

Agenda

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Delegated Decisions of the Board Member, Cleaner Greener Oxford

Date: **Thursday 16 June 2011**

Time: **5.00 pm**

Place: **Town Hall, Oxford**

For any further information please contact:

William Reed, Democratic Services Manager

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Delegated Decisions of the Board Member, Cleaner Greener Oxford

Board Member

Portfolio

Councillor John Tanner

Cleaner, Greener Oxford

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AGENDA

PART ONE PUBLIC BUSINESS

Pages

1 **DECLARATIONS OF INTEREST**

Guidance on personal and personal prejudicial interests is attached to these agenda pages.

2 **PUBLIC ADDRESSES**

Members of the public may, if the Board Member agrees, ask a question of the Board Member on any item for decision on this agenda (other than on any minutes or decision sheets). The full text of any question must be notified to the Head of Law and Governance by no later than 9.30 am two clear working days before the meeting. Questions by the public will be taken as read and, at the Board Member's discretion, responded to either orally or in writing at the meeting. No supplementary question or questioning will be permitted.

The total time permitted for this item will be 15 minutes.

3 **COUNCILLOR ADDRESSES**

City Councillors may, at the Board Member's discretion, ask a question or address the Board Member on an item for decision on the agenda (other than on any minutes or decision sheets). The full text of any question and the nature of any address must be notified to the Head of Law and Governance by no later than 9.30 am two clear working days before the meeting. Questions by councillors will be taken as read and, at the Board Member's discretion, responded to either orally or in writing at the meeting. No supplementary question or questioning will be permitted. If an address is made, the Board member will either respond or have regard to the points raised in reaching her or his decision. If the address is by the Chair of a Scrutiny Committee or her or his nominee then the Board member will be required to say as part of their decision whether they accept the Scrutiny recommendations made.

4 **CONTROL AND DISTRIBUTION OF FREE PRINTED MATTER**

1 - 34

Lead Member: Councillor Tanner

Report of the Head of Environmental Development

This report is on the outcome of public consultation on the designation of land for licensing of distribution of free printed matter under the Environmental Protection Act 1990. The land affected is all of the roads in the City centre, Cowley Road and side roads as far as Magdalen Road and Headington Road

and adjacent roads.

5 DOG CONTROL ORDERS

35 - 70

Lead Member: Councillor Tanner

Report of the Head of Environmental Development

This report presents the consultation outcome on the proposal to implement dog control orders in the City under the Clean Neighbourhoods and Environment Act 2005. The order, if agreed, will apply to all land within the City 'open to the air'.

6 MATTERS EXEMPT FROM PUBLICATION

If the Board member wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board member to pass a resolution in accordance with the provisions of Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972.

The Board member may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

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To: Delegated Decisions of the Board Member, Cleaner Greener Oxford

Date: 16th June 2011

Report of: Head of Environmental Development

Title of Report: Proposed Licensing Scheme for the distribution of free printed matter

Summary and Recommendations

Purpose of report: To designate land under schedule 3 of Environmental Protection Act 1990 in order to introduce a licensing scheme for the control of the distribution of free literature.

Key decision? No

Executive lead member: John Tanner

Policy Framework: Improve the local environment, economy and quality of life

Recommendation(s):

The Board Member, Cleaner Greener Oxford is recommended to:

(a) designate those areas of land set out in appendix 1 to this report for the purposes of section 94B and Schedule 3A of the Environmental Protection Act 1990 and

(b) request that the Head of Environmental Development in conjunction with the Head of Law and Governance carry out the requirements of the Act in order to bring the designation into force; and

(c) approve the changes made to the consent conditions in appendix 3 as a result of the consultation.

Appendix 1	The public notice published on 13 th January 2011
Appendix 2	Map showing the areas of the proposed designation
Appendix 3	Consent Conditions
Appendix 4	Equalities Impact Assessment
Appendix 5	Risk Register
Appendix 6	Breakdown of Fees and Costs
Appendix 7	Response to consultation

1 Introduction

- 1.1 On 8th December 2010 the City Executive Board (CEB) considered a report regarding the proposed designation to control the distribution of free printed matter.
- 1.2 At the meeting the CEB declared that it was satisfied that the area highlighted in appendix 2 was being defaced by the distribution of free printed matter. The CEB also requested a further report detailing any objections to the proposals, and providing details of a fully costed scheme to control the distribution of free printed matter.
- 1.3 On 13th January 2011 the Council published a notice setting out its intention to designate land under section 94B and Schedule 3A of the Environmental Protection Act 1990. See appendix 1. It has also produced a map showing the areas of the proposed designation. See appendix 2.
- 1.4 The full effect of the proposed designation is set out in appendix 1. In brief, the areas of the proposed designation are Oxford City Centre, Cowley Road (as far as Magdalen Road) and Headington Hill Road and surrounding streets.
- 1.5 Below is a list of examples of what will be controlled as a result of implementing the scheme to control the distribution of free printed matter:
 - (a) a promoter for a nightclub giving out flyers to passing members of the public promoting an event at a venue
 - (b) the owner of a shop giving out leaflets to passing members of the public promoting the sale of goods at their premises
 - (c) an estate agent who leaves a box of property newspapers on the street at the entrance to their premises
 - (d) a board left outside a college promoting a theatre production that has a pocket containing leaflets attached to it
 - (e) a pile of flyers left on top of a piece of street furniture or a window ledge for passing members of the public to pick up
 - (f) a promotional stand set up in the street from which free leaflets are available promoting tourist activities such as bus rides or walking tours
 - (g) a promoter placing leaflets under the windscreen wipers of parked cars in a park and ride car park
- 1.6 It is possible to set specific times when a permit is required to distribute free printed matter, for example at peak times in the evenings or at weekends. The disadvantage of this approach is that there would be no control over leafleting activities taking place outside the specified times

and officers believe that this would result in an increase in litter problems.

- 1.7 The proposed consent scheme is designed to reduce the adverse environmental impact of the distribution of free literature in the City. This will occur by reducing the use of resources in dealing with the defacement by litter caused and reduce the visual impact of litter on the environment.

2 Consultation

- 2.1 The Council's notice (appendix 1) invited people to register their objections to the proposal. The 14 day consultation period ended on 28th January 2011.
- 2.2 Only two responses objecting to the scheme were received during the consultation period:
- 2.3 Response 1
The objections centred on concerns surrounding freedom of expression and National Insurance (NI) numbers.
- 2.4 Consent condition 5 has been amended accordingly to remove the requirement for a NI number (see appendix 3).
- 2.5 A further question asked who decides what publications are classed as religious, political, charitable etc. in order for them to be exempted from the scheme.
- 2.6 The decision on whether publications are for charitable, political or religious purposes falls on the Local Authority and a process for making these decisions will be drawn up with the assistance of the Head of Law and Governance. There is also a process of appeal against these decisions.
- 2.7 Response 2
This objection cited the proposal as draconian and said it would prevent an 'off the cuff' promotion.
- 2.8 A monthly licence as well as an annual licence and the details are included in the breakdown of fees and costs in appendix 6.
- 2.9 The full responses to the consultation are included in appendix 7.
- 2.10 On Sunday 24th April 2011 an email was received advising the Council of an online petition against the leafleting regulations in Oxford. At the time of writing this report this petition contained 134 signatures. The online petition can be viewed at:

<http://www.petitiononline.com/oxban/petition.html>

3 Staffing implications

- 3.1 There will be a need to provide proactive and reactive enforcement of the proposed scheme which will be carried out from within existing staffing resources. Any additional staff time will be funded by the fee income.
- 3.2 A flexible approach to the work will need to be taken to ensure that resources are available when required, which will often be in the evenings and at weekends. Where possible this will be linked up with other licensing and enforcement activities as well as including street scene supervisors and managers.

4 Financial Implications

- 4.1 The Council may charge a fee for issuing a consent. The amount of this fee is for the Council to determine but it must not be more than is reasonable to cover the costs of operating and enforcing the consent scheme. It will therefore be possible to introduce the scheme at no net cost to the Council.
- 4.2 The full costs for the implementation of the proposed scheme and the proposed fees for the scheme are included in appendix 6.
- 4.3 The initial fixed set up cost for the scheme is the consultation, statutory advertisements and materials. The fixed set up cost for the scheme is £1,900.
- 4.4 The variable operational costs for the scheme are the administration and enforcement costs. These costs have been estimated in appendix 6 based on 20 annual consents and 10 monthly consents being received in the first year.
- 4.5 The set up and operational costs for the scheme will be recovered through the income from the consents.
- 4.6 The fees of £450 for an annual consent and £100 for a monthly consent have been calculated to cover the cost of the scheme based on 20 annual consents and 10 monthly consents being received in the first year.

5 Climate Change / Environmental Impact

- 5.1 The proposed consent scheme is designed to reduce the adverse environmental impact of the distribution of free literature in the City. This will occur by reducing the use of resources in dealing with the defacement by litter caused.

5.2 All applicants must include a litter management plan with their application detailing how they will manage any litter created by the distribution of free printed matter in order to comply with the consent conditions.

6 Equalities Impact

6.1 No impacts have been identified. An Equalities Impact Assessment is attached as appendix 4.

7 Level of Risk

7.1 A full risk register is attached as appendix 5.

7.2 One risk of note is that there may be an initial increase in leafleting activity when the scheme is implemented. However strict conditions can be attached to consents to control any activity and therefore the recommendations are to accept this risk.

Name and contact details of author:-

Name:	Graham Eagle
Job title:	Public Health Team Leader
Service Area / Department:	Environmental Development
Tel: 01865 252341 e-mail:	geagle@oxford.gov.uk

List of background papers:

None

Version number: 0.9

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OXFORD CITY COUNCIL



Notice of intention to Designate Land under section 94B and Schedule 3A of the Environmental Protection Act 1990, regarding the Distribution of Free Printed Matter.

Oxford City Council intends to make an order to designate land to which the provisions of section 94B and Schedule 3A of the Environmental Protection Act 1990 regarding the distribution of free printed matter will apply.

The order will apply to any land which is under the direct control of the Council and to which the public are entitled or are permitted to have access, with or without payment and, to any relevant highway (as defined in section 86(9) of the said Act) in the area described in the Schedule below.

Once the order has been made:

It will be an offence for any person to distribute free printed matter on the land designated by the order, without the consent of the Council.

It will be an offence for any person to cause another person to distribute free printed matter on the land designated by the order, without the consent of the Council.

Any person who commits an offence under this order is liable on summary conviction to a fine not exceeding £2,500.

No offence is committed if the material is distributed for charitable, religious or political purposes.

It is proposed that this order will come into effect on 1st April 2011.

Any person wishing to object to the making of this order may do so by writing to the Council within 14 days from the date of publication of this notice. Any written objections should be sent to The Head of Environmental Development, Oxford City Council, Ramsay House, 10 St. Ebbs Street, Oxford, OX1 1PT. Alternatively, you can complete the online questionnaire (within 14 days from the publication of this notice) at www.oxford.gov.uk/consultation

Objections received after 27th January 2011 will not be considered.

