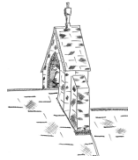




# MAGOR WITH UNDY TOWN COUNCIL

## Magwyr gyda Chyngor Tref Gwndy

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Clerk to The Council, Mr William Lewis,  
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### **MUTC Clerk's Report in respect of provision of a secure additional space for the exercise and walking of dogs both on and off lead.**

#### **Overview.**

At the Ordinary Meeting of Magor with Undy Town Council held as a multi-location meeting at Magor Baptist Church on 13<sup>th</sup> May 2024 during an extended public open forum, representations were made by several residents in attendance regarding the impending introduction of Monmouthshire County Councils 'Public Space Protection Order' (PSPO) at Sycamore Playing Field from 01<sup>st</sup> June 2024.

The concerns and observations raised were what residents considered to be a poor consultation process conducted by Monmouthshire County Council and it was suggested that the Town Council should consider a judicial review in regard to that consultation.

Residents held concerns in respect of the PSPO intended for Sycamore Playing Field and that it contradicted the Deed of Covenant on that piece of land which permitted many uses including 'dog walking'.

As a consequence of the concerns raised in the matter of the PSPO and its impact upon Sycamore Field it was featured as a business item within the Agenda of an Extraordinary Meeting of Magor with Undy Town Council held as a multi-location meeting at Magor and Undy Community Hub on 29<sup>th</sup> May 2024.

A resolution was agreed by Council:

- Not to proceed with the request from residents to seek to judicially review the decision of Monmouthshire County Council's decision to implement a Public Space Protection Order on Sycamore Playing Field from 1st June and to expedite the development of a dog walking/dog exercise area.
- To clarify with Monmouthshire County Council when the signs on Sycamore Playing Field in respect of dogs being required to be kept on a lead were introduced.
- To request that upon the introduction of the PSPO, all new signage introduced by Monmouthshire County Council should be clear and consistent.
- To seek an independent legal opinion to confirm that the Public Space Protection Order is consistent with the deed.

Each of the actions within that resolution were enacted and where the information could be ascertained it was reported upon at subsequent public meetings of the Town Council.

Additionally, in an effort to provide a secure area exclusively for dog exercising off lead a parcel of land adjacent to the MUGA, Sycamore Terrace was identified. Preliminary enquiries were conducted and costings in respect of fencing and access to that area were obtained. However, it was not proceeded with as residents considered it to be unsuitable for a variety of reasons.

At the Town Council Meeting of 09<sup>th</sup> September a resolution held that a working group of Town Councillors and interested residents should be formed to explore options and other areas of land within the communities of Magor and Undy which could be developed for a secure exercise space for dog owners/walkers.

Council Staff conducted enquiries with Monmouthshire County Council in respect of areas proposed by that working group. The results of which were communicated at a meeting of that working group held at the Magor and Community Hub on 12<sup>th</sup> March 2025.

At that meeting of the working group a resident made a representation referring to legal guidance under the Animal Welfare Act 2006 where section 9 under Section 9 lies a duty of care that include a dog's need to exhibit normal behaviour patterns which includes the need for sufficient exercise; including the need to run off lead in appropriate areas and that Dog Control Orders should not restrict the ability of dog owners to comply with the requirements of this Act. That the Council should ensure that there is an adequate number, and a variety of, well sign-posted areas locally for dog owners to exercise their dogs off lead".

As requested by myself at that meeting I was subsequently provided information by the same by the same resident relating to the PDSA Paw Report of 2018, Kennel Club and RSPCA Cymru all providing similar information and guidance *that dogs enjoy interacting with each other and other people, and it is important that dogs are able to express normal behaviour in the appropriate places. Being given an opportunity to be walked off lead and being able to interact and play with new animals and people is important in terms of ensuring a dog is well-socialised. It is, therefore, important that space is available for owners to let their dogs off lead in a responsible manner, where appropriate.*

During that working group meeting there was extended discussion about why it was a requirement for an enclosed and secure area? This was met with mixed opinion from residents who were part of that working group, where some considered it to be necessary and others were not in full agreement.

Out of that meeting further actions to be undertaken by the Council were proposed in respect of:

- a) a parcel of public land at Pennyfarthing Lane adjacent to the northern end of Undy Primary School where access was no longer possible due to overgrowth of brambles and thicket.
- b) Provision of additional hedgerow at the Community Orchard.
- c) Provisional hedgerow bordering the playing field between Redwick Road and Blenheim Park.

### **Recommendation to Council.**

Aside from the three actions detailed above all of the options have been investigated at great length by the office staff who have expended very many hours of work conducting enquiries, by telephone, the sending and receipt of emails, site visits and arrangement of availability and booking venues for the meeting of the working group relative to this subject.

It is important to note that there a number of areas in the community which have been identified and where no restrictions under Monmouthshire County Council PSPO have been imposed and where owners/dog walkers may choose to let their dog 'off lead'. Therefore, the obligation of Monmouthshire County Council for compliance with the guidance under the Animal Welfare Act 2006 has been met.

There is no legislative requirement which demands that a Unitary Authority, Town or Community Council are required to provide a securely fenced area for dog owners/walkers to allow their dogs to run 'off lead'.

It is noteworthy that in public places that persons with a dog(s) are required to keep their dog(s) 'under control'. Generally, this means close to you and ideally on a lead. If they're not on a lead, they need to be under control in another way, such as paying attention to voice commands.

I would like the Council is to acknowledge that much time and resource has been afforded to this subject and that enquiries, suggestions and proposals have been exhausted and therefore recommend that this matter should be concluded for the reasons stated above especially in consideration of legal obligations, which are met.

I also refer to the views expressed by Council at the Extraordinary Meeting of 21<sup>st</sup> March 2025 where Council discussed and agreed that projects and workload required to be re-evaluated due to resource and capacity.

William S Lewis



Clerk and RFO