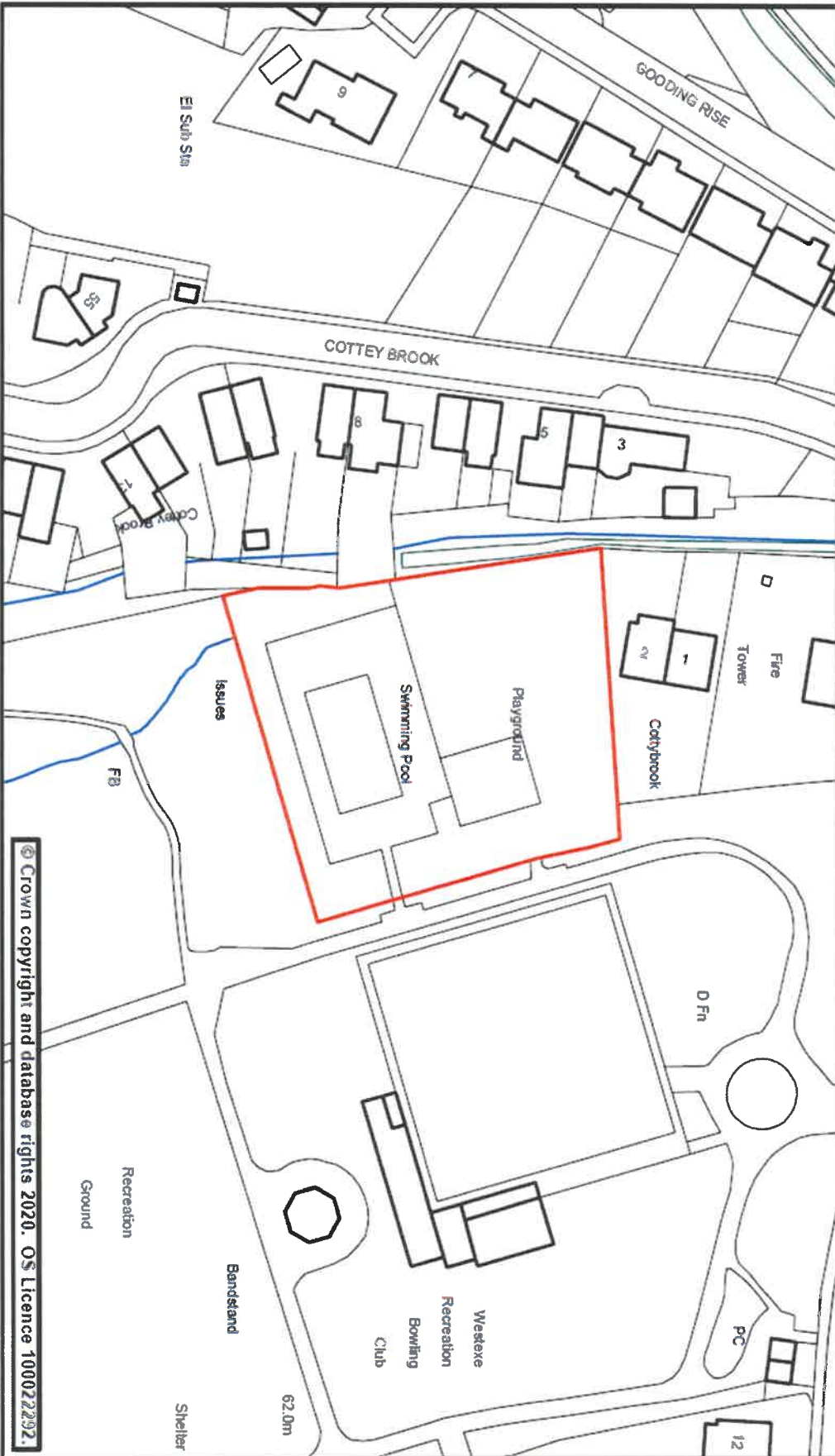
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Street Scene Plan 145

Scale	1:750 @ A4	Date	23 January 2020
Dwg. No.	West-Exe Recreation Ground & Pool, Tiverton	Produced by	GMS Unit

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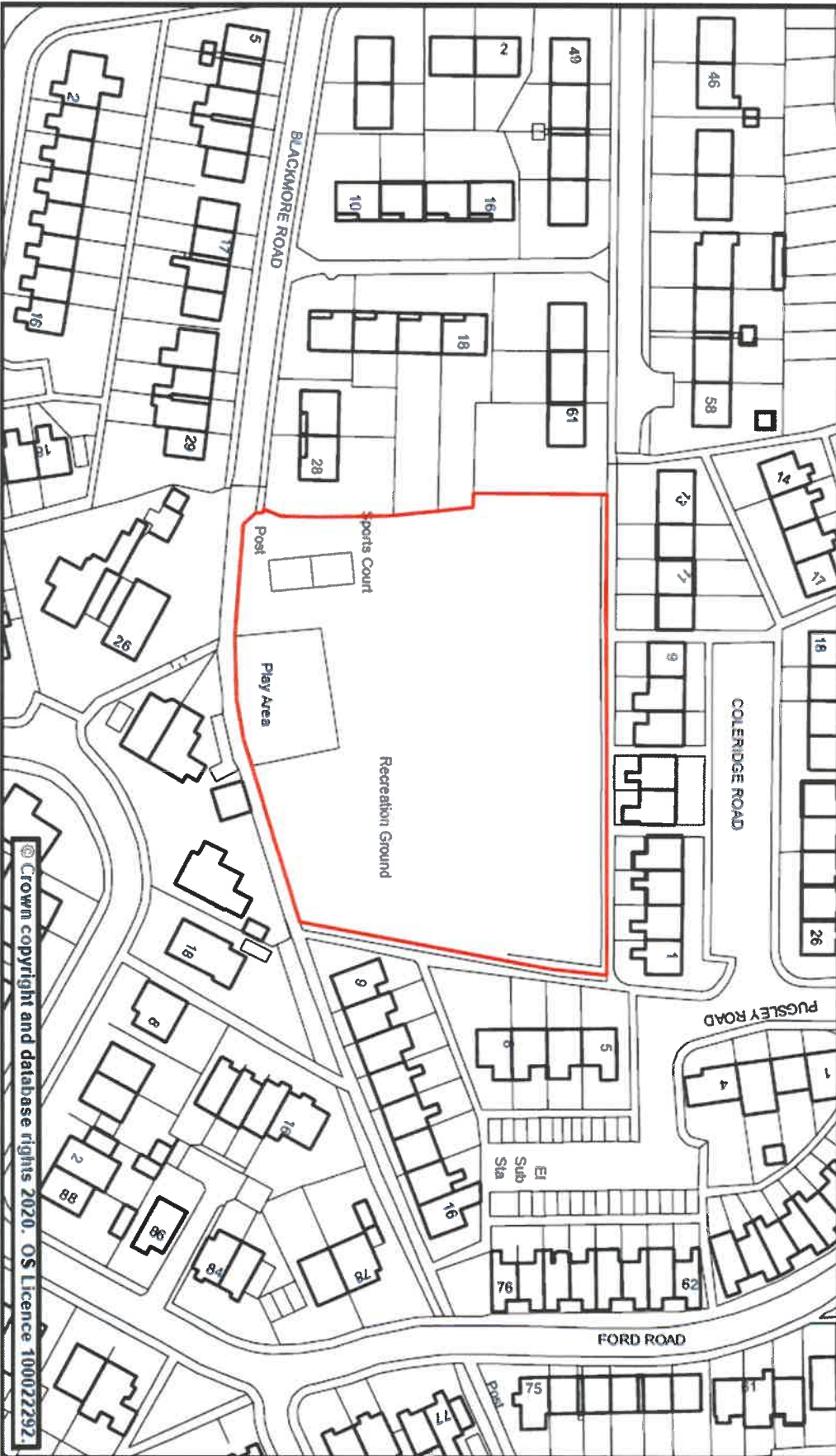
Street Scene Plan 146