SCHEDULE

Land to be designated pursuant to section 94B and Schedule 3A of the Environmental Protection Act 1990

Maps providing the definitive areas affected by the proposed order may be examined at: The Reception Desk, Ramsay House, 10 St. Ebbs Street, Oxford, Mondays to Thursdays between 8.30am and 4.30pm and on Fridays between 8.30am and 4.00pm. The maps can also be found with the consultation questionnaire at www.oxford.gov.uk/consultation

OXFORD CITY CENTRE - An area comprising of:

ALFRED STREET	BEAR LANE	BEAUMONT STREET
BECKET STREET	BEEF LANE	BLUE BOAR STREET
BOTLEY ROAD	BRASENOSE LANE	BREWER STREET
BROAD STREET	BUTTERWYKE PLACE	CAMBRIDGE TERRACE
CASTLE STREET	CATTE STREET	CHAIN ALLEY
CORNMARKET STREET	CROMWELL STREET	FAULKNER STREET
FLOYDS ROW	FOLLY BRIDGE	GEORGE STREET
GEORGE STREET MEWS	GLOUCESTER LANE	GLOUCESTER STREET
HIGH STREET	HOLLYBUSH ROW	HOLYWELL STREET
HYPHE BRIDGE STREET	KING EDWARD STREET	KYBALD STREET
LITTLEGATE STREET	LOGIC LANE	LONGWALL STREET
LUTHER STREET	MAGDALEN STREET EAST	MAGPIE LANE
MANSFIELD ROAD	MARKET STREET	MERTON GROVE
MERTON STREET	NEW COLLEGE LANE	NEW INN HALL STREET
NEW ROAD	NORFOLK STREET	OLD GREYFRIARS STREET
ORIEL SQUARE	OSNEY LANE	OXPENS ROAD
PARADISE SQUARE	PARADISE STREET	PARK END PLACE
PARK END STREET	PARKS ROAD	PEMBROKE SQUARE
PEMBROKE STREET	PIKE TERRACE	PUSEY STREET
QUEEN STREET	QUEEN'S LANE	RADCLIFFE SQUARE
RANDOLPH STREET	RED LION SQUARE	REWLEY ROAD
ROSE LANE	SHIP STREET	SHIRE LAKE CLOSE
SPEEDWELL STREET	ST ALDATE'S	ST CROSS ROAD
ST EBBE'S STREET	ST GEORGE'S PLACE	ST GILES'
ST JOHN STREET	ST MICHAEL'S STREET	ST THOMAS' STREET
THAMES STREET	THE HAMEL	TIDMARSH LANE
TURN AGAIN LANE	UPPER FISHER ROW	WALTON STREET
WELLINGTON PLACE	WOODBINE PLACE	WORCESTER STREET

COWLEY ROAD (as far as Magdalen Road) and surrounding streets - An area comprising of:

ABBAY PLACE	ABLETT CLOSE	ALBION PLACE
ALMA PLACE	ASTON STREET	AVENUE LANE
BARTLEMAS ROAD	BATH PLACE	BATH STREET
BOULTER STREET	BRAMWELL PLACE	BULLINGDON ROAD
CAROLINE STREET	CATHERINE STREET	CAVE STREET
CHAPEL STREET	CHERWELL STREET	CHESTER STREET
CIRCUS STREET	COLLINS STREET	COSIN CLOSE
COWLEY PLACE	COWLEY ROAD	CROSS STREET
CROWN STREET	DAWSON STREET	DENMARK STREET
DIVINITY ROAD	EAST AVENUE	ESSEX STREET
GALPIN CLOSE	GLEBE STREET	GRANTS MEWS
GREEN STREET	HAWKINS STREET	HENLEY STREET
HERTFORD STREET	HURST STREET	IFFLEY ROAD
JACKDAW LANE	JAMES STREET	JEUNE STREET
LEON CLOSE	LEOPOLD STREET	MAGDALEN ROAD
MANZIL WAY	MARSTON STREET	MOBERLY CLOSE
NYE BEVAN CLOSE	PARSONS PLACE	PENSON'S GARDENS
PRINCES STREET	RECTORY ROAD	REGENT STREET
RIDGEFIELD ROAD	SIDNEY STREET	SOUTHFIELD ROAD
ST CLEMENT'S STREET	ST MARY'S ROAD	STANLEY ROAD
STOCKMORE STREET	STONE STREET	TAWNEY STREET
TEMPLE STREET	THE PLAIN	TURL STREET
TYNDALE ROAD	UNION STREET	YORK PLACE

HEADINGTON HILL ROAD and surrounding streets - An area comprising of:

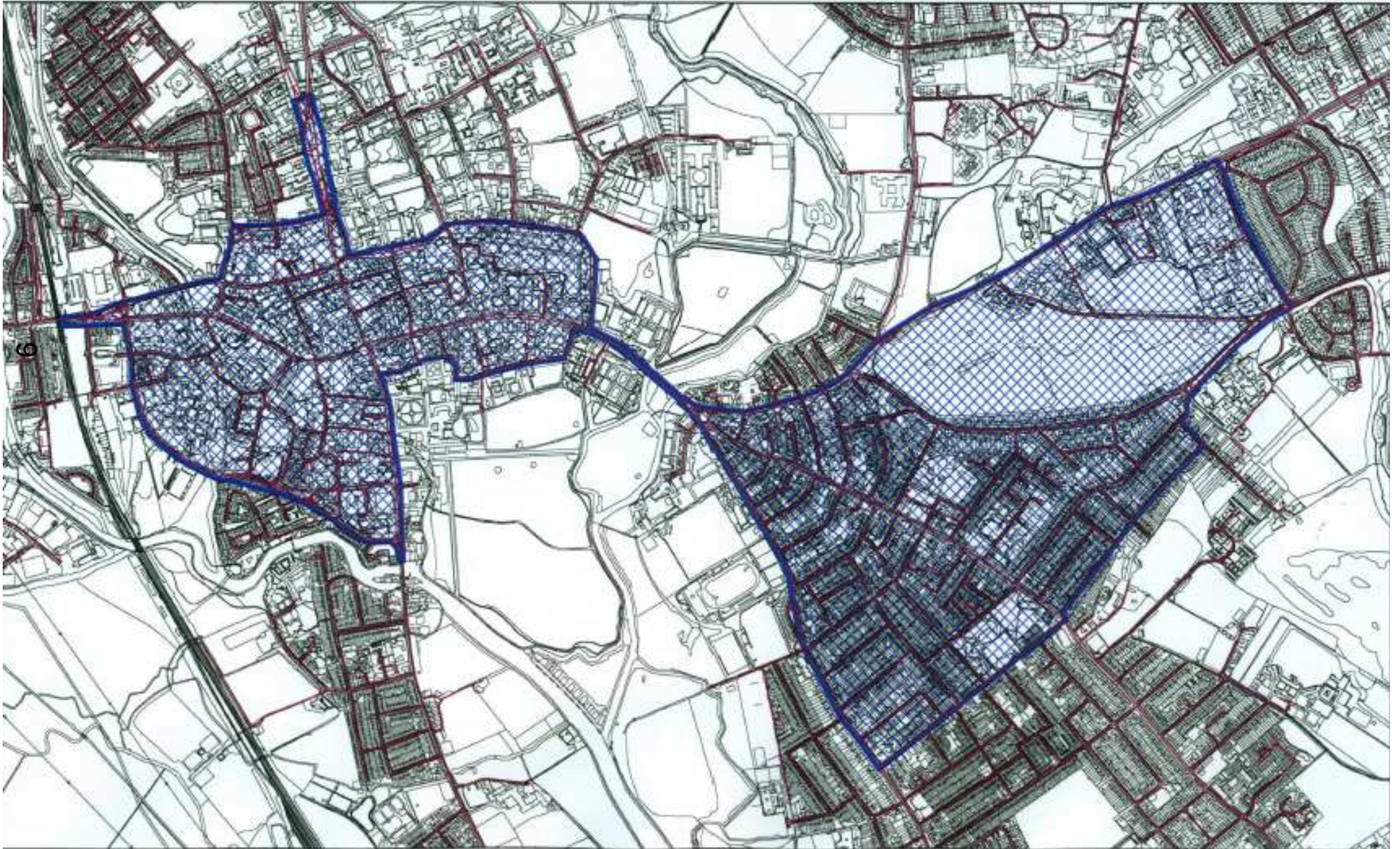
CHENEY LANE	GIPSY LANE	GRAYS ROAD
HEADINGTON HILL	HEADINGTON ROAD	HILL TOP ROAD
MINSTER ROAD	MORRELL AVENUE	OLD ROAD
PULLENS LANE	ROOSEVELT DRIVE	VICTORIA COURT
WARNEFORD LANE	WARNEFORD ROAD	

JOHN COPLEY
The Head of Environmental Development

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Appendix 2

Map of Area proposed to be designated under Section 94B and Schedule 3A of the Environmental Protection Act 1990



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Appendix 3 – Consent Conditions

All consents, both monthly and annual, will be subject to the following conditions. Consents may also be subject to additional specific conditions based upon the application details. The consent holder remains fully responsible for the safety of the distributors whilst distributing materials or whilst removing litter.

1. Distributors must have their Authorisations clearly displayed at all times when distributing free printed material.
2. The Authorisation badge must be produced on demand to an Authorised officer of the Council or other relevant agency.
3. All staff engaged in the distribution of free literature shall wear the authorisation badge using a highly visible lanyard
4. Authorisation badges are not interchangeable between consent holders, and all distributors using them must be directly employed by the consent holder.
5. The consent holder must maintain, and make available for inspection upon request a log/database of the name and addresses of all distributors used, together with their date of birth, ~~and National Insurance Number~~ (note - removed following consultation). The log should record where and when the distributors were operating, materials being offered and the authorisation badge being used.
6. Applicants must apply from an Oxford based address to ensure that there is local management and accountability to prevent litter occurring as a result of the free distribution of printed matter and to remove any resultant litter.
7. No free printed matter shall be left unattended by staff for the general public to take at their discretion.
8. All places in which free printed matter is being distributed must be kept free from discarded matter so that the area does not fall below grade B of the Government's "Code of Practice on Litter and Refuse" at any time. If an authorised officer of the council considers that the standard has been breached as a consequence of the distribution of free printed matter, his/her assessment will be definitive at the time. Challenges to the assessment will only be accepted through the formal appeals process.

9. If an authorised officer requests the consent holder/distributor to pick up discarded printed matter, the consent holder/distributor shall do so immediately. The distributor will stop distribution until all discarded printed matter connected to them has been picked up. All discarded printed matter must be picked up within one hour.
10. Printed matter includes any materials produced for distribution which have been subject to a printing process, and includes flyers, self adhesive stickers, leaflets, cards, papers, containers and any similar items.
11. The free printed matter must bear the name, address, email, website and telephone number of company or venue that is being promoted.
12. The free printed matter must bear the message "It is an offence to litter. Dropping this leaflet on the ground could result in a maximum fine of £2500
13. Applications for consents must be made no less than 10 working days before the first day of the period of distribution. Consents run from the 1st day of each month.
14. Consents will be subject to the payment of a fee to be paid at the time of the application.
15. No free printed matter shall be placed on, or attached to, parked vehicles or bicycles.
16. No free printed matter that encourages irresponsible consumption of alcohol can be issued. This includes irresponsible drinks promotions, such as all-inclusive drinks offers when paying for entry, or drink all you can for a fixed amount. All promotions for alcohol must also carry the Drink Aware message.
17. All free printed matter must meet the standards of the Advertising Standards Authority. Marketing communications should contain nothing that is likely to cause serious or widespread offence. Particular care should be taken to avoid causing offence on the grounds of race, religion, sex, sexual orientation, age or disability. Compliance will be judged on the context, medium, audience, product and prevailing standards of decency. http://www.asa.org.uk/asa/codes/cap_code/
18. Distributors must not distribute free printed matter in such a way as to cause nuisance or annoyance to members of the public.

19. Failure to comply with these consent conditions may result in your authorisation being revoked.
20. In the event of a consent being revoked, any fees paid by the applicant will not be refunded.
21. In the event of a consent being revoked then no further application can be made for a minimum period of 1 year from the date on which the consent was revoked.
22. Oxford City Council reserves the right to refuse consent to any individual or business and will take any relevant previous convictions, warnings, revocations or refusals for the distribution of free printed matter into consideration before authorisation is given.

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Appendix 4 –Equality Impact Assessment

Service Area: Environmental Development	Section: Pubic Health	Key person responsible for the assessment: G. Eagle	Date of Assessment: 30.09.10	
Is this assessment in the Corporate Equality Impact assessment Timetable for 2008-11?			Yes	<u>No</u>
Name of the Policy to be assessed: Scheme to licence the distribution of free printed matter			Is this a new or existing policy	New
1. Briefly describe the aims, objectives and purpose of the policy		The objective of the scheme is to regulate the distribution of free printed matter such as leaflets through a licensing scheme. This aims to improve the cleanliness of the streets in Oxford through tight conditions attached to each consent and minimise adverse environmental impacts caused by the distribution of free printed matter.		
2. Are there any associated objectives of the policy, please explain		The policy will also help prevent the distribution of material that could cause offence, promote irresponsible drinking etc		

3. Who is intended to benefit from the policy and in what way	The general public would benefit from cleaner streets and also Oxford City Council will benefit by the reduced use of resources required to keep the street clean. This will permit resources to be diverted into other areas. In addition the public will benefit from the prevention of the distribution of offensive material and leaflets encouraging irresponsible drinking.		
4. What outcomes are wanted from this policy? Reduce the adverse environmental impact of the distribution of free literature in the City Reduce the use of resources required to remove the defacement of litter caused by the distribution of free printed matter. Reduced nuisance caused by distributors of leaflets An increase in public confidence that the Council are taking steps to prevent the distribution of material that is considered offensive and encourages irresponsible drinking.			
5. What factors/forces could contribute/detract from the outcomes?	Staffing resource will have a direct effect on the amount of enforcement.		
6. Who are the key people in relation to the policy?	General Public City Council Staff tasked with enforcement of the scheme (Environmental Development, Community Safety) Businesses wishing to distribute leaflets	7. Who implements the policy and who is responsible for the policy?	Graham Eagle Ian Wright
8. Could the policy have a differential impact on racial groups?	Y	<u>NO</u>	No differential impact on racial groups has been identified.
What existing evidence (either presumed or otherwise) do you have for this?	The order is planned to be implemented in specified areas of the city due to the problems caused by leafleting. No racial groups are specifically associated with or targeted by leafleting. It is illegal to distribute material inciting racial hatred and the scheme will also control the distribution of offensive material. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.		

