

**Magor with Undy Town Council**  
**Response to matters raised by residents at the Full Council**  
**Meeting of 13<sup>th</sup> May 2024**

Magor with Undy Town Council wishes to thank the members of the public who attended the Council Meeting at Magor Baptist Church on 13<sup>th</sup> May 2024. Council listened to observations and views in relation to the introduction of Monmouthshire County Council's County Wide Public Space Protection Order (PSPO) with particular reference to Sycamore Field (also referred colloquially as 'The School Field').

The Council fully acknowledge that Sycamore Field is a community field and a key asset for all members of the community to use and enjoy in accordance with the Deed of 10<sup>th</sup> May 2016. The Deed details that during school hours, Magor CiW primary have priority use for educational purposes, recreation, and play. The field is also the evacuation area in the event of an emergency such as fire. Outside of school use, the field is intended for a range of community uses, including but not limited to; rugby, tennis, football, dog walking, kite flying, baseball, cricket, rounders, walking, picnics. The field is also intended as sports pitches for the school.

As above, the permitted uses include dog walking. However, it should be noted that the signs clearly displayed at the entrances to Sycamore Field designate the area as requiring dogs to be kept on a lead. Consequently, in response to Monmouthshire County Council (PSPO) consultation, Magor with Undy Town Council (MUTC) by resolution put Sycamore Field forward as an area for consideration by the County Council. The Town Council put Sycamore field forward, along with other areas where concerns have been raised about dog fouling and potential public health implications on public playing fields.



# CAE CHWARAE SYCAMORWYDDEN SYCAMORE PLAYING FIELD

Pan nad yw'r cae hwn yn cael ei ddefnyddio gan yr ysgol, gellir ei ddefnyddio ar gyfer chwaraeon, hamdden a dibenion adloniadol eraill ar droed yn unig. Gellir diddymu'r caniatâd hwn ar unrhyw amser. Er bod y cyngor yn caniatáu mynediad fel y nodir, bydd pob person a ddaw ar y tir yn gwneud hynny ar eu risg eu hunain.

Ni fydd y cyngor yn derbyn cyfrifoldeb am golled neu ddiifrod i'r eiddo neu gyfrifoldeb am anaf onibai yr achosir hynny gan esgeulustod y cyngor.

When not in use by the school, these grounds may be used for sports, pastimes and other recreational purposes on foot only. This permission may be withdrawn at any time. Whilst the council permits access as stated, all persons coming on to the land do so at their own risk.

The council will not accept responsibility for loss or damage to the property or responsibility for injury unless caused by the council's negligence.



**Rhaid cadw cŵn ar dennyn**  
**Dogs must be kept on a lead**



**Mae'n drosedd peidio glanhau.**  
**UCHAFSWM DIRWY £1000**  
**It is an offence not to clean up after your dog.**  
**MAXIMUM PENALTY £1000**



MUTC understand from Monmouthshire County Council, that these signs refer to the whole of Sycamore Field. The signs referring to dogs on leads have been exhibited since the time that the field was fenced in 2014. The field was enclosed by the County Council for the express purpose of safeguarding the children in Magor CIW primary, when using the field.

It is therefore understood by MUTC that the whole area of Sycamore Field requires dogs to be on leads and that the field is not exempt from this requirement, simply due to the boundary fence.

Under the provisions of Mon CC PSPO, from 1<sup>st</sup> June 2024 Sycamore Field will require dogs to be kept on leads. Leads shall be no longer than 2m in length. In that respect, there does not appear to be a significant material change in the requirement to keep dogs on leads, aside from the fact that the length of the lead has been clarified. In this respect, it is understood that the PSPO does not conflict with or contradict the Deed.

In respect of a request made at the Town Council Meeting on 13<sup>th</sup> May 2024 that MUTC lodge an application in the High Court to appeal the Public Space Protection Order within 6 weeks of its enactment on 01<sup>st</sup> June 2024, it is felt by Council that a more prudent and better value for money approach would be to bring forward plans to support the development of an area for dog walking/exercising. The Town Council has already begun setting aside a fund for such a development.