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	W1combe, Tiverton	Produced by	GMS Unit

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Street Scene Plan 147

Scale	1:500 @ A4	Date	23 January 2020
Dwg. No.	Worcester Crescent, Willand	Produced by	GMS Unit

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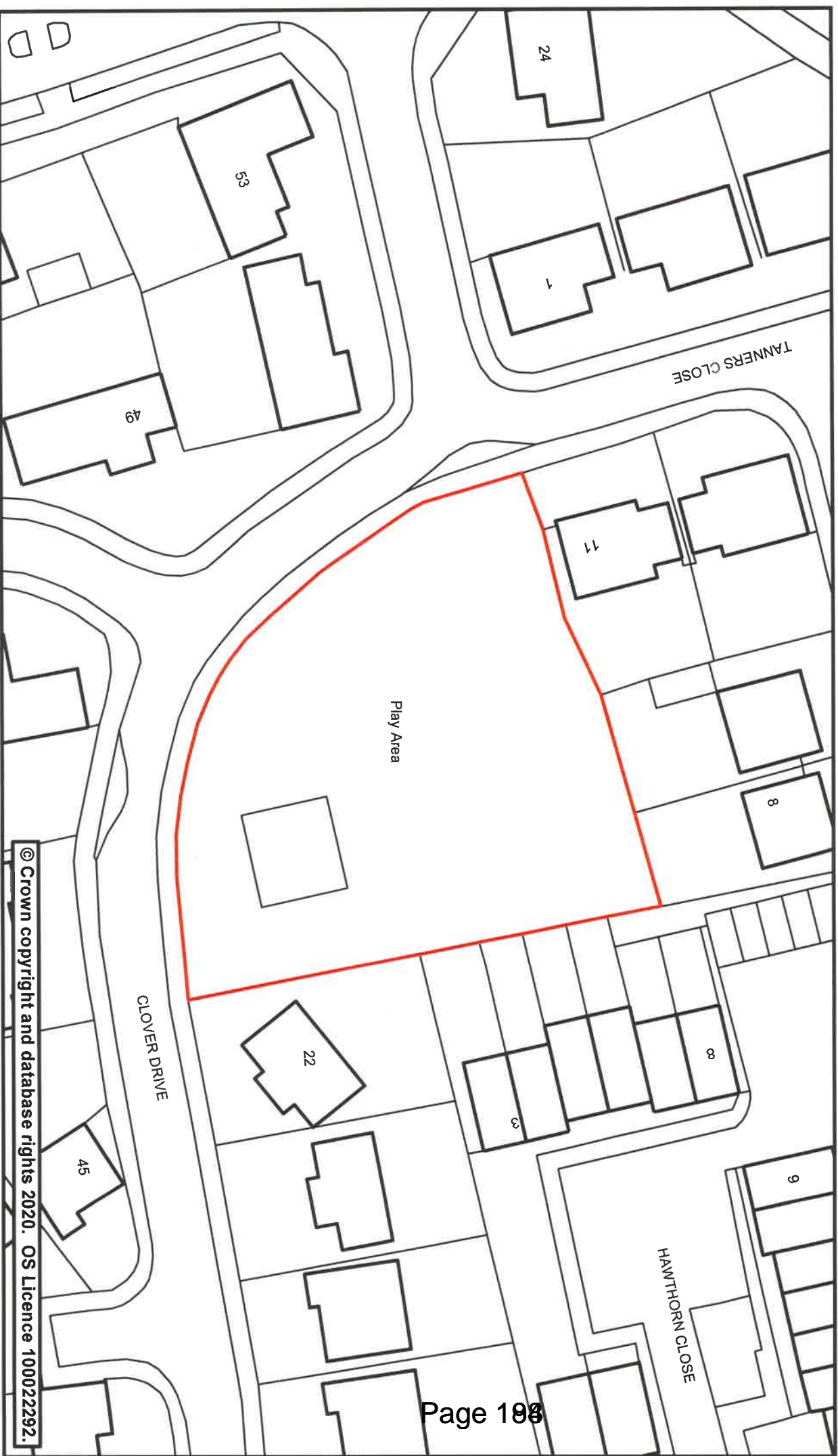
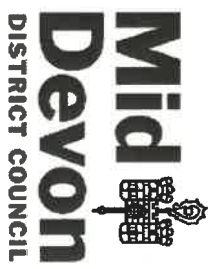
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Street Scene Plans 148