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9. Could the policy have a differential impact on people due to their gender?	Y	<u>NO</u>	No differential impact on people due to their gender has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The order is planned to be implemented in specified areas of the city due to the problems caused by leafleting. Leafleting is not an activity that is associated with or targeted at any particular gender. The scheme will also control the distribution of offensive material. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.		
10. Could the policy have a differential impact on people due to their disability?	Y	<u>NO</u>	No differential impact on people due to their disability has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The order is planned to be implemented in specified areas of the city due to the problems caused by leafleting. Leafleting is not an activity specifically associated with or targeted at disabled people. The scheme will also control the distribution of offensive material. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.		
11. Could the policy have a differential impact on people due to their sexual orientation?	Y	<u>NO</u>	No differential impact on people due to their sexual orientation has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The order is planned to be implemented in specified areas of the city due to the problems caused by leafleting. Leafleting is not an activity specifically associated with or targeted at people's sexual orientation. The scheme will also control the distribution of offensive material. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.		
12. Could the policy have a differential impact on people due to their age?	Y	<u>NO</u>	No differential impact on people due to their age has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The order is planned to be implemented in specified areas of the city due to the problems caused by leafleting. Leafleting is not an activity specifically associated with or targeted at people because of their age. The scheme will also control the distribution of offensive material. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.		

13. Could the policy have a differential impact on people due to their religious belief?	Y	<u>NO</u>	No differential impact on people due to their religious belief has been identified.			
What existing evidence (either presumed or otherwise) do you have for this?	There is a specific exemption in the legislation where the distribution of material is for political, charitable or religious purposes (so as not to inhibit the right to freedom of expression enshrined in the Human Rights Act 1998)					
14. Could the negative impact identified in 8-13 create the potential for the policy to discriminate against certain groups?	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
16. Should the policy proceed to a partial impact assessment	Y	<u>NO</u>	If Yes, is there enough evidence to proceed to a full EIA	Y	N	
			Date on which Partial or Full impact assessment to be completed by			
17. Are there implications for the Service Plans?	Y	<u>NO</u>	18. Date the Service Plan will be updated	N/A	19. Date copy sent to Equalities Officer in Policy, Performance and Communication	N/A
20. Date reported to Equalities Board:		N/A	Date to Scrutiny and EB	N/A	21. Date published	N/A

Signed (completing officer) _____

Signed (Lead Officer) _____

Please list the team members and service areas that were involved in this process:

G. Eagle Team Leader
I. Wright Service Manager

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Appendix 6 – Breakdown of Fees & Costs

Provisional Annual Budget for Scheme

Expenditure			Income		
Consultation	£100	This was done using the existing electronic consultation software	Consent Fees	£10,000	£450 x 20 Annual Consents £100 x 10 Monthly Consents
Statutory Advertisements	£800	Advert in paper. Signs on each effected street where practicable			
Administration	£1,200	£40 x 30 consents			
Enforcement*	£6,900	200 hours enforcement			
Materials	£1,000				
Total	£10,000		Total	£10,000	

* This enforcement will be carried out using existing staff and the enforcement expenditure detailed above is to cover the overtime cost for staff time. See paragraph 3.1 in main report.

Note: These estimates have been based on 20 annual consents and 10 monthly consents per year.

Proposed Fee Structure

Annual Consent	£450 per badge
Monthly Consent	£100 per badge
Replacement Badge	£25 per badge

The consent fees are not subject to VAT

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Appendix 7 – Response to Consultation

Objection 1

My main concerns and objections revolve around freedom of information issues. There are some other smaller points to raise with which I will begin.

* The notice in the *Oxford Times* of 13 January gives a closing date of 27 January; the website gives one of 14 February. Given that many people may only be aware of this proposal from reading the paper (me for instance), why the discrepancy?

* The CEB report (section 6.10) says:

The Council may also refuse consent if the applicant has been convicted of an offence, or has paid a fixed penalty notice for the distribution of free literature without consent in a designated area, within five years preceding the date of the application

This is ambiguous. For an applicant to be refused, does the applicant have to have been convicted of ANY offence or one connected with distribution of free literature? If the former, does this allow the Council (for example) to refuse permission to, say, environmental protesters convicted of a different offence? This would be a poor day for freedom of information if it did.

* The information of the website (section 5.1) says "does not include putting it inside a building or letter-box" but the newspaper notice does not make this clear. This leaves the reader of the newspaper notice with the impression that this order could be used to prevent 'junk' mail. It apparently does not, which on freedom of information grounds is good.

* Exceptions are to be made for "charitable, religious or political purposes". Who will decide what falls into these categories? Will protesters against some proposed law (e.g. raising tuition fees) be classed as political and so able to distribute leaflets? This seems to be an area for some conflict or, possibly, an opportunity for the OCC to prescribe certain views, a highly undesirable possibility.

* The CEB report gives no idea of costs to apply for permissions: these will only be available after consultation. How can potential distributors assess the cost implications to their businesses in these circumstances? Surely OCC must provide some reasonable best estimate figures at least? If other Councils have introduced such orders (some are mentioned in the CEB report), then there must be benchmark figures.

* Conditions attaching to registration of potential distributors seem excessively onerous and intrusive.

The consent holder must maintain, and make available for inspection upon request a log/database of the name and addresses of all distributors used, together with their date of birth and National Insurance numbers

Surely name and address are sufficient? Does this prevent foreign nationals (say EU nationals not in possession of an NI number) from doing this work?

* Examples of offending behaviour are given in section 9.2:

(c) an estate agent who leaves a box of property newspapers on the street at the entrance to their premises

(d) a board left outside a college promoting a theatre production that has a pocket containing leaflets attached to it

(f) a promotional stand set up in the street from which free leaflets are available promoting tourist activities such as bus rides or walking tours

These all represent occasions where the passer by must actively take a piece of paper. Why should this be illegal? Someone actively seeking information and taking it is a reasonable human behaviour that ought not to be inhibited. This also concerns those who may wish to publicise a cause such as animal rights and who wish to provide information to those who seek it. Why should they need permission to do this?

* It is also unclear to me why certain areas are focussed on. The obvious answer is that these areas attract most distributors and contain certain premises that cause a nuisance with litter. But surely it would be more equal to cover all of the OCC area? Is Summertown too posh to suffer this nuisance?

So in summary, I regret the possible freedom of information implications of this proposal and oppose it. I also regret some imprecision in its drafting and announcement.

Objection 2

This is such a 'catch all' document that it will prevent many bona fide organisations from promotions. In a time when finances are hard for many traders, this proposal will make it impossible for an 'off the cuff' weekend promotion for a cafe in the Covered Market.

Rather than this draconian proposal I do think that any attempt to prevent leafletting in town should be directed at the culprits - mainly out of town traders. I also object to the loss of individuals/organisations to be able to advertise events, and object to the controlling attitude of the council.

DRAFT

To: City Executive Board

Date: 8 December 2010 **Item No:** 19

Report of: Head of Environmental Development

Title of Report: Proposed Licensing Scheme for the distribution of free printed matter

Summary and Recommendations

Purpose of report: To seek approval to commence the process to introduce a licensing scheme to control the distribution of free literature.

Key decision? No

Executive lead member: John Tanner

Policy Framework: Improve the local environment, economy and quality of life

Recommendation(s):

the Board is recommended to:

1. Make a declaration that the Board is satisfied that the area highlighted in appendix 4 is being defaced by the distribution of free printed matter
2. Approve the proposal to make an order designating relevant land of the authority and all relevant highways for which the authority is responsible, as set out in paragraph 4.4 and the map attached as appendix 4, to control the distribution of free printed matter within the areas highlighted in this report.
3. Request a further report from the Head of Environmental Development for the City Executive Board meeting in March that contains:
 - (a) the details of any objections duly made in response to the proposed order, and
 - (b) a fully costed scheme should the recommendation be to confirm the order to control the distribution of free printed matter.

Appendix 1	Consent conditions
Appendix 2	Equalities Impact Assessment
Appendix 3	Risk Register
Appendix 4	Map of areas proposed to be designated

1 Introduction

- 1.1 In November 2009 the Council launched the Cleaner Greener Oxford campaign in order to clean up Oxford. Initially the campaign focused on litter and waste in the City Centre and a number of steps were put in place including increased numbers of litter bins, enhanced street cleaning and more active enforcement.
- 1.2 The result has been a noticeable improvement in the appearance of the City Centre and Oxford was voted the cleanest city in the UK by a Conde Nast Travellers poll of 40,000 people.

2 Current Situation

- 2.1 However, leafleting in the City has been recognised for some time as an issue. Street Scene officers report that there is a regular defacement of the area caused by leaflets and flyers being left on the streets. The litter problems with leaflets occur widely, but are most noticeable in the Park End Street area in the City Centre; around Headington Hill Campus in Headington (particularly around Fresher's Week) and in and around Cowley Road in East Oxford.
- 2.2 The extent of the litter created by leafleting is not always evident to the public because it is often connected with the night time economy and the streets are cleaned by Street scene before the daytime economy starts. However, discarded leaflets and flyers are extremely difficult to clear up, especially in wet weather and Street Scenes dedicate a significant amount of resource to cleaning areas on a daily basis.
- 2.3 Leaflets are cleaned up using an automated machine in dry conditions, but in wet conditions the machine is ineffective on leaflets and they have to be picked up by hand, greatly adding to the time and expense of cleaning the streets.
- 2.4 In an attempt to address the problems caused by leafleting a byelaw was introduced in 2004.
- 2.5 The bye law allows authorised officers to control the manner in which leaflets are distributed but it does not prevent leafleting or provide a way to control the environmental impact it has on the City. Officers believe that there is a need for further action.

3 Further Powers

- 3.1 Schedule 3A of the Environmental Protection Act 1990 provides powers that allow local authorities to designate areas in which the distribution of free printed matter is illegal without the consent of the Council.

- 3.2 Printed matter includes any materials produced for distribution which have been subject to a printing process, and includes flyers, self adhesive stickers, leaflets, cards, papers, containers and any similar items.
- 3.3 Investigations have revealed that these powers have been introduced in Leeds, Leicester, Solihull and Manchester and have been used to deal successfully with problems caused by leafleting.

Exemptions

- 3.3 There is a specific exemption where the distribution of material is for political, charitable or religious purposes (so as not to inhibit the right to freedom of expression enshrined in the Human Rights Act 1998)

Offences

- 3.4 If someone distributes free printed matter in a designated area without consent they commit an offence, punishable by a fine of up to £2500 or a fixed penalty notice of £80. The Council may also seize all or any of the material. This may be reclaimed by the person purporting to be its owner on application to the magistrate's court
- 3.5 It is also an offence to commission or pay for the distribution of free printed matter in a designated area without the necessary consent.

4 Designation of Land

- 4.1 Land can only be designated under Schedule 3A of the Environmental Protection Act 1990 if the Council is satisfied that the discarding of free printed matter is causing defacement.
- 4.2 The land that is designated must consist of:
 - (a) relevant land of the authority;
 - (b) all or part of any relevant highway for which the litter authority is responsible; or
 - (c) both.
- 4.3 It is proposed that the Council designates both its own land and the relevant highway so that the licensing controls are extended as far as possible. This will also provide a consistent approach to enforcement in all public areas. Section 86(9) of the Environmental Protection Act 1990 provides that every highway maintainable at the public expense is a relevant highway. It also provides that a district council is the responsible authority.

4.4 The areas proposed to be designated in this report are broadly

- (a) The City Centre
- (b) Cowley Road and surrounding streets
- (c) Headington Hill Road and surrounding streets

4.5 A map of the areas proposed to be designated by this report is attached as appendix 4.

5 What will be controlled?

5.1 To “distribute” printed matter means to give it out to, or offer or make it available to, members of the public and includes placing it on or affixing it to vehicles, but does not include putting it inside a building or letter-box. In addition it does not include printed matter distributed on public service vehicles. Printed matter is “free” if it is distributed without charge to the persons to whom it is distributed.

5.2 Examples of what would be covered are given below:

- (a) a promoter for a nightclub giving out flyers to passing members of the public promoting an event at a venue
- (b) the owner of a shop giving out leaflets to passing members of the public promoting the sale of goods at their premises
- (c) an estate agent who leaves a box of property newspapers on the street at the entrance to their premises
- (d) a board left outside a college promoting a theatre production that has a pocket containing leaflets attached to it
- (e) a pile of flyers left on top of a piece of street furniture or a window ledge for passing members of the public to pick up
- (f) a promotional stand set up in the street from which free leaflets are available promoting tourist activities such as bus rides or walking tours
- (g) a promoter placing leaflets under the windscreen wipers of parked cars in a park and ride car park

6 How will the scheme work?

6.1 Consents will be granted subject to conditions. Appendix 1 contains detailed consent conditions to be applied to all consents and authorisation badges issued under them.

6.2 Annual consents will run from the start date applied for until the corresponding date the following year. Monthly consents are also available.

