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10 July 2023

To: Cemetery & Grounds Committee

A MEETING OF CEMETERY AND GROUNDS SUB-COMMITTEE will be held on
WEDNESDAY 19 July 2023 at 1100 Hrs in the Milburn Room

Paul Moore
Clerk to the Council

AGENDA

- 1 **APOLOGIES FOR ABSENCE** – to consider for approval.
- 2 **DECLARATIONS OF INTEREST**– to note any declarations in accordance with the Localism Act 2011 and the Council's Code of Conduct.
- 3 **MINUTES OF THE PREVIOUS MEETING HELD ON WEDNESDAY 17 May 2023** – to consider for approval.
- 4 **UPDATE ON ANY MATTERS OUTSTANDING FROM PREVIOUS MEETING** – to consider any progress in relation to matters outstanding.
- 5 **PLAY INSPECTION REPORTS** – to consider findings from Play Inspection Reports to May 2023.
- 6 **PUBLIC SPACE PROTECTION ORDER (PSPO) DOG OWNERSHIP 2023** – To consider the impact of the Order.
- 7 **DATE AND TIME OF NEXT MEETING** – Wednesday 20 September 2023 at 1100 Hrs in the Milburn Room.

TO: All Members of the Cemetery and Grounds Sub-Committee

Councillors W S Day, J Lee, L Morton, L Birkett

Mr W Hunter, Cemetery Superintendent

Mrs H Hall, Admin Assistant

**MINUTES OF THE MEETING OF THE CEMETERY AND GROUNDS
COMMITTEE HELD ON WEDNESDAY 17th May 2023**

Present: Councillor J Lee (Chair)
Councillor L Birkett
Councillor W S Day

Staff: Mr P Moore (Clerk to Council)
Mr W Hunter (Cemeteries & Grounds Supervisor)

C&G **ELECTION OF CHAIR**
23/24/001

RESOLVED: that Cllr J Lee be appointed Chair

C&G **ELECTION OF VICE-CHAIR**
23/24/002

RESOLVED: That Cllr W Day be appointed Vice-Chair

C&G **Apologies for Absence**
23/24/003

Cllr L Morton

C&G **Declaration of Interest on Items on the Agenda – To note**
23/24/004 any declarations in accordance with the Localism Act 2011 and the Council's Code of Conduct

None

C&G **The Minutes of the Meeting held on 22ND FEBRUARY 2023**
23/24/005 **RECOMMENDED:** The minutes were **APPROVED** and signed by the Chair.

C&G **Report on Matters Outstanding from Previous Meeting**
23/24/006

The Clerk gave an update on the following:

- Cemetery Wooden Screen – needs staining.
(Outstanding item)
- Repair cemetery wooden seats / sand down / paint / stain and varnish (Outstanding item)
- Petwell allotments – repairs to tracks on plan to be completed this week.
- Allotment Management Plan is in hand and will be published by next meeting.
- Green Seat – Roof to be re-painted with anti-climbing paint and area to be regularly checked for litter & graffiti.
- Play Area – Some minor works / repairs to be followed up.
- Village Green Fencing near Seaview House – 25m length to be fenced / barriered off to prevent parking on the bend.
- Hanging baskets – order has been placed for plants.
- Cemetery Rules of Management 2023/24 were published. Copies distributed.

The report as given was **ACCEPTED**

C&G
23/24/007

Allotments

The Allotment Management Plan (AMP) has been started.
Some work required on perimeter fences.

ACCEPTED:

C&G
23/24/008

Play Equipment Inspection Reports

The Clerk advised the Committee of items outstanding from previous inspection reports. Inspections were being carried out by DCC and EVPC Staff on a regular basis.

DCC (Jan 23)

EVPC (170523)

RECOMMENDED: that:

1. Outstanding repairs be carried out by staff where possible, the remainder to be placed with DCC.
2. Contact equipment manufacturer for a parts / spares catalogue.