Scale	1:500 @ A4	Date	23 January 2020
Drg. No. Tanners Close/Clover Drive, Culmpton		Produced by GMS Unit	

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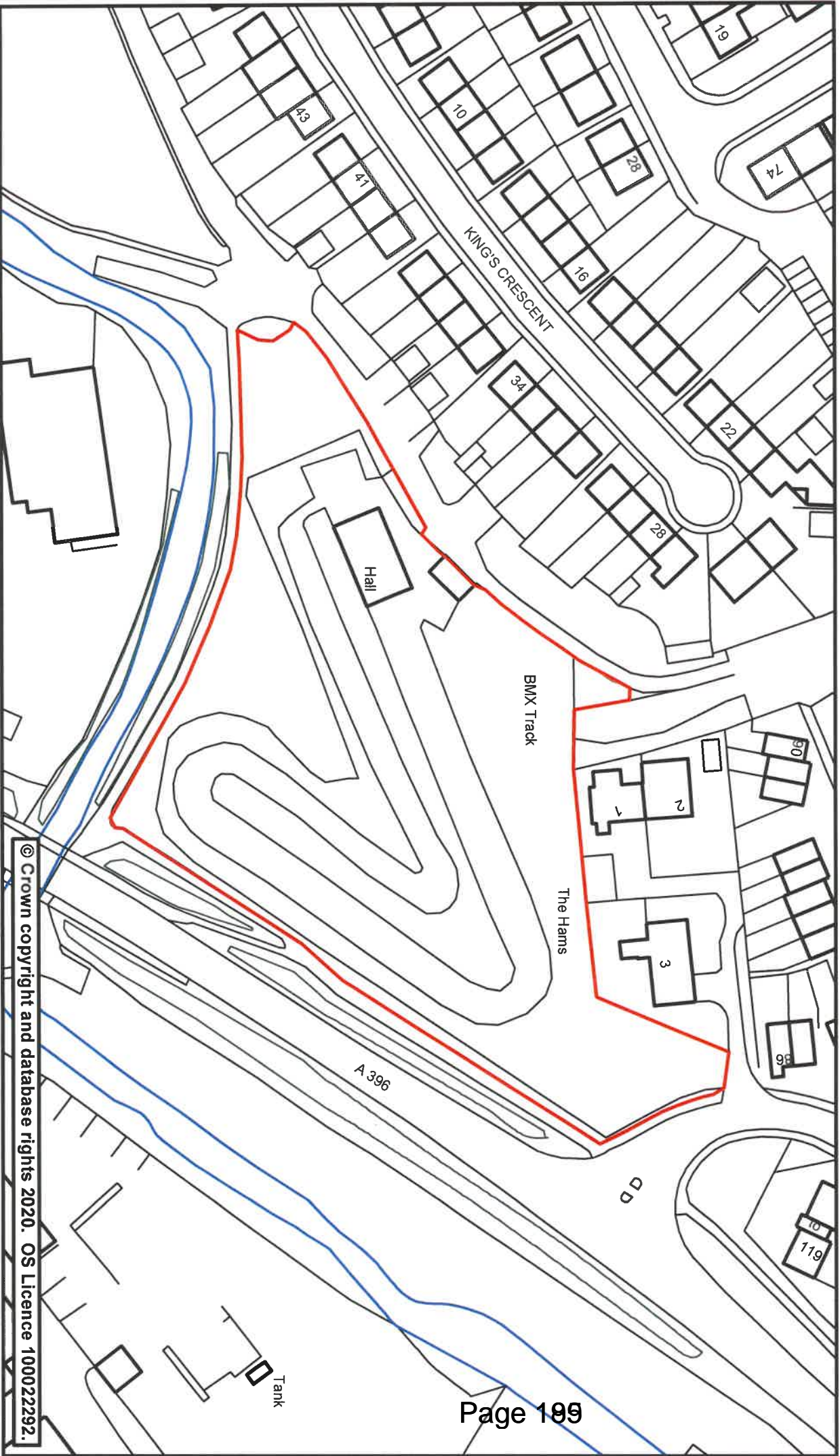
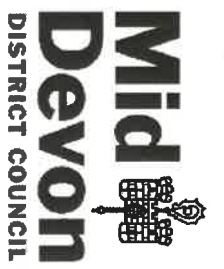




Street Scene Plan 149

Scale	1:1,000 @ A4	Date	23 January 2020
Dwg. No.	The Hams BMX Track, Tiverton	Produced by	GMS Unit

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Summary of responses

Areas for walking dogs off lead are already very restricted especially older people and those with mobility issues.

To impose a new blanket restriction for dogs to be exercised on a lead in all parks in Crediton is cruel and unnecessary. It is common to sense to know that dogs need to be freely exercised without the constrictions of a lead. They can cover a lot of ground in this way and are so happy in doing so. To deny them of this pleasure is tantamount to cruelty. People derive a lot of pleasure from exercising their dog locally in this manner. Again to not be able to do so would be also cruel to the owners. I understand that as far as Crediton is concerned the number of complaints relating dogs was minimal. A small number of complaints that did occur were mainly in areas other than parks. The only exception was Newcombes Meadow (where there is already a requirement to keep dogs on leads), and these small

Re Crediton. Newcombes Park already has a bylaw requiring dogs to be on leads. It is important that dogs can be properly exercised off lead to chase a ball in other public spaces apart from play areas and the complaints have not related to dogs being off leads in other parks.

At all times in all public areas, no dog can be trusted not to attack at any time. If off the lead the owner has no control if an attack takes place.

Dogs love running after thrown tennis balls and retrieving them which is fine providing the dog is kept under control by their owner.

I don't think they should have to be on leads in public parks. If this goes through there won't be anywhere locally to walk your dog off the lead, which will increase traffic and pollution as we will have to drive to somewhere to exercise our dogs. What happens to dogs whose owners don't drive? How are they meant to exercise

In terms of owners being able to exercise their dog off the lead in parks, the council do not seem to have explored any other options to meet the objectives of the consultation apart from a blanket requirement of having all dogs on leads at all times. The council have not provided any evidence of increased problems of fouling

As a responsible owner of a very well-behaved dog I feel that we are being penalised for those owners who are not! Very unfair!