6.3 Failure to comply with the consent conditions set out in Appendix 1 could result in the revoking of an applicant’s badge.

- 6.4 An applicant will be able to apply for as many authorisation badges as they need, but each person distributing at any one time will need to possess a valid authorisation badge.
- 6.5 An applicant can apply for further badges during the consent period, but, if an applicant's badge has been revoked due to a breach of the consent conditions, then no further applications can be made by that person for a minimum period of 1 year starting from the date on which the badge was revoked. Any monies paid by the applicant are non-refundable in the event of consent being revoked.
- 6.6 If an original consent holder has badges revoked, and investigations suggest that he or she attempts to replace them by using a 'nominee', consideration will be taken to revoking all badges held by that consent holder and the nominee.
- 6.7 Paragraph 3(5) of Schedule 3A provides that a consent can be subject to such conditions as the authority consider necessary or desirable for protecting designated land from defacement or the effective operation and enforcement of the designation. It will be a condition of any consent that an applicant must apply from an address within the City or provide a statement detailing how he/she intends to ensure that the distribution of the free printed matter is adequately managed.
- 6.8 Payment must be made with the application. Should the payment fail (e.g. bounced cheque) after the consent has been issued, the consent will be deemed to be automatically revoked.
- 6.9 There is no requirement for the Council to grant consent to an applicant, but at the same time the Council must be able to justify its refusal based on the likelihood of the distribution causing defacement of the local environment.
- 6.10 The Council may also refuse consent if the applicant has been convicted of an offence, or has paid a fixed penalty notice for the distribution of free literature without consent in a designated area, within five years preceding the date of the application.
- 6.11 Any person aggrieved by a decision of the Council to:
- a) refuse consent;
 - b) impose any limitation or condition subject to which consent is given;
 - c) to revoke consent
- may appeal against the decision to a Magistrates' Court.

7 Consultation

- 7.1 Prior to designating any land the Council must:

- a) publish notice of its proposal in at least one newspaper circulating in the area which includes the land; and,
- b) post such a notice on the land

The notice must specify:

- a) the land proposed to be designated;
- b) the date on which the proposed order is to come into force; and,
- c) the fact that objections may be made to the proposal, how they can be made and the period in which they must be made.

- 7.2 Subject to giving notice and taking into account any objections the Council can make an order in respect of any or all the land in respect of which notice was given. It is then required to give notice of its decision in similar fashion to the consultation set out above.
- 7.3 All representations will be considered and the final proposals will be brought back in a report to the City Executive Board at the earliest opportunity, which is currently the March 2011 meeting. It is therefore proposed that the scheme commences on the 1st April 2011.

8 Staffing implications

- 8.1 There will need to be proactive and reactive enforcement of the scheme and it is intended to carry this out within existing resources.
- 8.2 A flexible approach to the work will need to be taken to ensure that resources are available when required, which will often be in the evenings and at weekends. Where possible this will be linked up with other licensing and enforcement activities as well as including streetscene supervisors and managers.

9 Financial Implications

- 9.1 The Council may charge a fee for issuing a consent. The amount of this fee is for the Council to determine but it must not be more than is reasonable to cover the costs of operating and enforcing the consent scheme. It will therefore be possible to introduce the scheme at no net cost to the Council.
- 9.2 The full costs for the implementation of the proposed scheme have not been calculated prior to the publicity process. The financial calculations will be produced once the publicity period has been completed and a clearer picture of the likely demand for consents has been obtained.
- 9.3 It is proposed that the full costs and consent fees be included in the further report to the City Executive Board in March should the recommendation be to confirm the order to control the distribution of free printed matter.

10 Climate Change / Environmental Impact

- 10.1 The proposed consent scheme is designed to reduce the adverse environmental impact of the distribution of free literature in the City by reducing the costs of dealing with the defacement by litter by such activities.

11 Equalities Impact

- 11.1 No impacts have been identified. An Equalities Impact Assessment is attached as appendix 1.

12 Level of Risk

- 12.1 A full risk register is attached as appendix 2.
- 12.2 One risk of note is that there may be an initial increase in leafleting activity should the scheme be implemented. However strict conditions can be attached to consents to control any activity and therefore the recommendations are to accept this risk.

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List of background papers:

Appendix 1	Consent conditions
Appendix 2	Equalities Impact Assessment
Appendix 3	Risk Register
Appendix 4	Map of areas proposed to be designated

Version number: 0.3

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To: Delegated decisions of the Board Member, Cleaner Greener Oxford

Date: 16th June 2011

Report of: Head of Environmental Development

Title of Report: Implementation of Dog Control Orders

Summary and Recommendations

Purpose of report: To implement dog control orders in the City

Key decision? No

Executive lead member: John Tanner

Policy Framework: Improve the local environment, economy and quality of life

Recommendation(s):

The Board Member, Cleaner Greener Oxford is recommended to adopt and implement the dog control orders set out in paragraphs 3 and 4 of this report and to ask the Head of Environmental Development in conjunction with the Head of Law and Governance to carry out the requirements of the Clean Neighbourhoods and Environment Act 2005 and bring the said orders into effect.

Appendix 1 Summary of consultation results

Appendix 2 Summary of Costs

Appendix 3 Diversity Impact Assessment

Appendix 4 Risk Register

Appendix 5 List of Play Areas

1 Introduction

1.1 At its meeting on 1st September 2010 CEB considered a report regarding the implementation of dog control orders pursuant to sections 55 and 56 of the Clean Neighbourhoods and Environment Act 2005.

2 Consultation on Dog Control Orders for the City

- 2.1 In November 2010 a Talkback survey was sent out to the public seeking their views on a number of issues affecting the Council. Part of this survey included a questionnaire seeking views on the proposed dog control orders.
- 2.2 A further online consultation was started in December 2010 using the same questionnaire and with extensive media coverage has seen a very good response rate. All four Parish Council's were specifically invited to take part in the online consultation.
- 2.3 Finally a public notice was published in the Oxford Times advising the public of the proposals and advising people of how to make representation. This 28 day statutory period ended on 11th February 2011.
- 2.4 The results of the consultation are included in paragraphs 3 and 4 of this report and have been divided into the relevant dog control orders.
- 2.5 A full breakdown of the results of the surveys is included as appendix 1.

3 Proposed Dog Control Orders

Fouling of Land by Dogs

- 3.1 Environmental Development received 102 Fouling Complaints across the City in the year 2009/2010. A total of 60% of these complaints related to fouling on the streets.
- 3.2 This order will apply to all land within the City of Oxford which is open to the air and to which the public have access, including roads, footpaths, pavements, grass verges, alleyways, allotments, parks and open spaces.
- 3.3 This order would include the areas of land not currently covered by the Dogs (Fouling of Land) Act 1996 and also increase the value of the fixed penalty fine to the maximum £80 in line with litter offences. The fine is currently fixed at £50.
- 3.4 This order will not apply to a person who is registered as a blind person, or to a person who has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift carry or otherwise move every day objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance.
- 3.5 The consultation responses to the question about increasing the level of fine for dog fouling to £80 were overwhelmingly positive. Overall a

total of 89% of the Talkback Panel and 92% of the online consultees supported the proposal.

- 3.6 The response from the consultation process was strongly in favour of implementing this order, and officers recommend that the order be made.

Putting and Keeping Dogs on Leads when Directed

- 3.7 This order would help officers tackle out of control dogs in the city as well as reduce the number of stray dogs. The order would give an authorised officer the power to require a dog owner to put their dog on a lead.
- 3.8 Thames Valley Police responded to 43 reports of dogs dangerously out of Control in the city last year. In addition to this, the Dog Warden Service received 15 reports of dog-on-dog attacks and a further 11 requests for advice on dangerous dogs. The Dog Warden Service also received 115 reports of lost dogs and 163 reports of stray dogs in the year 2009/2010. It is believed that this control order would help to reduce these numbers.
- 3.9 This order will apply to all land within the City of Oxford which is open to the air and to which the public have access, including roads, footpaths, pavements, grass verges, alleyways, allotments, parks and open spaces.
- 3.10 This order should not only reduce the number of dog bites and stray dogs but should also reduce the risk of a dangerously out of control dog.
- 3.11 This order will not apply to a person who is registered as a blind person, or to a person who has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift carry or otherwise move every day objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance.
- 3.12 Overall the responses from the Talkback Panel and the online questionnaire were very positive with 84% and 85% respectively supporting the proposal.
- 3.13 The response from the consultation process was strongly in favour of implementing this order, and officers recommend that the order be made.

Exclusion of Dogs from Play Areas

- 3.14 The Council has put significant investment into play areas in the city and although there are currently signs up banning dogs from these areas, there are no formal powers to enforce it.

- 3.15 Following extensive consultation with the Parks & Leisure Service it is felt that not all play areas are appropriate for banning orders due to the layout of the play areas. A large number of play areas have been designed to be open in line with Play England guidance and therefore not appropriate for a banning order.
- 3.16 It is proposed that an order be put in place to allow officers to enforce the existing requests to exclude dogs from play areas and in turn protect the Council's investment in these areas.
- 3.17 This order will apply to all children's play areas within the Council's area which are clearly demarcated as a play area.
- 3.18 A list of the play areas for which this order is proposed is listed as appendix 5.
- 3.19 This order will not apply to a person who is registered as a blind person, or to a person who has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift carry or otherwise move every day objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance.
- 3.20 There was a very positive response from the public to this proposal. A total of 81% of the Talkback Panel supported it along with 81% of the respondents to the online survey.
- 3.21 The response from the consultation process was strongly in favour of implementing this order, and officers recommend that the order be made.

Maximum number of dogs per person in public

- 3.22 There have been a number of issues reported by the Park Rangers of people walking large number of dogs and not being adequately in control of them. This has resulted in additional problems such as dog fouling not being cleared up. The main culprits appear to be professional dog walkers.
- 3.23 It is proposed that an order be put in place limiting the maximum number of dogs any one person can have in public to 4 dogs per person.
- 3.24 This order will apply to all land within the City of Oxford which is open to the air and to which the public have access, including roads, footpaths, pavements, grass verges, alleyways, allotments, parks and open spaces.

- 3.25 The response from the Talkback Panel indicated 71% supported the proposal to limit the number of dogs any one person can be in charge of in a public place. The figure from the online survey was 68%.
- 3.26 The response to the question regarding the maximum number of dogs any one person can be in charge of in a public place was less clear, with 41% of the Talkback Panel and 37% of the respondents to the online survey preferring a maximum of 2 dogs. The view of officers is that a maximum number of 4 dogs is considered a reasonable limit that will allow the person in control of the dogs to maintain control of the animals. This is the maximum number that has been implemented by a number of other local authorities.
- 3.27 The response from the consultation process was strongly in favour of implementing this order, and officers recommend that the order be made.

4 SS Mary & John Churchyard

- 4.1 In September 2010 a problem solving meeting was held to address a number of anti-social behavior problems in SS Mary & John Churchyard. One of the problems raised concerned individuals congregating in the church yard with dogs and allegedly training them to bite. Local residents report that this creates an intimidating atmosphere and ruins the enjoyment of the area by other visitors.
- 4.2 It was agreed at the meeting that Environmental Development would consult the local public on proposals to implement a dog control order in the churchyard to help address this issue.
- 4.3 An online consultation was conducted and volunteers from SS Mary & John Church handed out copies of the questionnaire on site. The questionnaire asked the local public to respond on proposals to either ban dogs from the church yard or to require dogs to be kept on a lead.
- 4.4 The responses to the consultation were:

Oxford City Council is considering proposals to ban dogs from SS Mary & John Church Yard in order to combat the anti-social use of dogs in the area. How strongly do you support or oppose this proposal?	
Strongly support	33%
Tend to support	20%
Neither support or oppose	7%
Tend to oppose	14%
Strongly oppose	27%

As an alternative to banning dogs from SS Mary & John Church Yard Oxford City Council is considering proposals requiring owners to keep their dogs on a lead when in the area. How strongly do you support or

oppose this proposal?	
Strongly support	60%
Tend to support	20%
Neither support or oppose	7%
Tend to oppose	7%
Strongly oppose	7%

4.5 The result of the consultation shows a clear preference towards a dog on lead order rather than a banning order for SS Mary & John Church Yard.

4.6 Officers recommend that a control order requiring dogs to be kept on a lead in SS Mary & John Church Yard be made. This order will apply to all the land within SS Mary & John Churchyard.

5 Consultation of professional bodies

5.1 As part of the consultation process a number of professional bodies with an interest in the implementation of dog control orders were invited to share their views and experiences. The bodies invited to the consultation were:

- RSPCA
- Dogs Trust
- The Kennel Club
- Thames Valley Police

5.2 The Dogs Trust responded to the invitation. Their response highlighted that dogs must be allowed space to be let off the lead in order to exhibit natural behavior. This response has been considered and Officers believe that there are adequate spaces around the city for dogs to run around off of the lead that would not be subject to a banning order.