C&G
23/24/009

Other Items

The Clerk brought to the Committee attention that a strimmer was broken and unrepairable. It must be replaced with urgency. Options were presented. Mr Hunter gave advice.

- a. **RESOLVED:** that the Clerk purchase a suitable heavy-duty strimmer.

The placing of wild-flower seeds along the road. This had been done in 2022 and was popular with residents (and bees).

- b. **RESOLVED:** that the Clerk investigate obtaining similar wild-flower seed.

A recent inspection of the Cemetery and grounds had highlighted that work is required on the fencing around the cemetery, and repairs to the roof and guttering of the office / workshop building. Internally, this also requires decoration and maintenance. Cemetery benches also need sanding and re-varnished.

- c. **RESOLVED:** that a plan and costings for the repair and upkeep of the cemetery buildings would be produced, and repairs and maintenance would be undertaken on an 'as available' basis throughout the summer months.


- d. **RESOLVED:** that repairs to the fences and hedges around the edge of the cemetery were best left until after the bird nesting season and left to the end of the year.

C&G
23/24/010

Date and Time of Next Meeting

The next meeting will take place on Wednesday 19 July 2023 at
1030 Hrs in the Milburn Room

CERTIFIED TRUE RECORD

CHAIRMAN W. J. W. W. W. 

DATE 12/6/23

Cemetery & Grounds Committee Wed 19 July 2023

Item 6

Public Space Protection Order (PSPO) for dog ownership 2023

New dog control measures set to come into force

Published May 23, 2023 10.31am

A requirement to keep dogs on leads in cemeteries is among a series of new measures set to come into force in County Durham next week.

We are renewing our Public Spaces Protection Order (PSPO) for Dog Control, which we first introduced in 2017.

What is a PSPO?

The PSPO gives us powers to issue a £100 Fixed Penalty Notice for offences such as dog fouling and allowing a dog to stray.

The new look PSPO comes into force on Thursday 1 June and has been drawn-up following a seven week public consultation held earlier this year.

Cllr Mark Wilkes, our Cabinet member for Neighbourhoods and Climate Change, said: "We introduced the original PSPO in response to community concerns about irresponsible dog owners.

"Since then, we've seen reductions in reports of dog fouling and stray dogs but we know they haven't gone away and still rank highly among the key issues our communities raise with us.

"We also know the vast majority of dog owners act responsibly - the PSPO gives us powers to take action against those who don't. It's targeted at dog owners who fail to look after or control their pets and create worry and stress for other people."

New offences added following consultation

Under the new PSPO, the list of offences will increase from four to nine, which are as follows:

- Allowing a dog to foul without picking it up
- Allowing a dog to stray
- Failure to put a dog on a lead when asked to do so by an authorised person
- Allowing a dog in identified fenced off play areas
- Allowing a dog in identified tennis courts and multi-use games areas (MUGAs)
- Failure to have a dog on a lead in churchyards, cemeteries or crematoria that we manage
- Failure to have a dog on a lead on identified sports pitches
- Walking more than six dogs at once
- Failure to have an identity tag attached to a harness or collar in a public space

The new PSPO reflects the views expressed during the consultation, which attracted 844 responses and invited input from local people and organisations including the Kennel Club, police, and town and parish councils.

Slope beach proposal won't be progressed

A proposal to introduce a seasonal dog ban on Seaham's small "slope beach" was not progressed after the consultation revealed low support for it.

We also received a 1,240-name petition objecting to the proposal, with some local businesses expressing concerns about a potential negative impact on trade.

'We've listened very carefully'

Cllr Wilkes said: "The offences we've added to the new PSPO are based on the kinds of recurring problems people have told us about in recent years, including things like requiring dogs to be on leads in cemeteries and on identified sports pitches.

"I'd like to thank everybody who responded to our consultation. We've listened very carefully to what people have had to say, and as a result, we've dropped the proposal for a seasonal ban of dogs from Seaham's slope beach altogether.

"Each of the other proposals has received strong support through the consultation, and so we are progressing with those."