Dogs which behave and aren't a problem should be able to be let off the lead. People with aggressive dogs should never let their dogs off lead and if they feel like it

Dogs require off lead exercise and not everyone has access to a vehicle to drive to a rural location without livestock to give their dog/s off lead exercise. A dog that is not appropriately exercised is far more likely to display "bad" behaviour, such as barking, or aggressive behaviours. Therefore, I think it is imperative that public parks remain a place that dogs can be exercised off lead, the benefits to the dog's wellbeing and the wellbeing of the people who own the dog and those who live within close proximity of a dog. I wholeheartedly agree with both picking up and removal of dog faeces from public places, and an owner's responsibility to keep

I agree on leads in formal parks like West Exe & People's Park but not in general areas of open space such as off Bluebell Avenue in Tiverton where dogs are needed to be off leads to take adequate exercise and for play purposes & socialization, I have never experienced a problem with this

Yes, dogs must be under control and owners should pick up after their dogs. This is already stated in law. Forcing dogs to be on leads will not address the lack of cleaning up. Enforcement of existing laws is a far better solution. Dogs need to be allowed to be exercised, which doesn't mean being on a lead all the time.

Dogs need spaces to run free. Some of the public parks listed are primarily and in some cases solely used by people to allow them to throw a ball for example.

Obviously, children's play areas should be dog-free, but areas including Cudmore Park and Starkey Close and Tidcombe Walk are quiet and a good place to play with

Growling is a natural dog behaviour from Yorkshire Terriers to Labradors. It is a warning sign to keep away or shows fear. If growling leads to aggressive attack then clearly you tackle that dog or that owner - a blanket ban to dogs being off lead in dog walking areas like the railway is over the top response to only 128 complaints,

I am not a great dog lover but I do think it is cruel to not let dogs off the lead in a public space as long as the owner can control their dog. This rarely causes an issue

Dogs need to be able to run freely. Part of caring for a dog entails providing it with the right to express freedom of movement. Being restricted on a lead is not sufficient exercise and verges on the cruel, depriving it of its right to freely exercise. The parks of Mid Devon should be available for everyone's use. Dogs should be allowed to play ball, play with other dogs or simply run around expressing natural behaviour and enjoying themselves. It would not be right or fair to deprive all
Dogs who are under the correct control of their owner should be allowed to run & sprint providing the owner has sufficient recall over them. Some dog breeds, to
Dogs need the opportunity to be able to exercise off their leads. We are all forced to pay for the up keep of parks so we should all be able to benefit from them. I agree that dogs should be kept under control, and I always try to do that with mine, but dogs do need some freedom. The only time I would be likely to use a park is
There are public parks in mid devon which offer the only place for dogs to be let off the lead.. most dogs and their owners get great pleasure from throwing a ball to a dog and to teach them to retrieve. If they could not exercise their dogs safely off the lead they would have to get in a car to go to a beach. Not so good for the environment. Farmland is not always possible to use as off lead exercise as livestock is often around. In walking my dog i have never come across vicious dogs.
I strongly believe that ALL dogs should be kept on a lead in ANY public area
Well behaved dogs should be able to roam and play under supervision of responsible owners. Only officially designated, and hopefully trained persons should be
Because it's a "public" park. That includes walkers and their dogs. Provided they pick up their dog's waste.
Enforcing the use of leads in such parks is too severe a response and is punitive to the vast majority of dog walkers who do not cause a nuisance. Conditions for use of such parks by dogs and their walkers without a lead should be considered. Such as allowing those who have not previously been sanctioned to use the park on condition 1) that young children are not in the immediate area, 2) that dogs are placed on a lead without delay at the reasonable request of another park user, 3)
that dogs be required to be led at certain peak use times, for example. I am a dog walker living in Cullompton and have used Crow Bridge park for years without
I don't agree with names public parks because in open spaces our family pets need area to run free- on the condition the animal is not known to be a nuisance in
Cementaries out of respect and if enforced for a lawfully significant reason. Public parks are used by so many dog owners as a place where they can exercise safely.
Some of the public parks are in a rural area without children's play areas and I can't see what the problem is when the children's area is enclosed to separate . I feel that responsible owners do adhere with consideration to others by implementing your current plans the ones who cause problems will continue. Perhaps it might be prudent to start with CTV cameras in mentioned areas which then will have a dual purpose.. firstly to identify irresponsible dog owners and secondly anti-social
Well behaved dogs should have freedom to walk off the leach when they are supervised by an adult responsible walker
Much more antisocial threats from teenagers in parks, can they be put on leads
Given that any piece of land larger than a pocket handkerchief is "designated", the proposal is too restrictive.
I do not believe that dogs should be kept on leads in certain parks you are talking about such as the dog park at the people's park. The majority of dog owners pick
Dogs need to be excercised off the leadand "named parks " seem to be anywhere you can do this at the moment .
Most dogs benefit greatly from daily Offlead exercise and in these open spaces I believe it should be allowed. A responsible dog owner will pick up after his dog and keep his dog under control whether on or off lead and irresponsible owners won't pick up even if the dog is on lead. Owners will need to travel daily to properly
Dog owners NOT keeping dogs under control rather than all dog owners should be targeted