5.3 The Kennel Club also responded to the invitation. Their response was to support the implementation of dog fouling and dogs on lead by direction orders. They felt that it was important to implement banning orders for the right reasons and not just to tackle dog fouling. They also felt that the limit on the number of dogs order was arbitrary and felt that a permit scheme for professional dog walkers was a better way to tackle the issue of people walking large number of dogs.

5.4 A voluntary code of practice does not carry any enforcement capability and is traditionally very labour intensive to manage. An example of this already in use in the City is the Buskers voluntary code of practice.

5.5 Officers consider that a voluntary code of practice for dog walkers would be good to supplement the maximum number of dogs in public control order but is not a practical alternative.

6 Enforcement

- 6.1 The officers who will be authorised to issue Fixed Penalty Notices for breaches of Dog Control Orders will be:
- Dog Warden
 - Environmental Enforcement Officers
 - Park Rangers
 - Community Wardens
 - PCSOs
 - PCs

7 Climate Change / Environmental Impact

- 7.1 There is no perceived impact to climate change on the implementation of Dog Control Orders.
- 7.2 It is anticipated that there will be an improved impact on the environment through the reduction in dog fouling and the better control of dogs whilst in public spaces.

8 Equalities Impact

- 8.1 A large proportion of Oxford's homeless population own dogs and there is a potential issue that some of these dog owners would not be able to comply with the control orders due to financial restrictions.
- 8.2 It is proposed that Environmental Development purchase a small stock of dog leads which could be given out free of charge to those dog owners who are unable to afford to purchase a lead. The Dog Warden Service also provides 'Dog Poo Bags' free of charge on request from Ramsay House Reception.
- 8.3 A Diversity Impact Initial Assessment is included as Appendix 3.
- 8.4 Dog control orders provide exceptions in particular cases for registered blind people, and for deaf people and for other people with disabilities who make use of trained assistance dogs.

9 Financial Implications

- 9.1 The costs associated with the implementation of dog control orders in Oxford can be seen in Appendix 2.
- 9.2 The main costs associated with the implementation of dog control orders are signage, training and enforcement.
- 9.3 The Leisure and Parks department have confirmed that the dog control order signage for play areas in the city will be funded by Parks & Leisure Services.

9.4 The dog control order signage for the city's streets will be funded by Environmental Development from existing budgets.

10 Level of Risk

10.1 The risk register for the implementation of Dog Control Orders is attached as appendix 4.

10.2 There is no perceived risk associated with a decision to consult on the implementation of dog control orders other than the costs laid out in appendix 1.

Name and contact details of author:-

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List of background papers:

None

Version number: 0.7

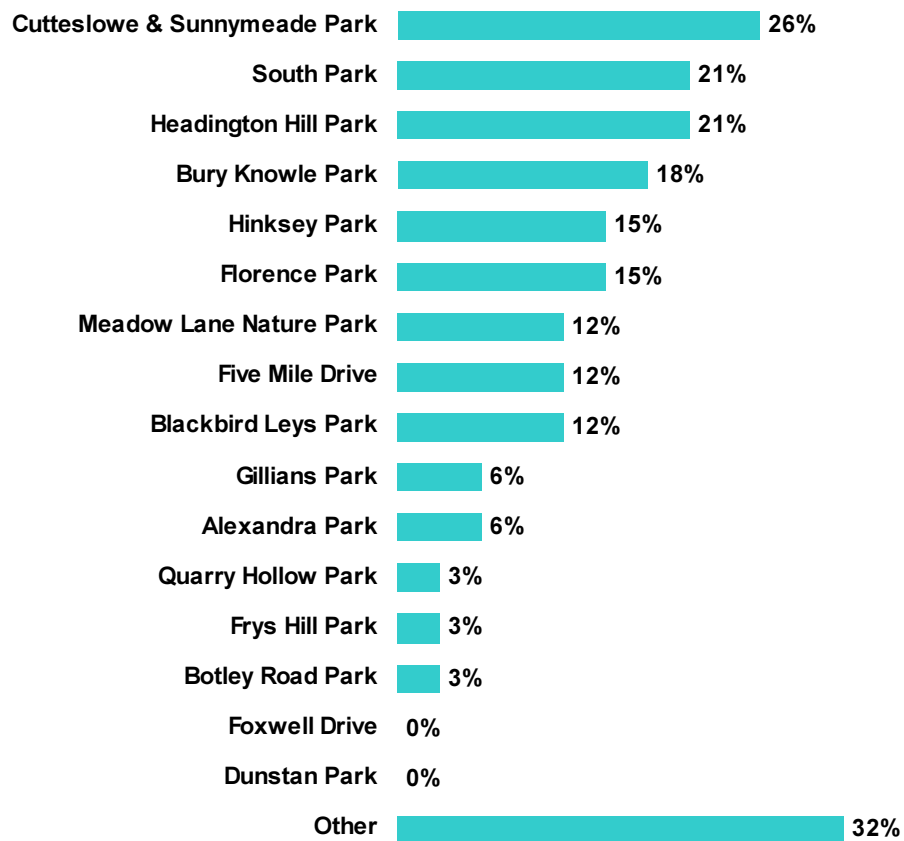
Appendix 1 – Summary of Consultation Responses

Talk Back Survey Results

Overall, 14% of Talkback panellists confirmed that they own a dog. Of dog owners, over two-thirds said that they use a local park to walk their dog/s (69%).

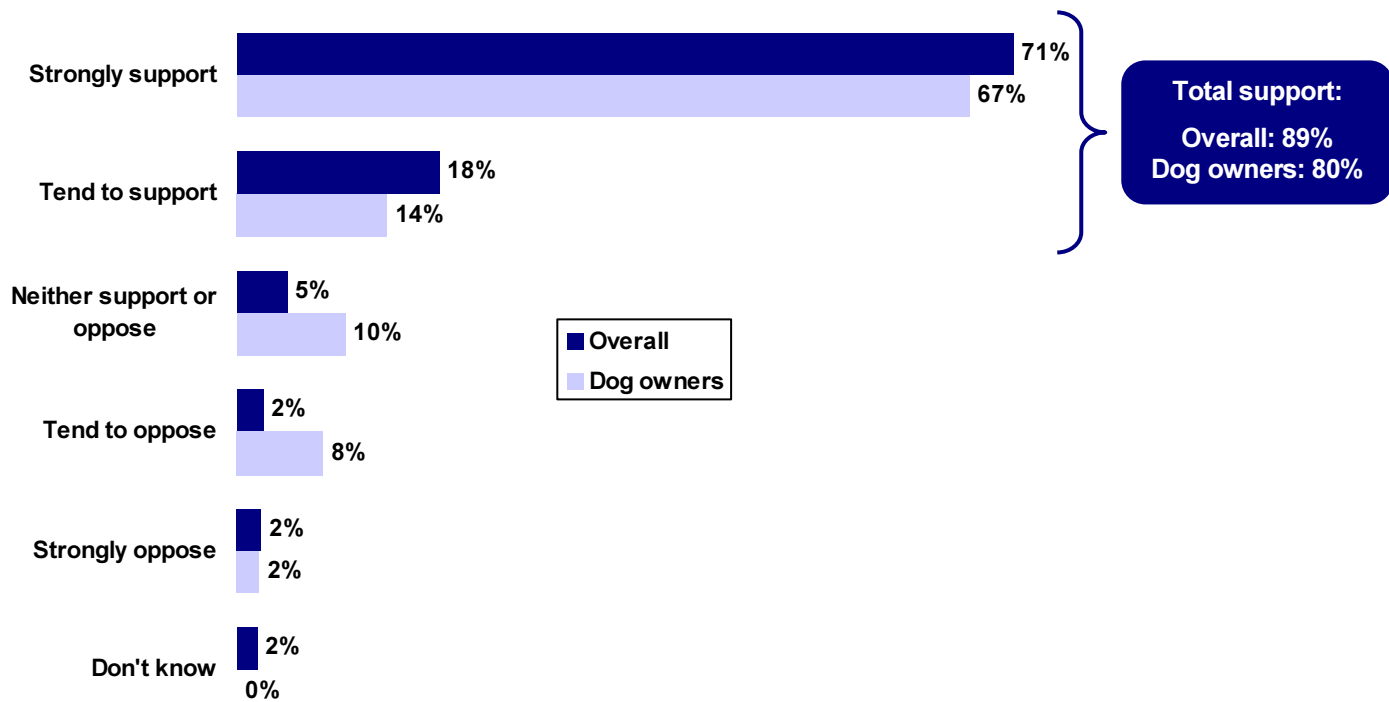
The most popular park for dog owners to use is Cutteslowe and Sunnymede Park (26% of dog owners use this), Headington Hill Park (21%) and South Park (also 21%).

Fig 23 Local parks used by residents to walk their dogs (Q1b) *Percentage of respondents who own a dog and use a local park to walk them, stating they use each park (1b)*



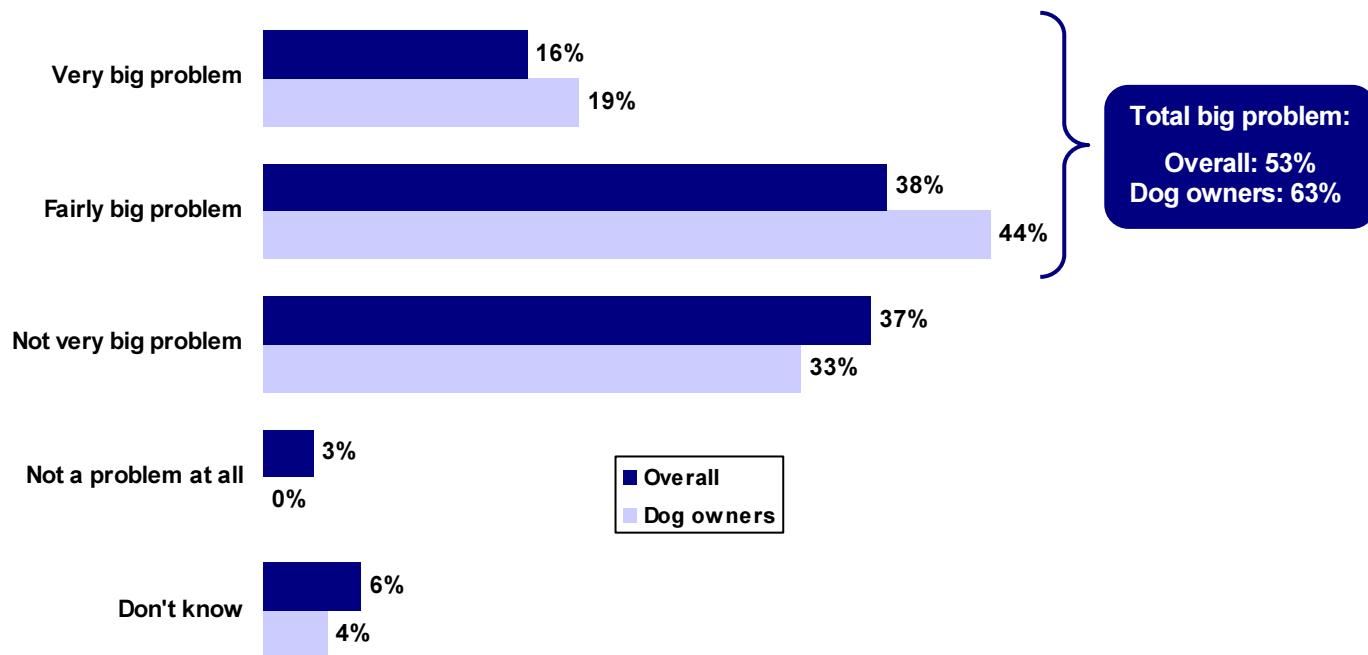
Overall, 89% of residents support the proposal to increase the fine for dog fouling from £50 to £80. 71% said that they 'strongly' support this proposal. Amongst the dog owners, overall support was 80% for this proposal.

Fig 24 Level of support for increasing the fine for dog fouling from £50 to £80 (Q2) *Includes 'Don't know' responses (Q2)*



Despite this, just over one half of residents said that they thought dog fouling was either a very or fairly big problem in the city (53%). Dog owners were more likely to say that dog fouling is a problem (63%).