The new PSPO will be in place for three years and it will be reviewed before it expires on 31 May, 2026.

Enforcement powers for irresponsible dog owners

Background information

The Anti-social Behaviour, Crime and Policing Act 2014 brought in PSPOs. The original order came in in 2017 and from June 2023 it has been extended to include wider legislation to:

- help create safe and welcoming play areas and green spaces
- reduce the number of stray dogs

- enable authorised staff to request dogs are put on leads when necessary
- tackle dog fouling issues
- reduce the amount of dogs, walkers can safely take out at any one time

What does the updated PSPO mean for dog owners

It is an offence in County Durham if you:

- allow a dog to foul without picking it up
- allow a dog to stray (ie allow a dog to wander/roam loose/exercise without a responsible owner)
- fail to put a dog on a lead when asked to do so by an authorised person (council staff, neighbourhood wardens or Durham Constabulary police officer)
- walk more than six dogs together at any one time
- allow dogs in designated fenced off fixed play areas (ie dogs are not allowed in specified areas where slides, swings and/or climbing equipment is contained by a fence). Fenced off play sites affected by the PSPO will display a sign advising that dogs are not allowed in
- allow dogs in multi-use-games-areas and sports pitches
- allow dogs in cemeteries and graveyards

Identification tags

According to the Control of Dogs Order 1992, **all dogs must wear a collar and ID tag when out in public, which must detail their owner's name and address.** This dog ID tags UK law applies whether your dog is on a lead or not. Contravention of this order is an offence and risks a fine of up to £2000.

Dogs should also be microchipped. Microchips sometimes, however, move- making them hard to find. And sometimes details are not updated so a back identification tag helps our neighbourhood wardens reunite dogs with their owners, also keeping communities free of stray dogs.

The legislation states there are exemptions, including:

- any pack of hounds
- any dog while being used for sporting purposes
- any dog while being used for the capture or destruction of vermin
- any dog while being used for the driving or tending of cattle or sheep
- any dog while being used on official duties by a member of Her Majesty's Armed Forces or Her Majesty's Customs and Excise or the police force for any area
- any dog while being used in emergency rescue work
- any dog registered with the Guide Dogs for the Blind Association.

Previous fenced off play areas where dogs are not allowed

-  [DCC owned fenced play sites \(PDF, 86.6kb\)](#)
-  [Town and Parish Council fenced play sites \(PDF, 85.3kb\)](#)

Enforcement/penalties

Neighbourhood wardens, trained council staff and Durham Constabulary will have the power to issue a Fixed Penalty Notice (FPN) of £100 for breaching any aspect of the PSPO. The FPN is reduced to £60 if paid within ten working days.

If the FPN is not paid, you will be taken to Court and prosecuted. The maximum fine is £1,000.

Exemptions

The PSPO does not apply to a person who is registered as blind, or is disabled or who uses a trained assistance dog.

Parks

As well as the dog control powers included in the PSPO, other dog control arrangements may apply in parks, such as Hardwick Park, Wharton Park and Chester-le-Street Riverside Park.

More information

A Public Space Protection Order (PSPO) exists under the Anti-social Behaviour Crime and Policing Act 2014, powers which replaced the old Dog Control Orders.

The aim is to reduce the number of dog fouling incidents in County Durham and reduce the number of strays. This improves local communities, health and wellbeing.

We carried out an initial consultation in 2017 and then another in 2023 and the public were shown to widely support the expansion of the order. Responses highlighted plans to ban dogs from an area of Slope Beach in Seaham were not supported and therefore this was not taken forward within the new extension.

Authorised officers both from the police and council can enforce the rules.

When would we prosecute rather than a fine? Prosecution might be appropriate for repeat offenders, or if the offence is so serious that it merits prosecution. For example: a dog owner that allows their dog to be dangerously out of control, despite being directed by an officer to put it on a lead, may risk prosecution, rather than being issued with a Fixed Penalty Notice. Failure to pay the Fixed Penalty Notice would result in prosecution.