The proposal over parks is far too wide ranging. Many active breeds require off-lead time for welfare - the limitations proposed will actively harm people's pets. The proposal penalises good dog owners but, as mentioned, many incidents of aggression were by on-lead dogs, making the gains of this drastic proposal rather limited. It is common for many dogs to be unwilling to defecate while on a lead, requiring off-lead time for welfare. Off-lead play with a family dog is a significant form of personal recreation for owners, including families with children, meaning the blanket prohibition cuts quality of life for many, many people. Decision makers should consult with animal welfare charities and a dog behaviourist before concluding this option is necessary or humane. Be aware that an important aspect of dog
Parts of some larger named public parks could be specifically assigned for dogs to be off the lead, eg. There is a 'greyhound run' in Cullompton. New signage must
Clearly dogs should not be in children's play areas. However many of the public spaces listed are frequented by responsible dog owners who are there to exercise their dog, allow them to run around and interact with other dogs which is essential for the dogs mental health and well being. Should these areas be particularly
Dogs need off lead exercise not many areas if not allowed off in parks
It will not necessarily get the waste picked up. I have seen poo on the pavements where dogs would clearly be on a lead. The people who do not pick up are irresponsible as they know their dog has done it. Don't penalise the majority for the the small amount who don't follow the law.
It would be better to enforce the current legislation regarding fouling and antisocial behaviour in the parks. Most dogs are well behaved - in fact better behaved - off a lead than on. They are more protective when on a lead. Those who flout the current laws will still do so, and you will penalise the rest of us.
The dog owner has the responsibility to keep their dog under control. There are many differences in the behavior of each animal, some are well trained and others that have irresponsible owners who have not trained their dog. It is unfair that all dogs and owners should be penalized with a blanket draconian ban. Some breeds of dog require to run to exercise for their well being and that cannot be attained on a lead. The majority of the people using the open spaces specified are dog
I let my dog off the lead in some parks and always pick after her why should she be penalised because of the lazy few ?
Guidance from the government states that councils should publish a list of alternative sites which dog walkers can use to exercise their dogs without restrictions. Can you list these please? Councils should also consult dog law and welfare officers and organisations affected by restrictions before seeking to a PSPO. Can you
only in named public parks, if there is a notice asking dog owners to do so.
I accept that there are dogs out there that need to be on a lead. However, my own dog is the most passive animal and I see no reason for someone else to tell me
Disagree with the unfenced area of Amory Park, Bluebell Avenue, Gornhay Lane, Oak Close, Old Park and Railway Walks Tiverton. These are not play areas and dogs
I do not know all of these parks but I do regularly use Old Peoples Park (Plan 49) to exercise my dogs off lead as this is one of the only areas children do not play.
It really depends on the park. I agree with dogs on leads in Peoples Park Tiverton, but the Old Park Tiverton should be free for dogs to run as it is now. Also Oak Close Tiverton open space, I don't feel this interferes with anyone if dogs are allowed to have a run about in there.
Some dogs are well trained and walk at their owners heel
Restrictions within parks are a little over the top. Given that many dogs are trained and have sensible owners, this ruling restricts the masses because of the actions
I think that it depends where the public park is. There are parks where dogs could be off lead. Unfortunately dog walks have been cut with so much building.
Where I live there are so few places now where your dog can have a run. None of the named play areas in my area you would take a dog in anyway
Well behaved dogs should be allowed off leads.
I feel that within public parks dogs should be kept on lead but in other parkland areas - perhaps where there is a separate area i.e Amory Park outside the fenced
Dogs need space to be able to 'run' and I feel if there is an area of park/grassed area that does not have a play area in it then dogs should be able to run free IF they

Parks that don't contain children's play areas/equipment should not be treated in the same way as those that do contain them. I agree that dogs should be on
There are already public parks that have notices stating dogs should be kept on a lead but you do not currently deal with offenders who ignore this so how do you expect to be able to police a totally blanketing of dog walking areas under your new proposals. Certain play areas are already fenced off from dogs but you are now
Dangerous dogs yes, dogs who should wear a muzzle yes, friendly dogs no. Also I hope you're not planning on taking away vital dog socialisation and exercise areas
People's park has a separate area for dogs to be off lead why change it? Who else uses the steep slope?
If a dog is kept under control, I see no issue if off lead in parks or cemeteries.
There should be some designated areas where dogs can be run off the lead. Clearly signposted so those who want to let dogs off the lead can and those who don't
There are a lot of dogs in Willand and only a few irresponsible ones who do not pick-up, as is the case almost everywhere. Parks are for the public, with or without dogs. A blanket ban, all dogs on leads, is ill thought out and draconian. Not all parks are the same. Most people using Victoria park are with dogs (map 67). The small portion between 8 and 9 Victoria Close is used very little, mostly by a couple of dog walkers. I have never seen a dog in Willand Moor road park! If these measures
Firstly you have in place fines for those whom do not clear up their dogs waste. Keeping a dog on a lead will not change the antisocial behaviour of our citizens who disregard their responsibilities. You speak of enforcement of your "new" proposals, but how have you acted upon and enforced the existing regulations? I'm sad to
I think it's madness to stop areas like the Tidcombe railway walk, and the West Exe river walk!
Dogs should be allowed freedom if they can behave. By stopping all dog owners from letting their dogs off of a lead, you are punishing all. There will be less
Why should well behaved dogs be kept on a lead because of the few that can't behave??
Dogs should be kept under control in the above areas but this does not mean on leads at all times. For example we frequent Cromwells greenspace on a daily basis and there is never anyone else there so there is no purpose in our well behaved dog having the pleasure of a run taken away from him.
Named Public Parks is a misleading statement as on Schedule C there are Public Parks and Public Open spaces. I would agree to Public Parks but the other areas e.g. Tiverton Railway Walk should be excluded from non lead walking being prohibited and only when requested by an authorised person when a dog is being a
I walk my dog off the lead in public areas, mainly People's park crediton. I don't believe that I should keep my dog on her lead in this area. I always pick up after my dog and the same applies to other dog walkers who go to People's park. I have never seen any dogs being aggressive towards anyone or any other dogs while I have been there. I don't see why dogs can't be let off the lead in this area as generally people go there early in the morning before going to work to walk their dog. You
Proposed changes will make it near-impossible for the majority to let dogs off-lead, without travelling outside of town to somewhere like Knightshayes. As a consequence, the quality of life of the dogs will suffer. Breeds that need lots of exercise will not get it, and so likely end up developing behavioural issues. It will also inhibit chances for training commands such as recall, further adding to behavioural issues and making complaints more likely in the future. Most owners who
Some of the places are not "parks" but public "green" places. I have two big dogs who since they were puppies I have walked a 3 mile circular route around the town at 7 am. I have had them on the lead in all public areas apart from the field between the Lowman and the Exe at the bottom of St Andrew Street which is one of the proposed enforcement areas. The River Walk / Rotary Way except when there are families or swans about again a proposed enforcement area. Then again in the Old Park area off People's Park., I let them off another proposed area. I carry and use poo bags always. If I am required to have them on the lead in all these
Often older people are more limited in the areas they can access to give their pets a chance of a free run. I agree that dogs should be banned from children's play parks, communal garden areas and also from sports pitches. However, restricting access to other open spaces will not solve the main problem in my area, which is
I don't think that people should be stopped from having their dogs off lead especially when the parks are usually fairly empty. I allow my dog off lead in a few of these public parks if the parks are quiet. I feel people should be allowed to enjoy these public places to exercise their dogs. I also believe that dogs should be kept

