

# Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Aelod Cynulliad dros Aberconwy

Shadow Secretary for Local Government  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

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Wales



Mr Peter Brown  
Head of Regulatory Services  
Conwy County Borough Council

Office of Janet Finch-Saunders AM,  
29 Madoc Street,  
Llandudno,  
LL30 2TL.  
01492 871 198

*By email*

Ref: TYH/JFS/HM  
2<sup>nd</sup> August 2017

National Assembly for Wales,  
Cardiff Bay,  
CF99 1NA.  
0300 200 7454

## **Re: FPNs / Public Meeting**

Dear Peter,

I write regarding the issuing of Fixed Penalty Notices on behalf of Conwy County Borough Council, in my constituency of Aberconwy.

This has been a matter of concern for many residents for a number of years, particularly since the introduction of the Council's Dog Control Orders, and I recently held a public meeting to gauge the local feeling.

The strength of feeling amongst the vast majority of those present at the meeting was clear – there are serious concerns with regards to the way in which FPNs are issued, the manner of those issuing them at times, the demographics being allegedly targeted, and the lack of recourse available to those who find themselves in receipt of an FPN.

As such, I write to you to formally request a number of actions be taken in this regard:

- Firstly, I would be grateful if you could please advise as to what the breakdown in percentage of FPNs issued to male vs female recipients has been since 2015/16.
- Secondly, it would be much appreciated if you would consider the review of all FPNs issued in relation to Dog Control Orders since their introduction, with a view to considering reimbursement to those who have been overzealously issued with such a fine.

On this point, it is worth noting that, following a Freedom of Information request, it was found that between 2015/16 – 2016/16, 19 local authorities in Wales did not issue a single FPN for a dog being off a lead. The Vale of Glamorgan issued 4 (all of which were

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overturned, as they were issued in error), Blaenau Gwent issued 34, whilst Conwy County Borough Council issued 492, of which 427 were paid/upheld.

- Thirdly, constituents have queried with me the appeals process for wrongly-issued FPNs, and I would be grateful if you could clarify this. Further, could you also confirm as to who deals with queries/complaints/appeals in relation to FPNs – are these dealt with by Council officers or Kingdom officers?
- In addition, a vast number of comments were noted on the night, from many of the c.150 people in attendance. I would be much obliged if you would kindly read the selection of these, separated by topic below, and address them accordingly:

## Signage

*Signage at Llandudno West Shore, Deganwy, Llanfairfechan, Penmaenmawr - ambiguous, and hard to understand. No visible signs in Llanfairfechan if walking West-East along the beach.*

*Unclear signage is unlawful.*

*Confusion over where you can walk dogs on a beach and where you can fly kites on a beach - signage is not clear.*

*I still don't know where I can and cannot take my dog.*

## Officers

*Officers should treat public with courtesy and respect. Anecdotal evidence that B&B guests have been put off, and officers refused to show badge*

*It's a concern that older, more vulnerable people, especially women, are being targeted. Concern re; Equality Act.*

*Concerns that Officers do not have the right training with regards to the Orders and where/when they apply.*

*Fined for allowing retired Guide Dog off lead to have a drink.*

*They [Officers] are bullies, they were determined to get money out of me.*

*I have an assistance dog and was issued an FPN. [Fine was cancelled after it was fought against - officers should know that the Orders do not apply to Assistance Dogs.]*

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## Council action

*The Council should bring the whole process in-house.*

*Suggestion that Council review all, or a sample, FPNs issued.*

*There is a huge issue with not having dog wardens [with regards to stray/lost dogs]. There is only one part-time dog warden, and we never see him. There is no out-of-hours provision. We need dog wardens back.*

## Impact on tourism

[From a local hotelier] *Concern about the effect of that the actions of Kingdom officers, and these Orders, are having on the tourism industry.*

[From a tourist who has been given an FPN] *I used to come here, as a dog owner, now I feel like a criminal. Very different situation on Anglesey - feel much happier and relaxed there. Dog owners are being excluded in Conwy. I don't know where I can take my dog when I am here.*

[From a tourist who has received two FPNs] *The responsibility rests with the CCBC. I won't bring my dogs here [West Shore] again. Felt intimidated by Kingdom officers. The only people who can fix this are CCBC.*

*Tourists say to me 'We're not coming here again' after their experience.*

*This is talked about on social media with regards to tourism - people suggest going elsewhere.*

*This situation is causing so much negativity - people are coming away from the area with negative experiences/memories.*

- Finally, I understand from Cllr Louise Emery, who kindly stood in on the night for Cllr Mark Baker, the Cabinet Member for this portfolio, Council officers have been requested to instruct Kingdom, as of 13<sup>th</sup> July 2017, to 'basically give people a second chance' - i.e. to request a person to put their dog on the lead, in required, and to only issue a fine if this request is refused. I am led to believe that this way of working will remain in place until 20<sup>th</sup> October 2017, when the Dog Control Orders will be replaced by Public Spaces Protection Orders.

Further to this, I would be grateful if you could confirm that this is, indeed, the situation,

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and provide some further detail as to the request given to Kingdom.

You will appreciate the immense amount of public concern on this matter, and therefore I very much look forward to hearing from you at your earliest convenience.

Yours sincerely,

Janet Finch-Saunders AM/AC

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