Dogs are asked to be kept on a lead to enable fouling to be spotted and for safety reasons. It's very important that sports areas and children's play areas, as well as areas where people may be visiting to pay their respects, are kept safe and clean.

Stray dogs

If a dog is found straying and is collected by a council neighbourhood warden, the dog will be scanned to check for a microchip. If the dog is chipped and the details are up-to-date, the dog will be returned to its owner by the neighbourhood warden. From April 2016, it became law that all dogs must be microchipped.

If we find the dog owner within seven days, the owner will need to collect the dog from Stray Aid, East Pasture Farm, Durham, DH6 4EL. Education advice will be provided explaining responsible dog ownership, the law requiring the dog is microchipped and the PSPO offences should they allow the dog to stray again. A £100 Fixed Penalty Notice may be issued for allowing the dog to stray. Failure to pay the Fixed Penalty Notice will lead to prosecution.

After seven days, the dog ownership will change to ourselves and then onto Stray Aid. It is therefore very important to get your dog microchipped and ensure the chip details are up-to-date on an approved chip database so the dog can be returned to its rightful owner.

Assistance dogs

The PSPO does not apply to a person who is registered as blind or to disabled persons who uses a trained assistance dog.



Public Space Protection Order (PSPO) for dog control

Anti-social Behaviour, Crime and Policing Act 2014

From 1 June 2017, dogs are **not allowed** to enter the following **Town and Parish Council** fixed play areas (which are contained by a fence):

Name of Town/Parish Council	Fenced off play site area/park	No
Great Aycliffe Town Council	West Park	1
Great Aycliffe Town Council	Horndale Park	2
Great Aycliffe Town Council	Simpasture Park	3
Great Aycliffe Town Council	Town Park	4
Great Aycliffe Town Council	Woodham Park	5
Great Aycliffe Town Council	Moore Lane Park	6
Great Aycliffe Town Council	St Oswalds	7
Great Aycliffe Town Council	Aycliffe Village	8
Great Aycliffe Town Council	Byerley Park	9
Great Aycliffe Town Council	Oakleaf Sports Complex	10
Great Aycliffe Town Council	Scott Place	11
Great Aycliffe Town Council	Cobblers Hall	12
Great Aycliffe Town Council	School Aycliffe	13
Name of Town/Parish Council	Fenced off play site area/park	No
Pelton Parish Council	Pelton Community Centre	14
Name of Town/Parish Council	Fenced off play site area/park	No
East Hedleyhope Parish Council	East Hedleyhope	15
Name of Town/Parish Council	Fenced off play site area/park	No
West Auckland Parish Council	New Street (Oakley Cross)	16
Name of Town/Parish Council	Fenced off play site area/park	No
Brandon & Byshottles Parish Council	Broompark	17
Brandon & Byshottles Parish Council	Waterhouses	18
Name of Town/Parish Council	Fenced off play site area/park	No
Spennymoor Town Council	Tudhoe	19
Spennymoor Town Council	Byers Green	20
Spennymoor Town Council	Wood Street	21
Spennymoor Town Council	Kirk Merrington	22
Spennymoor Town Council	Jubilee Park	23
Name of Town/Parish Council	Fenced off play site area/park	No
Edmondsley Parish Council	Edmondsley	24
Name of Town/Parish Council	Fenced off play site area/park	No
Evenwood Parish Council	Ramshaw	25