Some areas of parks should be designated off lead places. Maybe fenced off?
It gives dog owners the chance for their dogs to run free and off the lead. I agree that dangerous dogs should be kept on the lead in such scenarios and that dog owners are responsible to pick up after their dogs. It should be up to the dog warden to make sure that these rules apply rather than putting a blanket over all dogs.
Because if you are a responsible dog owner you have control of your dog whether off the lead or on ..& know when it is appropriate to put them on leads. I understand there are those who do not take responsibility for their animals...but they are going to flaunt these rules anyway :(in Mid Devon we must have one of
Dogs need to run and open spaces are very limited, not all dogs are dangerous in fact the vast majority are not, it's the same story everyone gets penalised by the
Off lead exercise and socialisation is important for dogs particularly when young. Depriving them will cause behaviour problems later on
I don't think a blanket rule across all parks is necessary. We regularly exercise our dog off lead in the park between Victoria Close and Blenheim Drive. I am not aware of any complaints about bad dog behaviour, nor have I seen any dog behaving badly in this park. Responsible dog owners throw balls for their dogs and are mindful of other people in the park, whether exercising or just walking through. I very rarely see anyone kicking a ball around and, on the odd occasion we have,
We need to have some parks to let our dogs off lead. I always clear up after my dog.
I believe well behaved dogs should be allowed to run around and play fetch with their owner provided the owner is responsible enough.
Depends on the dog and only not allowed in kids parks.
I could not access the document showing parks and may not know the parks concerned so feel unable to comment as each park or area may require a different response. I would however be against a blanket ban that results in responsible dog owners who would comply with revised regulations being penalised to
It appears that it is intended to have a blanket ban on allowing dogs off leads in any green space in Tiverton .I have owned and walked dogs along the railway walk to Tidcombe for 50years ,in all that time I have never encountered a dog warden,it appeared that you intend to penalise the majority of the dog owning public to
I appose the plan for Culm Valley way, It is kept relatively clean of dog foul by local dog walkers who are probably the main users of this area, It would mean the
Needs to be regulated not banned. Most dogs are fine off the lead, some badly trained dogs should not be detriment to the majority!
Dogs should be kept out of children's play areas but not the entire park.
The majority of responsible dog owners train their dogs to behave and return to them in public parks. To require dogs to be on leads at all times limits their exercise and enjoyment of the public places. You're targeting the wrong dog owners and inhibiting professional dog walkers
As long as someone can control their dog properly I do not agree they should be kept on leads in public parks. In order to maintain health and wellbeing dogs need freedom to exercise, a dog off a lead gets more and better quality exercise than one on a lead. People without cars will struggle to access the open countryside to do this. This penalises responsible dog owners. Irresponsible dog owners should be dealt with under current laws and happy that they should put their dog on a lead
The majority of dog owners control their dogs. For some owners local public parks are the only place they can access to exercise their dogs.
It doesn't matter if a dog is aggressive if its on a lead or not, people with aggressive dogs don't listen to rules anyway so why penalize people who have well behaved friendly animals that they want to exercise in a public space. Dogs on leads will still poo, its about the owners not picking it up. Not all people have gardens to be able to let their dogs run free. It is cruel to expect all dogs to be kept on leads at all times in Mid Devon, have you tried throwing a ball for a dog whilst its on a
I don't agree that dogs should be kept on leads in public parks,a child's play park yes but not canal,railway line,open fields,rivers etc.Just because a dog is on a lead won't make some owners pick up their faceaes.Im a responsible dog owner and always pick up after my dog and I don't see why my dog shouldn't continue to be let off a lead and have a good run because others are irresponsible,It will make everyone drive to places where they can take dogs off leads and this won't be very

Some residents in urban areas have limited opportunities to exercise their dogs off lead. There should be allocated public spaces in which this is acceptable. Perhaps there could be a balance between parks that DO allow off lead dogs and those that don't, rather than a blanket ban which is unfair.
If all of the named Public parks are included it will mean a severe lack of choice for dog owners to free run their dogs. This will encourage more people to drive to free running areas and therefore increase traffic. Also it discriminates against those who can't drive to free run their dogs. It is an important part of dog welfare that they have access to a variety of free running areas. Places such as Cottely Brook, Tiverton; Crow Bridge, Cullompton; Palmerton Park woods, Tiverton; and
As a good dog owner for over 30 years. I see most dogs with families. I agree they should not be in childrens play area but allowed to run in a park area.
Why should animals that have been brought up as loving family pets have to be subject to the same stringent regulation designed to control unruly animals with no regard for others? Parks are open spaces; a particularly important facility for pets where personal outdoor space is limited. I believe parks should be used by
I believe some dogs are well behaved enough to be off a lead in parks ect. It's should be at the owners descretion
Dogs on lead at ALL TIMES!!!!
Dogs do need to be able to run freely and there is a lack of areas to be able to take them off lead. There is a lot more issues from youths littering and blaring out music in parks and also adults drinking in parks and leaving behind the bottles/cans than there is dogs being walked. Maybe efforts should be made to tackle the
I personally have no issue with any dog being of lead so long as they are under control....
Dogs should be on leads in ANY public space!!!!
The majority of dogs are extremely well behaved and have very responsible owners. To require all dogs to be on lead in the areas set out in schedule C it's unfair and cruel. Where would dogs be able to be walked freely? Where could dog owners practise training and recall? This schedule has made all green spaces not dog friendly. Mid Devon residents with dogs should be allowed to exercise their dogs with as much freedom as all other residents can. I regularly see children in parks being antisocial and making more mess than dogs. Dogs and their owners should not be singled out. It is the community's responsibility to ensure parks remain
Do not think it is necessary in all Parks. Dogs need to be able to run and exercise properly.
Well controlled dogs should be allowed off the lead in parks.
You are punishing the good owners too for the minority. Dogs should be able to run where they respond to their owners commands.
Having a dog myself I think if a dog is well trained and not aggressive and has a good recall it should be allowed to be of lead however unfortunately responsible owners will know this anyway but there are enough owners which are not acting responsible, so I have unfortunately to agree on this
Some if these are very large areas and dogs need to run around and can be controlled by sensible responsible owners
Jubilee park willand has plenty of room to exercise a dog I agree if you can't control your dog it should stay on a lead but why punish well trained dogs and thief
I have a well-behaved, friendly young collie with good recall. Collie's are energetic dogs, they need a lot of excercise and to RUN. If I was forced to keep her on a lead at all times then her quality of life would suffer. She would be miserable. I keep her on the lead on the village, and the playpark is fenced off so she couldn't get in there anyway. I take her off the lead in the village public wood, in a few fields that have footpaths through (when there's no livestock) and on beaches. If a dog is
All of the parks mentioned apart from Tufty, Crowbridge
It's unfair for the responsible dog owner who picks up after their dog and who keeps their dog under control not to be allowed to walk their dog off the lead in public parks. Also for the mental well being of the dog they do need somewhere to have a run or play ball with their owner.
Not all dogs are aggressive and some are trained. They go with family groups and should be free to enjoy parks as well.
Would agree if it is a small park completely fenced in a gated. Most dog owners do have their dogs fully under control and any one who doesn't should have it on a