You will be aware that a judicial review is a legal proceeding in which a judge reviews the lawfulness of a decision or action made by a public body. Judicial reviews are a challenge to the way in which a decision has been made, rather than the rights and wrongs of the conclusion reached. In this respect, it is not clear what element of the decision could be considered unlawful. The court is not concerned with the conclusions of process and whether decisions were 'right', if the right procedures have been followed. The court will not substitute what it thinks is the 'correct' decision.

In lieu of considering a legal challenge, council think it would be reasonable and proportionate to further explore the options of a designated area for provision of space for dogs to be allowed 'off lead'. Councillor Taylor has previously made enquiries with the estates department and since the Council meeting has further expedited matters. Council could consider working with Monmouthshire Council to bring such a provision forward at the earliest opportunity. The costs involved in pursuing high court proceedings, can be extremely high.

Council appreciates the concerns raised in respect of the loss of open space and agrees with the sentiment that we must do all we can to protect green spaces. Council has worked to have land designated and protected in the LDP. Council also understands the sentiment that some dog walkers would like designated space to exercise their dogs.

Council is mindful of its duty to manage the revenue raised by local precept prudently, it does not believe that pursuing high court proceedings are in the best interests of local people. Council agree that it would be more reasonable and proportionate to expedite the development of a proposal to create an area for dog walking and exercising.

In response to other matters raised by members of the public at the meeting of MUTC on 13<sup>th</sup> May 2024 please note the following information.

- Council notice boards were refurbished in 2022; however, some are at the end of their serviceable life and can no longer be operated easily. Council is making plans to address this.
- In respect of the goal posts/nets. There is no safety issue associated with goal posts. The issue is that following a request from residents, we explored adding nets to the goal posts. However, current health and safety considerations mean that these would require removal after each use. The multi goals were brought forward as a possible alternative. Council has agreed to do some further work to look at options for adding sports equipment to Sycamore field. Until a few years ago, Sycamore Field had Rugby Posts installed, however these were damaged and not replaced. Equally, Magor CiW primary had the sports pitches marked out each year, however this paused during the pandemic, and this may be one of the issues to explore further.

The council is mindful of its responsibilities to all sections of the community and sets its budget and priorities accordingly. Over the past 12 months, Council activity has been wide ranging areas of advancement and improvement have been achieved.

The Town Council comprises of 10 councillors, one full time Town Clerk, one part time Business Support and Projects Officer since 20<sup>th</sup> May and two part time Village Wardens.

- Council committed circa £60,000 per annum to continue the Service Level Agreement with Monmouthshire County Council introduced in August 2023 providing two operatives (Town Team). This was prioritised in response to the concerns and observations of members of the communities over the worsening state of our local environment and the need for enhanced grounds maintenance.
- Partnership working with key local organisation such as Magor Events Group and the Royal British Legion where last year we organised the community celebration in honour of the Coronation of King Charles III.
- The commissioning of a contractor to attend to 'Summer Planting' and the maintenance of such during the summer of various planters throughout Magor with Undy which enhance the local area.
- Consequent to concerns raised by many residents associated with the further loss of green space and amenity land consequent to over development. In response Council engaged the professional services of an independent planning consultants to enter sites into the Local Development Plan as candidate sites for protection.
- Council has provided £22,000 grant support to Magor with Undy Community Hub to assist with staffing costs.
- Council has committed £18,000 in improving our three allotment sites at Green Moor Lane, Sycamore Terrace and Undy with further improvements pending.
- As a result of the Council's commitment to keep Magor with Undy free from dog fouling and aid the dog walking community, Council has maintained the provision of 33 dog waste bins located throughout the communities. The company contracted collect almost a tonne of dog waste per week, at a cost of

circa £16,000. It is noteworthy that many community councils in Monmouthshire have withdrawn this service due to rising costs.

This year we wish to achieve a significant programme of work. Among these commitments shall be a joint initiative between MUTC, Mon CC Youth services and The Community Hub trustees to develop a youth provision locally. We will also be prioritising refurbishing the play provision at Undy Athletic play park and as discussed considering how the council can support a wide range of uses of Sycamore field.