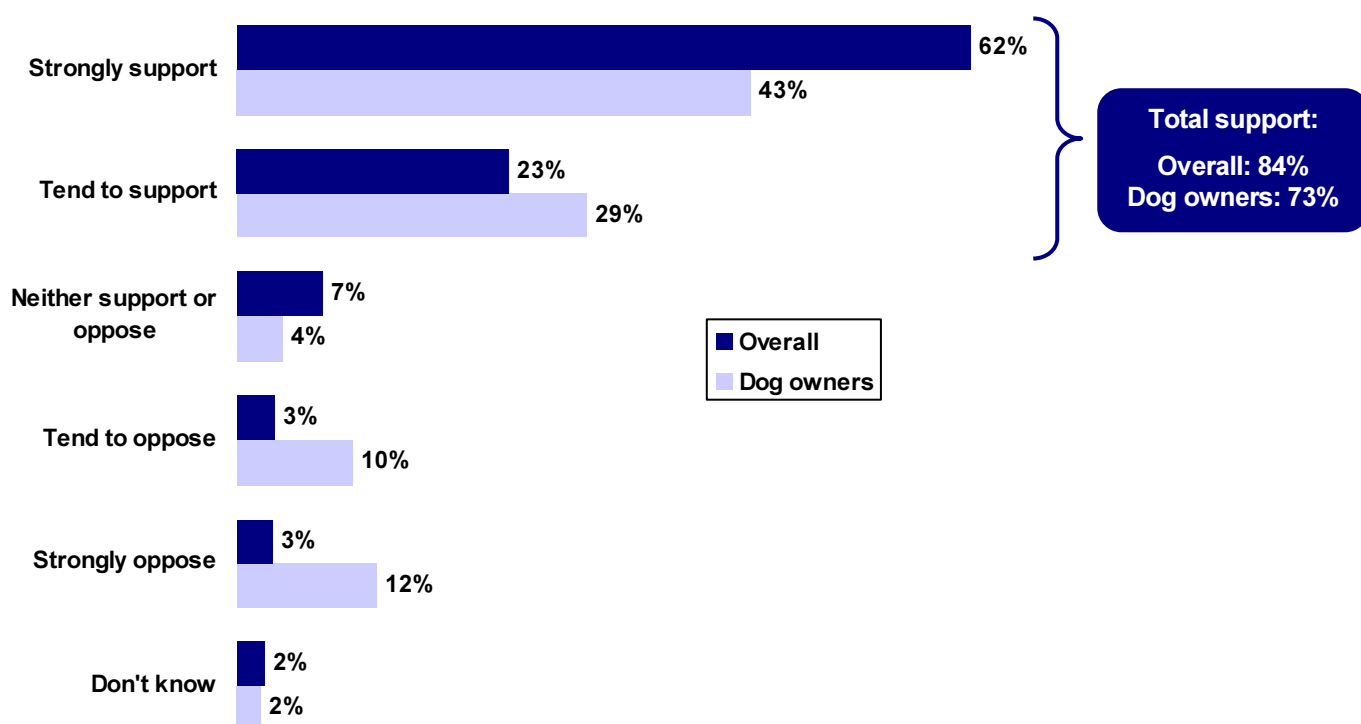
Fig 25 Extent to which residents consider dog fouling to be a problem in Oxford (Q3) *Includes 'Don't know' responses (Q3)*



There was also strong support amongst the general population for the proposal to give authorised officers the power to request that a dog to be put on a lead. 84% of all residents said that they support this proposal, with 61% stating that they ‘strongly’ support it. 73% of dog owners said that they support this proposal, and just 43% said they ‘strongly’ supported it.

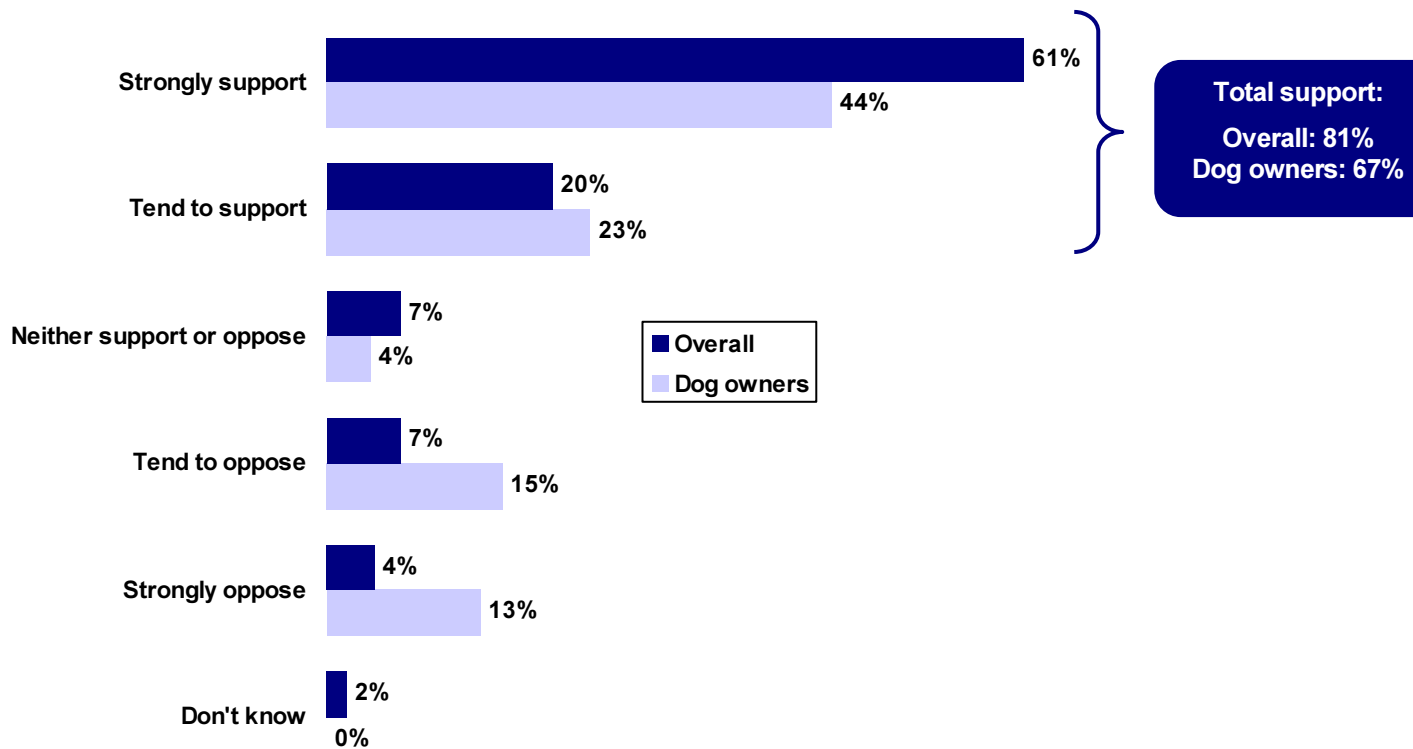
Fig 26 Level of support for giving authorised officers the powers to request a dog(s) be put on a lead(s) (Q4)

Includes ‘Don’t know’ responses (Q4)



Support levels were also broadly similar for the proposal to ban dogs from children’s play areas (81% of residents support this, with 61% saying that they ‘strongly’ support it). Two-thirds of dog owners (67%) were supportive of this proposal.

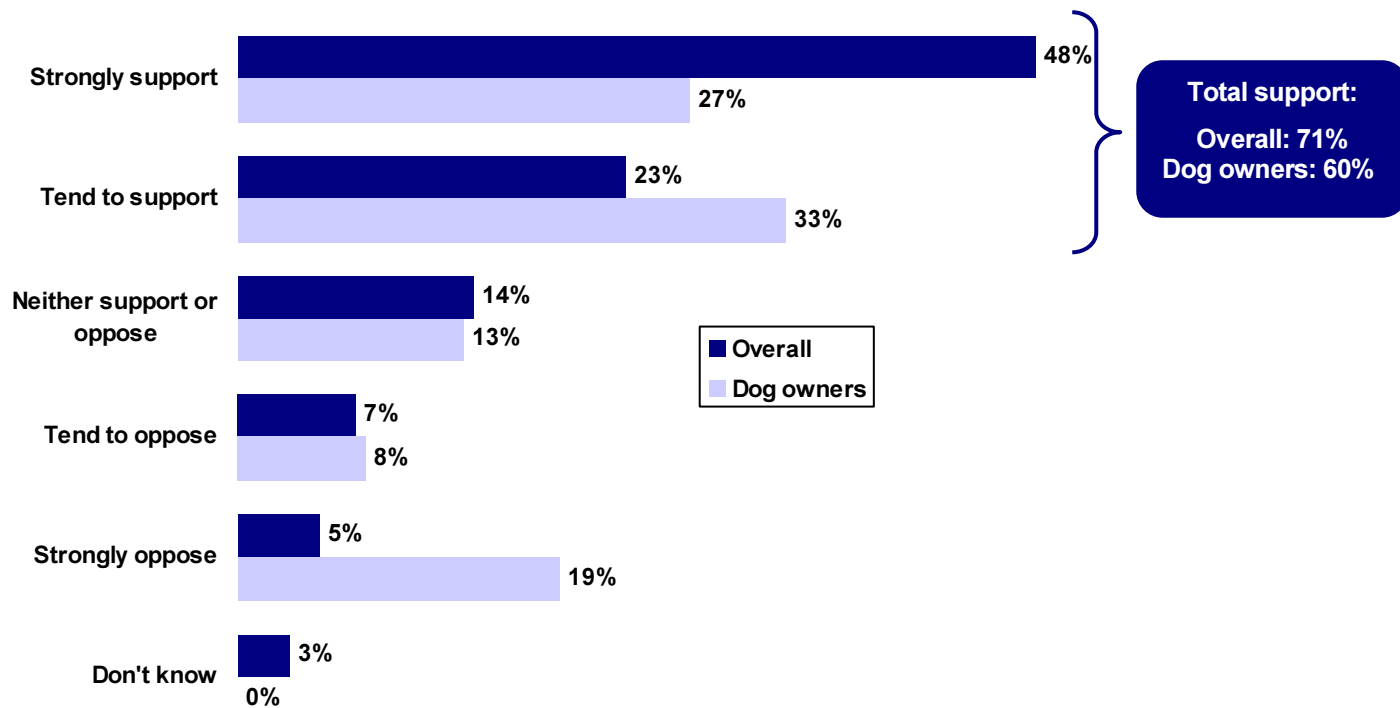
Fig 27 Level of support for proposals to ban dogs from children’s play areas (Q5) *Includes 'Don't know' responses (Q5);*



Relatively speaking, support for the proposal to limit the maximum number of dogs that any one person can be in charge of in public was more modest. 71% of all residents said they support this proposal, with less than one half (48%) stating that they 'strongly' support this idea. Support amongst dog owners was even more modest (60% overall and 27% strongly in support)

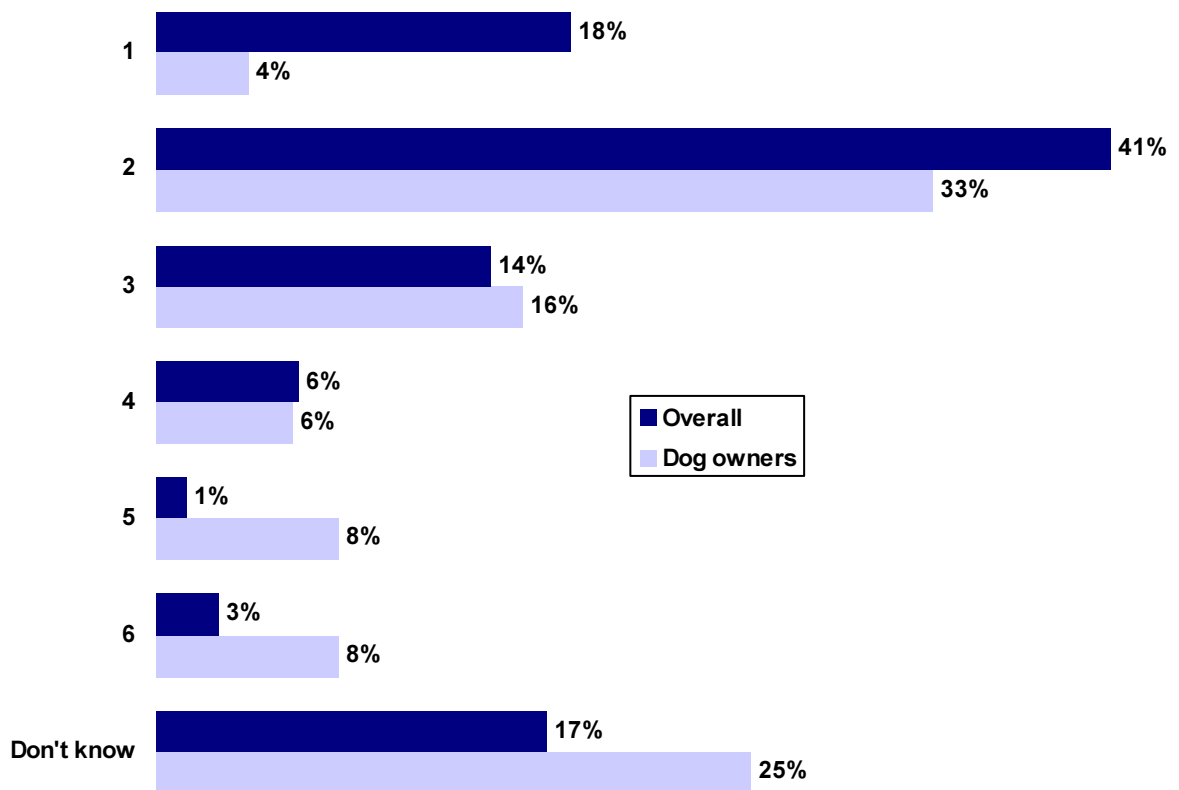
Fig 28 Level of support for proposals to limit the maximum number of dogs any one person can be in charge of in public (Q6)

Includes 'Don't know' responses (Q6);



A follow up question asked people what they thought should be the maximum number of dogs any one person can be in charge of in public. One half of residents who gave a valid answer, said they thought two dogs should be the maximum (49%), 21% said it should be one dog, and 17% said it should be three dogs.