Evenwood Parish Council	Evenwood	26
Name of Town/Parish Council	Fenced off play site area/park	No
Gainford and Langton	Gainford	27
Name of Town/Parish Council	Fenced off play site area/park	No
Fishburn Parish Council	Memorial Playing Field	28
Name of Town/Parish Council	Fenced off play site area/park	No
Witton le Wear Parish Council	School Street	29
Name of Town/Parish Council	Fenced off play site area/park	No
Monk Hesleden Parish Council	Shaftesbury Avenue	30
Monk Hesleden Parish Council	High Hesleden Play Area	31
Monk Hesleden Parish Council	Corry Close	32
Monk Hesleden Parish Council	Hesleden Play Area (Scheme Houses)	33
Monk Hesleden Parish Council	Hart Crescent	34
Name of Town/Parish Council	Fenced off play site area/park	No
Satley Parish Council	Glebeside	35
Name of Town/Parish Council	Fenced off play site area/park	No
North Lodge Parish Council	Merln Drive	36
North Lodge Parish Council	Low Flatts	37
Name of Town/Parish Council	Fenced off play site area/park	No
Middleton in Teesdale and Newbiggin Parish Council	Wesley Terrace	38
Name of Town/Parish Council	Fenced off play site area/park	No
Shildon Town Council	Hackworth Park	39
Name of Town/Parish Council	Fenced off play site area/park	No
Seaham Town Council	Seaham Town Park	40
Seaham Town Council	Deneside Park	41
Seaham Town Council	Welfare, Edith Street, Dawdon	42
Seaham Town Council	Parkside	43
Seaham Town Council	Rainton Street Play Area (Dawdon)	44
Seaham Town Council	Ropery Walk Play area, Alfred Street East	45
Name of Town/Parish Council	Fenced off play site area/park	No
Haswell Parish Council	Hutton Grove	46
Haswell Parish Council	Hessewell Crescent	47
Haswell Parish Council	Windsor Terrace	48
Name of Town/Parish Council	Fenced off play site area/park	No
Chilton Town Council	Rushyford Park	49
Chilton Town Council	The Pentlands	50
Chilton Town Council	Miners Welfare Recreation Ground	51
Chilton Town Council	New South View	52
Chilton Town Council	Rushyford Park	53
Name of Town/Parish Council	Fenced off play site area/park	No
Easington Colliery Parish Council	Oak Road Park	54
Easington Colliery Parish Council	Memorial Park	55
Name of Town/Parish Council	Fenced off play site area/park	No

Barnard Castle Town Council	Bouch Way	56
Barnard Castle Town Council	Scar Top	57
Barnard Castle Town Council	Marwood Drive	58
Barnard Castle Town Council	Green Lane	59
Name of Town/Parish Council	Fenced off play site area/park	No
Trimdon Parish Council	Trimdon Grange Play Park, Salters Lane, Trimdon Grange	60
Trimdon Parish Council	Trimdon Colliery	61
Name of Town/Parish Council	Fenced off play site area/park	No
Thornley Parish Council	Galt Street	62
Name of Town/Parish Council	Fenced off play site area/park	No
Bishop Middleham Parish Council	Play park	63
Name of Town/Parish Council	Fenced off play site area/park	No
Lanchester Parish Council	Park House, Station Road	64
Lanchester Parish Council	Kitswell Road	65
Lanchester Parish Council	Hollinside	66
Lanchester Parish Council	Hurbuck	67
Name of Town/Parish Council	Fenced off play site area/park	No
Trimdon Foundry Parish Council	Memorial Park	68
Name of Town/Parish Council	Fenced off play site area/park	No
Stanhope Parish Council	Frosterley	69
Stanhope Parish Council	Ashcroft	70
Stanhope Parish Council	Riverside	71
Stanhope Parish Council	Crawleyside	72
Stanhope Parish Council	Daddry Shield	73
Stanhope Parish Council	Ireshopeburn	74
Name of Town/Parish Council	Fenced off play site area/park	No
Framwellgate Moor Parish Council	KGV play park	75
Name of Town/Parish Council	Fenced off play site area/park	No
Ferryhill Town Council	Dean Bank	76
Ferryhill Town Council	King George V Playing Field	77
Ferryhill Town Council	Mainsforth Sports Complex	78
Name of Town/Parish Council	Fenced off play site area/park	No
Belmont Parish	Polar Drive Play area	79
Belmont Parish	Belmont Community Centre	80
Belmont Parish	Cheveley Park Play area	81
Belmont Parish	Polar Road Play area	82