Well behaved dogs should not be required to be on a lead. This should only be required if they are misbehaving.
Dogs/owners/families should be able to enjoy themselves and some freedom in the parks. However owners are responsible for ensuring their dogs are well trained, well behaved and do not cause a nuisance or upset to others. And should put them on a lead if necessary to prevent this.
I and many people walk their dogs down the old railway line between old road and manly lane at the far end. I have never encountered an aggressive dog or heard any of the many users, joggers and cyclists included moan about the dog walkers. It is a perfect walk to let your well behaved dog off the lead to stretch their legs. If
Number of Dogs walked at one time
2 dogs maximum but even that means one may not be being watched while watching the other
If think that number is to low and dog walkers should be able to walk upto 6 dogs at a time.
2 dogs per walker is manageable, 4 is not unless they are all small. Much better to set limit at 3 - though even that could be problematic with large dogs.
Perhaps limit of 6
It would be difficult for one person to watch more than 4 dogs running loose but several well-behaved dogs on leads should be ok.
Less than 4. Owner has limited control and less likely to pick up faeces with hands full of dogs!
Control rather than numbers is the issue. I frequently use an area which will be subject to the proposed order. Two persons walk more than four dogs regularly. If
Seems a reasonable number
You may own more than just the limited amount
I did think that 4 was a good number but have seen a responsible walker with 5 small well behaved dogs proceeding in an orderly way whilst out.
Depends on the size of the dogs
Why 4 ? if the dogs are well trained & behaved more than 4 may be ok
a maximum of 3 dogs as one person would find it very difficult keeping an eye on any more especially when dogs deposit their faeces or run up to unsuspecting non
Professional dog walkers may struggle.
The competence and responsibility of a dog owner is not depended on the number of dogs.
Responsible dog ownership and close control can be achieved with multiple dogs - treat the problem that exists with specific owners, using existing powers, not
Just two if dogs are to be allowed off the lead in public spaces as I think they should.
4 is too many for 1 person to handle safely.
Large dogs hard to control Some dog walkers use very long leads and they roam many yards and intimidate other users of the spaces. If households choose to
Some people have more than 4 dogs. A limit on number is in no way reasonable. 4 small dogs such as Shih Tzus are in no way equivalent to 4 large dogs such as New Foundlands. A number cannot be placed on this, no two dogs behave the same & dogs vary breed to breed on weight, strength & muscle tone.
The limit should be a maximum of 2 dogs
It should be set at 2 as I have seen on numerous occasions people unable to control 3 or 4 dogs
As a dog owner I believe that one person cannot manage more than 2 dogs at any one time if they are to remain vigilant about their dogs fouling.
It seems to me that someone, a paid dog walker for example, could handle more than four dogs if they are well behaved. I only have one so my views here are just
I think that it should be restricted to two dogs. To have complete control of both dogs it requiries the owner to have a dog on a lead in each hand. As is the nature of dogs, when other dogs approach there can be aggressive behaviour and even attacks/fighting. To avoid this and to protect the public in my opinion it is essential

Should be no more than 2 per person. Its not possible to control more than 2 safely.
I've seen people manage more, and if someone owns 5 dogs, it becomes an issue
Yes for dog owners but should not be applicable for trained and skilled dog walkers
Discretion should be made on an individual basis. If they are professional handlers, then I dont see why there is an issue with more than 4. Equally, there are some people I see that cannot control two dogs. Again imposing restrictions will be hard to implement effectively. If someone chooses to make a living walking dogs then
Some of the best-controlled dogs I have seen have been in larger numbers (and the worst-controlled in smaller numbers!).
As long as they can also pickup dog poo with their other hand!
My reasons are above. livelyhood of dog walkers, trainers & judging by responsible behaviour & ownership not numbers. I think a minority cause the problems.
Unless a dog walker
If they are well trained and under control it's fine to have more than four dogs. 5 well trained dogs are better than one that is ill behaved.
Only for off lead. See above re on the lead and dog walking as a profession.
The 4-dog limit is too high. In any case, only exceptionally have I seen someone walking with 4 dogs or more. I believe that most people would not be in effective control of 4 dogs at the same time, even on a lead. The potential for an accident to happen is greatly increased the more dogs someone is in charge of. I would
As long as dogs are kept under close control. There is little difference between several controlled dogs within the handlers limit and one out of control dog.
Should be limited to two per person. From experience one person can't control more than two in urban areas.
I think 4 dogs is too many for a responsible owner to control , definitely no more than 3
If the Council now feels that they have the right to extend their powers so far into the private lives on individuals, what will be next? Will you seek to control the
This limits a professional dog walkers business.
Comments on Fixed Penalty
There should be a record kept of the number of times the rules are breached and the fine increased each time to be more of a deterrent and banning orders should
£100 is excessive. Walking a dog is not a crime. It is a natural thing to do. The whole idea is preposterous. There should be no fine. Before you know it people will be
Depends on the severity of the offence.
Or much higher and well monitored.
I think £100 is too steep.
I only agree with this penalty for owners who blatantly don't pick up after their dogs.
I don't agree with the proposal so I don't think you should be fined for walking your dog.
£25
Think £60 nearer the mark as some people may be of limited means and it is possible to have a bag blow out of pocket, particularly if they are lightweight,
I think it should depend on the situation. And aggressive dog who has been let off should definitely be higher. I think more like up to £1000 for aggressive dogs as
Although I would be happy if that was increased.
£100 for first offence, rising after that
Too much - £20
Perhaps a lesser fine for the first offence increasing to the maximum subsequently. Try and engage in education of bad owners first before fining.