Fig 29 Maximum number of dogs residents think any one person can be in charge of in public (Q) *Includes 'Don't know' responses (Q7)*



Online Consultation Summary Results

This page shows the summary of the responses that have been received.

1A

Do you own a dog(s)?

Yes 50% (34)

No 50% (34)

1B

If yes, do you use a local park to walk your dog(s)?

Yes 74% (29)

No 26% (10)

1C

If yes, which park(s) do you use?

Alexandra Park 1% (1)
Blackbird Leys Park 1% (1)
Botley Road Park 1% (1)
Bury Knowle Park 8% (7)
Cutteslowe & Sunnymede Park 17% (14)
Dunstan Park 1% (1)
Five Mile Drive 1% (1)
Florence Park 11% (9)
Foxwell Drive 0% (0)
Frys Hill Park 1% (1)
Gillians Park 0% (0)
Headington Hill Park 12% (10)
Hinksey Park 7% (6)
Meadow Lane Nature Park 6% (5)
Quarry Hollow Park 2% (2)
South Park 14% (12)
Other (please specify) 15% (13)

2

The fine for dog fouling at the moment is £50. We are considering increasing this to £80 so that it is in line with litter fines. How strongly do you support or oppose this proposal?

Strongly support 79% (54)

Tend to support 12% (8)

Neither support or oppose 6% (4)

Tend to oppose 1% (1)

Strongly oppose 1% (1)

Don't know 0% (0)

3

How much of a problem do you consider dog fouling to be in the city?

Very big problem 34% (23)

Fairly big problem 34% (23)

Not very big problem 31% (21)

No a problem at all 0% (0)

Don't know 1% (1)

4

We are considering proposals to give authorised officers the powers to request a dog(s) be put on a lead(s). How strongly do you support or oppose this proposal?

Strongly support 63% (43)
Tend to support 24% (16)
Neither support or oppose 3% (2)
Tend to oppose 4% (3)
Strongly oppose 4% (3)
Don't know 1% (1)

5

We are considering proposals to ban dogs from childrens play areas in the city. How strongly do you support or oppose this proposal?

Strongly support 56% (38)
Tend to support 26% (18)
Neither support or oppose 3% (2)
Tend to oppose 7% (5)
Strongly oppose 6% (4)
Don't know 1% (1)

6

We are considering proposals to limit the maximum number of dogs any one person can be in charge of in public. How strongly do you support or oppose this proposal?

Strongly support 46% (31)
Tend to support 25% (17)
Neither support or oppose 10% (7)
Tend to oppose 10% (7)
Strongly oppose 9% (6)
Don't know 0% (0)

7

What do you think should be the maximum number of dogs any one person can be in charge of in public?

1 13% (9)
2 37% (25)
3 21% (14)
4 13% (9)
5 0% (0)
6 3% (2)
Don't know 13% (9)

Is there anything else you would like to add?

I have a small dog that is always under control and I always clean up after him. I am very concerned that a lot of big dogs that are not trained and generally out of control are the main problem, to not just people, but also other dogs. I hate dog mess on the pavements and play areas, but I feel it would be wrong to stop responsible dog owners from access to parks because of the few inconsiderate dog owners. I think allowing dogs on leads in public places would be a good compromise - and also it is easier to observe when the dog evacuates. Also maybe the kennel club 'good citizen' could be used as a bench mark and dogs may be allowed free and unfettered access if the dog is proven to be safe and trained.

The biggest problem with dogs is not those in parks - it tends to be the ones on the streets, with young owners using the animal as a symbol of social status. The dogs are often poorly trained and sometimes used to intimidate passers-by. Im not sure that the measures you are suggesting will help with what appears to be a human behaviour issue. More should be done to strengthen the law regarding care and management of dogs, giving the police and the RSPCA more powers to remove animals they consider to pose a risk, or those who are at risk.

Q 4. There is insufficient information regarding the circumstances under which an authorised officer could require a dog to be on a lead. Powers can be misused and it is important to animal welfare that dogs have the opportunity to exercise off lead. Powers should be limited to specified areas and / or circumstances (e.g. on roads, dogs causing a nuisance etc).

Q5. If this is limited only to fenced off children's' play areas then I would strongly support. However, it is important that dog owners have places they can exercise their dogs off lead, so I would oppose restrictions that apply to whole parks just because part of the park is a children's play area. More detail is required to answer this question accurately.

There is no point in raising the fines if there is nobody to enforce it, we have had a problem round here (The Lakes) for some years, and I have contacted the local councillor about it and prior to that the dog warden, but it hasn't changed, I am just fed up of reporting it and nothing happening. Our walk to school is punctuated by me shouting 'mind the pooh!' every couple of minutes, we occasionally have a day when i don't have to say it, but please feel free to come with me and I will show you the problem. And of course it just gets tramped into school where they all sit on the floor, then have their snacks, and I think we can all imagine what happens next.

Regarding parks - it is all very well that dogs are banned from certain parts of the play areas, but not everybody closes the gates and dogs can't read, and you still have to walk through a potential minefield of dog pooh before you get to the fenced off bits. Takes the pleasure out of letting the kids go for a long run through the grass.

If "authorised officers" are to be empowered "to request a dog(s) be put on a lead(s)" then responsible owners should be given appropriate reasons/explanations/alternatives - most responsible owners in my experience are well aware of their dog(s) behaviour patterns and act appropriately - it would be a travesty of natural justice if responsible owners were to suffer because of an irresponsible minority - much the same if school children playing traunt are a public nuisance - should all children/parents suffer ?? Before embarking on implementing such a measure the Council should (1) hold public discussion meetings rather than a disappointingly limited survey as above and (2) publish what training/powers "authorised officers" are intended to have and (3) publish the information that led to this idea being aired so that dog owners can examine the evidence and the 'logic' and (4) publish whether there will be transparency and uniformity on the part of the "authorised officers" and how these aspects will be monitored (or appealed against !!), (5) consider whether such a measure should be applicable in all the park areas (eg large open land areas) and whether similar restrictions will apply to other (nominally) unsociable activities - such as flying kites, riding motocross bikes etc - and how these activities will be 'policed'. Finally, can someone explain the outcome were any individual to refuse to abide by a "request a dog(s) be put on

a lead(s)" ?

I do understand the principle but I do not feel reassured that the proposed legislation has been well thought through.

Is there an opportunity to appeal in advance of the proposed implementation?

I can only comment about dogs in Hinksey Park. They are a nuisance. Dog owners do not appreciate that people do not like dogs jumping up them ["they're only trying to be friendly" is the invariable remark], with their paws usually dirty. Owners never apologise when their dog snaffles a biscuit or cake from picknickers. Dogs chasing around could easily injure a pedestrian should they collide. I've experienced all these. In addition dogs are allowed to defecate on the sports pitches which should never be permitted and not all owners follow the correct procedures afterwards. I am not anti dogs, only inconsiderate owners.

With regard to question 4 I consider that dogs in parks should be kept on a lead at all times. The authorised officers are only available infrequently.

Update 14 Jan. Today swans were harassed by unleashed dog with owner taking no action to prevent. Surely this is illegal. Have seen this happen to the ducks and geese.

Publicity campaign please - ditto for cigarette stubs, which the city council considers to be littering (and rightly so) but no one seems to be aware of.

Many people walk their dogs off-lead in all the West Oxford parks throughout the day quite harmoniously with children playing football, cycling etc. It would be a very bad thing if entire parks were closed to dogs and would create a big problem for a lot of dog owners as most dogs need time off-lead everyday. Dogs should off course be kept out of enclosed play areas, as they are now, and I am all for raising the fine for dog fouling, but it is totally unacceptable that responsible dog owners should be banned from parks.

I personally think that the dog owners that do not consider others need to be targeted rather than blanketing every one. Also I have never seen any one confront a dog owner in the city with regards to dog fouling. If you are going to make these changes, they must be used correctly.

There are to many dogs and too many badly trained dogs. Many dogs are a threat to children and other vulnerable people. In addition to fouling, which is a minor issue compared to many other including: dogs frequently attacking livestock, chasing cyclists, causing road accidents and barking endlessly.

Perhaps neighbours should be consulted before people buy a dog.

Many dogs are kept in very poor conditions, without access to space and freedom during the day. They are outdoors animals and are not suited to urban or sub-urban living. Obesity is a problem for dogs as well as their owners.

Dog ownership is a very sensitive topic with many people regarding it as an untouchable right. The dog ownership issue needs a proper open debate and it is time for a radical re-think.

SS Mary & John Church Yard Online Questionnaire Summary Results

This page shows the summary of the responses that have been received.

1

Do you own a dog(s)?

Yes 71% (5)

No 29% (2)

2

If yes, do you walk your dog in SS Mary & John churchyard?

Yes 40% (2)

No 60% (3)

3

If yes, how often do you walk your dog in SS Mary & John churchyard?

1-2 days per week 0% (0)

3-4 days per week 100% (1)

5-6 days per week 0% (0)

Everyday 0% (0)

4

Oxford City Council is proposing to ban dogs from SS Mary & John churchyard in order to combat the anti-social use of dogs in the area. How strongly do you support or oppose this proposal?

Strongly support 29% (2)

Tend to support 14% (1)

Neither support or oppose 14% (1)

Tend of oppose 29% (2)

Strongly oppose 14% (1)

5

As an alternative to banning dogs from SS Mary & John churchyard, Oxford City Council are considering a dog control order requiring owners to keep their dogs on a lead when in the area. How strongly do you support or oppose this proposal?

Strongly support 71% (5)

Tend to support 14% (1)

Neither support or oppose 14% (1)

Tend to oppose 0% (0)

Strongly oppose 0% (0)

6

Is there anything else you would like to say?

The amount of green space available for dog walking in the area is very limited, and the loss of amenity would penalise those who use the churchyard responsibly, without necessarily preventing those who use it for anti-social purposes. Dog walkers can also act as a deterrant for other, non-dog related, ASBs. I also believe that banning dogs from the churchyard would be nearly impossible to enforce.

It seems a topsy-turvy way to control what sounds like very specific anti-social behaviour in a very specific location. Surely there must be other remedy or civil or criminal law that could be brought to bear?

Its sad that a blanket approach is being considered rather than targetting those causing the anti social behaviour. If a dog owner is in control of his/her pet, good recall, not aggressive etc and the owner cleans up after it there shouldn't be a problem. Likewise ensuring the animal sticks to designated paths and doesn't go where its not supposed to.

There should be signs in public places reminding dog owners that it is an offence to have a dog off lead on a highway.

Problem dogs are mostly associated with problem drinkers, and both are very off-putting to other users of the churchyard. Drinking alcohol in the churchyard is already prohibited but despite good efforts the police do not manage to effectively enforce it. I would suggest the final choice between the 2 options outlined above is made in the light of which the police think would be easier to enforce.

Maybe banning only the owners with the dogs that are causing the problem would be fairer than banning all dogs. owners must be responsible for their own dogs, which mostly is the case.

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Appendix 2

Summary of Costs

Consultation	Printing costs	£200
Signs	2000 x self adhesive	£1300 + VAT
	160 x Steel Signs for play areas	£5600 + VAT
Training	Absorbed by Public Health Team	£500
Leads	Dog Leads for Homeless Dog Owners	£30
	Total	£7630 + VAT

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Appendix 2 – Diversity Impact Assessment

Service Area: Environmental Development	Section: Pubic Health	Key person responsible for the assessment: G. Eagle	Date of Assessment: 08.06.10	
Is this assessment in the Corporate Equality Impact assessment Timetable for 2008-11?			Yes	<u>No</u>
Name of the Policy to be assessed: Dog Control Orders			Is this a new or existing policy	New
1. Briefly describe the aims, objectives and purpose of the policy		The aim of dog control orders is to have greater control on dogs in public spaces through tighter controls of dog fouling, dogs on lead by direction and banning dogs from play areas.		
2. Are there any associated objectives of the policy, please explain				

69

3. Who is intended to benefit from the policy and in what way	<p>The general public are the main beneficiary of the policy. There should be an improvement in the environment through the reduction of dog fouling on the streets and in the parks.</p> <p>There should be a reduction in the risk of out of control dogs by giving officers the power to require dogs to be put on leads and also an increased sense of confidence and freedom for children and their parents in play areas through the exclusion of dogs from these areas.</p>		
4. What outcomes are wanted from this policy? Reduce the amount of dog fouling in the city Minimise the risk to the public by increasing the control over out of control dogs in public places Increased satisfaction with play areas through the exclusion of dogs from these areas.			
5. What factors/forces could contribute/detract from the outcomes?	<p>Staffing resource will have a direct effect on the amount of enforcement. Thames Valley Police PCSO's will be authorised to enforce dog control orders and will increase the amount of enforcement resource available.</p> <p>Dog Control Orders have been successfully implemented in many local authorities across the country.</p>		
6. Who are the key people in relation to the policy?	General Public (both dog owners and non-dog owners) City Council Staff tasked with enforcement of the dog control orders (Environmental Development, Parks & Leisure, Community Safety)	7. Who implements the policy and who is responsible for the policy?	Graham Eagle Ian Wright
8. Could the policy have a differential impact on racial groups?	Y	<u>NO</u>	It is not anticipated that there will be any differential impact on racial groups.
What existing evidence (either presumed or otherwise) do you have for this?	<p>The orders are planned to be implemented across the entire city boundary and therefore not targeting any particular areas or the communities therein. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.</p>		
9. Could the policy have a differential impact on people due to their gender?	Y	<u>NO</u>	It is not anticipated that there will be any differential impact on people due to their gender.

<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>The orders are planned to be implemented across the entire city boundary and therefore not targeting any particular areas or the communities therein. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.</p>		
<p>10. Could the policy have a differential impact on people due to their disability?</p>	<p>Y</p>	<p><u>NO</u></p>	<p>It is not anticipated that there will be any differential impact on people due to their disability.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>Dog Control Orders provide exceptions in particular cases for registered blind people, and for deaf people and for other people with disabilities who make use of trained assistance dogs</p>		
<p>11. Could the policy have a differential impact on people due to their sexual orientation?</p>	<p>Y</p>	<p><u>NO</u></p>	<p>It is not anticipated that there will be any differential impact on people due to their sexual orientation.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>The orders are planned to be implemented across the entire city boundary and therefore not targeting any particular areas or the communities therein. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.</p>		
<p>12. Could the policy have a differential impact on people due to their age?</p>	<p>Y</p>	<p><u>NO</u></p>	<p>It is not anticipated that there will be any differential impact on people due to their age.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>The orders are planned to be implemented across the entire city boundary and therefore not targeting any particular areas or the communities therein. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.</p>		
<p>13. Could the policy have a differential impact on people due to their religious belief?</p>	<p>Y</p>	<p><u>NO</u></p>	<p>It is not anticipated that there will be any differential impact on people due to their religious belief.</p>
<p>What existing evidence (either presumed or otherwise) do you have for this?</p>	<p>The orders are planned to be implemented across the entire city boundary and therefore not targeting any particular areas or the communities therein. Enforcement will be taken in line with the Council's enforcement policy. It is anticipated that any unperceived issues will be raised during the consultation process.</p>		

14. Could the negative impact identified in 8-13 create the potential for the policy to discriminate against certain groups?	Y	<u>NO</u>	No negative impacts have been identified in 8-13.				
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason	Y	<u>NO</u>	No negative impacts have been identified in 8-13.				
16. Should the policy proceed to a partial impact assessment	Y	<u>NO</u>	If Yes, is there enough evidence to proceed to a full EIA	Y	N		
			Date on which Partial or Full impact assessment to be completed by				
17. Are there implications for the Service Plans?	Y	<u>NO</u>	18. Date the Service Plan will be updated	N/A	19. Date copy sent to Equalities Officer in Policy, Performance and Communication	N/A	
20. Date reported to Equalities Board:		N/A	Date to Scrutiny and EB	N/A	21. Date published	N/A	

NO

Signed (completing officer) _____

Signed (Lead Officer) _____

Please list the team members and service areas that were involved in this process:

G. Eagle Public Health Team Leader

Key

RED RISK

CLOSED RISK

Risk ID	Risk					Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)	
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
CEB000-ED	Resource	T	Inadequate Enforcement Resource	Not enough enforcement resource to enforce dog control order offences	Diminished effect of dog control orders due to inadequate enforcement	8-Jun-10	3	4	3	4	1			GE	08.06.10	
CEB000-ED	Equalities	T	Failure to capture the opinions and comments relating to dog control orders from all communities in the city	Inadequate consultation process	Dog Control Orders less effective as communities views not taken into account	8-Jun-10	2	4	3	4	1			GE	08.06.10	

Action Plans

Key

CLOSED ACTION/Risk

ACTIONS MUST BE 'SMART'

Specific, Measurable, Achievable, Realistic and Time bound

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
CEB000-ED	Resource	GE	R	Increase enforcement resource by using partner agencies and other council departments e.g. PCSO's, Park Rangers etc.	Train and authorise PCSOs, Park Rangers, Street Wardens and EEOs to tackle offences against dog control orders.	31-Jul-11	0%	01-Apr-11
CEB000-ED	Equalities	GE	R	Use experience and knowledge of Consultation Officer to ensure full consultation.	Conduct full consultation with consultation officer	11-Feb-11	100%	01-Apr-11

List of Play areas for Dog Control Orders

Play Area	Construction	Recommendation	Number of gates
Alexandra Courts	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Angel & Greyhound Meadow	Fenced	Banning Order	Weldmesh fencing 2 x mono gates
Aristotle Lane	Part Fenced	No Order	-
Balfour Road	Fenced	Banning Order	Straight bar fencing 3 x mono gates
Barns Road	Fenced	Banning Order	2 gates
Bartholemew Road (Gaisford Road)	Open	No Order	Chevron fencing 1 x chevron gate
Barton Bradley	Open	No Order	Straight bar fencing 1 x straight bar gate 1 x mono gate
Barton Village Rec	Fenced	Banning Order	Chainlink fencing 2 x chainlink gates
Bernwood Road	Open	No Order	-
Bertie Place	Fenced	Banning Order	Chevron fencing 3 x Chevron gates
Broad Oak	Fenced	Banning Order	Chainlink fence 2 x Chainlink gates
Bury Knowle Park	Will be fenced	No Order	Will be straight bar railings 5 x mono gates
Cholsey Close	Fenced	Banning Order	Straight bar fencing 1 x mono gate
Colemans Hill	Fenced	Banning Order	Walled perimeter 1 x mono gate Double straight bar gate
Columbine Gardens	Closed	No Order	-
Court Place Farm	Fenced. May be closed	Banning Order	Chainlink fence 2 x chainlink gates 1 x weldmesh gate
Cowley Marsh Park	Fenced	Banning Order	Straight bar railings 2 x mono gates
Croft Road	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Cuddesdon Way	Fenced	Banning Order	Stock fencing and dog grids 3 x entrances

Cotteslowe Park	Fenced	Banning Order	Straight bar fencing 4 x mono gates
Dene Road	Fenced	Banning Order	Chainlink fence 1 x Chainlink gate
Donnington Road	Fenced	Banning Order	Chevron fencing 2 x Chevron gate
Elizabeth Jennings (Ryder Close)	Fenced	Banning Order	Straight bar fencing 1 x straight bar gate
Falcon Close	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Five Mile Drive	Fenced	Banning Order	Chain link fencing 3 x chain link gates
Florence Park	Fenced	Banning Order	Weldmesh fencing 2 x weldmesh gates 1 x mono gate
Fox Crescent	Fenced	Banning Order	Double straight bar gate next to pedestrian straight bar gate
Foxwell Drive	Fenced	Banning Order	Chainlink fencing 2 x chainlink gates 1 x weldmesh gate
Friars Wharf	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Frys Hill Park (Pottery Piece)	Fenced, 2 parts	Banning Order	Straight bar railings 4 x straight bar gates
George Moore Close	Fenced	Banning Order	Weldmesh gate
Gillians Park	Fenced	Banning Order	Chevron fencing 4 x mono gates
Gillians Park Rec (Dunnock Way)	Fenced	Banning Order	Chainlink fencing 2 x straight bar gates
Girdlestone Grass	Fenced	Banning Order	Straight bar railings 2 x straight bar gates
Girdlestone Tarmac	Fenced	Banning Order	Straight bar railings 3 x straight bar gates
Greenfinch Close	Closed	No order	-
Hinksey Park	Fenced	Banning Order	Weldmesh fencing 3 x straight bar gates (mono)
Horspath Road / Marshall Road	Fenced	Banning Order	Straight bar fencing 2 x mono gates

Hundred Acres Park	Fenced	Banning Order	Straight bar fencing 2 x railing gates 1 x mono gate
Hunters Close	Fenced	Banning Order	Chainlink fencing 1 x chainlink fence
John Allen Centre	Fenced	Banning Order	Part fenced straight railings 1 x mono gate
Juniper Drive	Fenced	Banning Order	Straight bar fencing 1 x straight bar gate
Kensington Crescent	Fenced	Banning Order	2 gates
Kiln Lane (Sermon Close)	Fenced	Banning Order	Weldmesh fencing 2 x straight bar gates
Kingfisher Green	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Manzil Way	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Margaret Road	Fenced	Banning Order	Straight bar fencing 3 x mono gates
Marigold Close	Closed	No Order	-
Masons Road	Closed	No order	-
Meadow Lane	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Milham Ford	Open	No Order	-
Mistletoe Green	Fenced	Banning Order	Chevron fencing 2 x Chevron gates
Nightingale Avenue	Fenced	Banning Order	Chevron fencing 2 x Chevron gates
Normandy Crescent	Open	No Order	-
Northway	None at present. Probably will be open	No Order	-
Oatlands Road	Fenced	Banning Order	Chevron fencing 2 x Chevron gates
Pauling Road	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Peat Moors	Fenced	Banning Order	Chainlink fence 2 x mono gates
Pegasus Road	Fenced	Banning Order	Weldmesh fencing 5 x weldmesh gates
Preachers Lane	Fenced	Banning Order	Palisade fencing

			1 x palisade gate
Quarry Hollow	Open	No Order	-
Redmoor Close (Minchery Farm)	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Ridgefield Road	Open / Delineated	No Order	-
Ridgeway Road	Fenced	Banning Order	2 gates
Ridley Road	Fenced	Banning Order	Chevron fencing 1 x chevron fence
Rose Hill Rec (Spencer Crescent)	Open / Delineated	No Order	-
Rose Hill Recreation Ground	Part fenced part open	No order	-
Rowan Grove	Closed	No Order	-
Rutherway	No Play Ground	No order	-
Sandfield Road	Open	No Order	Chainlink fencing 3 x chainlink gates
South Oxford Adventure Playground	Restricted access	No order	-
South Parks	Open	No Order	-
Southfield Park Flats	Fenced	Banning Order	Wooden fence 1 x wooden gate Open entrance
St Barnabas School	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
St Christophers Place (Temple Road)	Fenced	Banning Order	Walled perimeter 1 x straight railing gate
Stone Meadow	Fenced	Banning Order	Straight Bar fencing 2 x straight bar gates
Sunnymeade Rec	Fenced	Banning Order	Straight bar fencing 3 x mono gates
Thames View Road	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Titup Hall Drive	Fenced	Banning Order	Straight bar railings 2 x straight bar gates
Valentia Road	Open	No Order	-
Waynflote Road	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Wolvercote	Fenced	Banning Order	Wood mesh

Green			fencing 1 x wood mesh gate (kissing)
Wolvercote Lower	Fenced	Banning Order	Wood mesh fencing 2 x chain link gates
Wood Farm Road Green	Fenced	Banning Order	Straight bar fencing 3 x mono gates
Woodpecker Green	Closed	No Order	-
Botley Park	Fenced	Banning Order	Straight bar fencing 2 x mono gates
Whitehouse Road	Fenced	Banning Order	Woodmesh fence 1 x woodmesh gate
Lockheart Crescent	Open	No Order	-
Pocket Park	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Field Avenue	Fenced	Banning Order	Straight bar fencing 2 x straight bar gates
Sundew Close	Fenced	Banning Order	Chevron Fencing 1 x Chevron gate
Harts Close	Open	No Order	-
Barton Adventure Playground	Fenced	Banning Order	Chainlink Fencing 3 x Chainlink gates
Terrett Avenue	Fenced	Banning Order	Straight bar fencing 2 x Straight bar gates
Westfield Close	Fenced	Banning Order	Chevron fencing 1 x chevron gate
Downside Dip	Fenced	Banning Order	1 gate
Olive Jacks	Fenced	Banning Order	2 gates
Mortimer Hall	Fenced	Banning Order	2 gates

Data supplied by Parks & Leisure Service. Correct as 15/03/2011

Total Number of banning orders	74
Total Number of entrances	161
Number of signs recommended	170

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