£50 as a first time offense, halved if paid within 7 days. People are struggling financially as it is. If a dogs falls ill, you may not have brought out the correct number
I am not in agreement with the PSPO as proposed.
Not if you propose for there to be no local and safe park for dogs to be off the lead.
Any fixed penalty should be sufficient to act as a deterrent. I suggest it is set at a proportion of the offending persons income subject to a minimum of £250
It needs to be higher to discourage people from breaching the order, £100 is not enough of a deterrent it should be at least £200
Fines should be relative to income.
Introduce a dog licence
Fixed penalties have been in existence for years - that they have proved ineffective to a point where the Council considers it necessary to adopt draconian regulations does little other than to demonstrate the shortcomings of existing legislation. Increasing the figure to, say, £500 with effective policing, should reduce incidences of bad behaviour. An increasingly prevalent event is the putting of faeces in a plastic bag, tying the container and then leaving it at the side of the path
I do not believe that dogs should be on a lead so therefore I do not agree. I agree with a fine for not picking up dog poo
£50
£10
£100 first offence £200 for 2nd and subsequent offences
Should be a harsher fine.
It's unreasonable to expect people to pay if their actions are not causing a nuisance. By all means fine those who are.
Amounts should reflect the seriousness of the breach.
Many dog owners are pensioners, the amount shouldn't exceed £50. Unless the state pension goes up radically.
For dog fouling. Not sure about cemeteries initially unless very clearly signed and the changes made more clearly than the little posters which are currently pinned to the locations listed. There must be a sensible approach. I also know that a law abiding colleague I worked with was once given a hefty fine when she walked with her dog at heel and totslly under control in the People's Park approx 15 years ago whereas OTHER LESS SAVOURY looking characters with more worrying breeds of dog flouting the rules had been repeatedly avoided (possibly through fear of their reactions) so it would be wring to fine the soft target. The focus should be on the
I do not think it is appropriate fo fine a person for walking their dogs off a lead.
It should be more as a deterrent.
1000 pounds
Training courses on dog handling should be compulsory, if not attended then a fine enforced.
What if people can't afford it. This is very severe for an economy in recession. Reduce it and guarantee that every pound raised is put towards resourcing improved
£100 It's too much

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Equality Impact Assessment Form and Action Table 2015

(Expand the boxes as appropriate, please see guidance)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

Baroness Thornton, March 2010

What are you completing the Impact Assessment on (which policy, service, MTFP reference etc)?

PUBLIC SPACES PROTECTION ORDER - DOGS

Version

1

Date

Section 1 – Description of what is being impact assessed

Equality issues which have been addressed within the draft order, part 8 of which states Clause 9 of the draft PSPO sets out certain exemptions.

Section 2A – People or communities that are **targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

The requirements and prohibitions imposed by this Order shall not apply to any person who:

9.1.1 is registered as blind, sight or hearing impaired under the National Assistance Act 1948, or any other legislation;

9.1.2 has a disability which affects mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which they rely for assistance; or

9.2.3 is using a working dog for purposes of law enforcement, military duties or statutory emergency services (search and rescue).

Section 2B – People who are **delivering** the policy or service

Street Scene and Open Spaces
PSPO

Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)

Section 4 – Conclusions drawn about the equalities impact (positive or negative) of the proposed change or new service/policy:

The order allows any person with the above protected characteristics exempt from the dog control order, The purpose of an equality impact assessment is the ensure that our services, policies and practices do not directly, indirectly, intentionally or unintentionally discriminate against the users of our services or our staff. Where a negative impact is found, we will mitigate the impact through the development and implementation of equality improvement plans.

If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)

Identified issue drawn from your conclusions	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
Age			
Different approaches and mechanisms are required for engaging with and representing, people of different ages, in particular children and young people.	The specification requires the Provider to not only comply with the Equality Act 2010 and related duties, but to strive for best practice.		
Disability			
Different approaches and mechanisms may be required for engaging with and representing, people with a range of disabilities depending on their individual needs.			
Gender Reassignment			
It is very important that the specification does not discriminate against those who are or have undergone gender reassignment who currently use the service or may wish to use it in the future.			
Marriage and Civil Partnership			
No issues identified	N/A	N/A	N/A

Pregnancy and Maternity			
It is very important that the specification does not discriminate against those who are pregnant, who use the service or who wish to use it in the future.	.		
Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)			
It is very important that the specification reflects the particular needs of people from all backgrounds who currently use the service or may wish to use it in the future.			
Religion and Belief			
It is very important that the specification reflects the particular needs of people irrelevant of their religions and beliefs who currently use the service or may wish to use it in the future.			
Sex			
It is very important that the specification reflects the particular needs of people irrelevant of their sex who currently use the service or may wish to use it in the future.			
Sexual Orientation			
It is very important that the specification reflects the particular needs of people irrelevant of their sexual orientation who currently use the service or may wish to use it in the future.			

Other (including caring responsibilities, rurality, low income, Military Status etc)			
Rurality It is important that the service is able to engage with and represent individuals who live in rural areas and / or have limited access to public transport.	The specification requires the Provider to meet the needs of all people in Mid Devon, to have a presence in local communities and ensure that communication plans reflect the rurality of Mid Devon.		
	The Provider is required to ensure that the service represents the diverse population of Mid Devon and that reasonable adjustments are made to all services / activities to ensure individuals are able to access the service.		
	Operational commissioning of the service will ensure that the service is being delivered according to the service specification and quality standards and will take account of customer feedback.		

Section 6 - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

Published with the policy

Completed by:	
Date	
Signed off by:	
Date	
Compliance sign off Date	
To be reviewed by: (officer name)	
Review date:	

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