



CABINET

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To: Councillors Barkley (Deputy Leader), Bokor, Harper-Davies, Mercer, Morgan (Leader), Poland, Rollings, Smidowicz, Taylor and Vardy (for attention)

All other members of the Council
(for information)

You are requested to attend the meeting of the Cabinet to be held in The Preston Room, Woodgate Chambers, Woodgate, Loughborough on Thursday, 4th July 2019 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

21st June 2019

BACKGROUND PAPERS

6. PUBLIC SPACES PROTECTION ORDER CHARNWOOD CONTROL OF DOGS 2020 3 - 10

A report of the Head of Regulatory Services seeking approval of the Notice of Intention and, upon expiry of the 28-day notice period, approval of the Public Spaces Protection Order (Charnwood Borough Council) Control of Dogs 2020 under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014.

Key Decision

Overview of Legislation – Public Spaces Protection Order

1. The ability to make a PSPO was introduced by section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 (this section came into force on 20th October 2014).
2. PSPOs are an order created in relation to areas within the local authority's jurisdiction where activities are taking place that are or likely to be detrimental to the local community's quality of life.
3. PSPOs impose conditions or restrictions on people within that area, such as dog control.
4. A breach of a PSPO is an offence punishable by a fixed penalty notice and/or prosecution in a magistrate's Court.
5. PSPOs provide the local authority with a means by which to control specific activities such as dog control or dog fouling taking place within a specified area and by virtue of which anti-social behaviour has been causing a nuisance or annoyance to those living or visiting the area. The Police, Police Community Support Officers and Council Officers have power under the legislation to enforce the PSPOs and tackle such behaviour.
6. In order to establish a PSPO, local authorities are required to consult with the public, police and community representatives (as the local authority sees fit). The consultation process as a whole is based on statutory guidance.
7. A PSPO can last for up to 3 years. The local authority which made the Order may extend the period for which it has effect if satisfied on reasonable grounds that doing so is necessary to prevent:
 - a) Occurrence or reoccurrence after that time of the activities identified in the order.
 - b) An increase in the frequency or seriousness of those activities after that time.

Any extension of the PSPO cannot be for a period of more than 3 years (although there is no limit on the number of times that the PSPO can be renewed).

8. Where a PSPO is in force, the local authority that made the order may vary it by:
 - a) Increasing or reducing the restricted area
 - b) Altering or removing a prohibition or requirement included in the order or adding a new one.

Cabinet Report – Public Spaces Protection Order – (Charnwood Borough Council)
Dog Control 2020

Summary of Incidents and Enforcement Actions

Numbers of Incidents

1. Charnwood Borough Council receive a high number of reports of dog fouling every year. In the last three years the number of dog fouling reports is detailed in the table below

Year	Number of reports
2016-17	183
2017-18	112
2018-19	92

2. Dog fouling enforcement is usually by means of a fixed penalty notice (FPN). An authorised Officer must see the owner allowing their dog to foul and not clearing away afterwards for an offence to occur. If the FPN is unpaid the Council can prosecute. The number of fixed penalty notices and prosecutions can be seen in the table below:

Year	Number of FPNs	Number of Prosecutions
2016-17	23	2
2017-18	19	0
2018-19	9	0

3. Charnwood Borough Council also receives reports about issues with dog control. These reports include dog on dog attacks, dogs scaring and worrying people and owners not being on control of their dog. In the last three years the number of dog control reports is as follows:

Year	Number of reports
2016-17*	112
2017-18	112
2018-19	92

* The Anti-Social Behaviour Crime and Policing Act was introduced in October 2014 which gave Councils more powers to deal with dog control which could explain the spike in number.

4. The Council deal with many cases by contacting the individual concerned but the PSPO would offer a location based order to implement controls in public spaces to prevent dog control issues. There have been 21 warning letters and 25 Community Protection Notices issued to individuals as well as the PSPO offences.

Background papers – Summary of consultation responses

Answered: 135 Skipped: 187

#	RESPONSES	DATE
1	People should be made aware of illnesses that can be passed on It's always the same it's only the few. Not sure if cbc do it but people can be fined if they do not have anything with them to pick it up whether the dog does something or not	5/14/2019 7:43 AM
2	Making it very clear to dog owners their responsibilities ..more special bins and encourage biodegradable poo bags too	5/13/2019 5:09 PM
3	Dogs must be in full control by their owners at any public places including the open plan homes. The dog Ownership must be for age 16 years.	5/13/2019 7:39 AM
4	All dogs should be muzzled when in public places, regardless of breed type	5/12/2019 7:29 PM
5	All dogs should be muzzled when in public places, regardless of breed type	5/12/2019 7:28 PM
6	More enforcement measures for owners not picking up dog mess. Specific zones for dogs off lead	5/12/2019 4:33 PM
7	As far as Birstall is concerned the dogs off lead ban has been a pointless exercise. The argument was to improve public safety. However that does not stand up to scrutiny. There have been no recorded incidents in Birstall Park for the last 5 years. For the vast majority of the year the parks are devoid of people. Therefore to have an outright ban is simply unfair and disproportionate (even if there was a safety issue). Had the Council been reasonable and introduced the policy in a proportionate way i.e. At weekends and evenings, then it might have been supported by the dog walking community. As it is the ban is widely flouted, has this led to public safety issues? No. That's because there was never any public safety issues in the first place. There is no greater sight than to see a dog chasing a ball in a local park. We have got to move away from this risk averse, nanny state mentality. These spaces should be shared spaces. That means we all need to compromise and respect other users. I dont particularly like teenagers hanging around in the park drinking and leaving vast amounts of litter everywhere but I tolerate this because that's what a fair society is all about. Time to reverse this pointless ban and stop trying to make are parks sterile places.	5/11/2019 12:03 PM
8	I'm not a dog owner, however there is a great need for areas within the borough which are suitable for lead free exercise, currently massive amount of dogs off lead in watermead park area, which has a lot of children and cyclists, I don't feel this is the most suitable area, especially as I have seen dogs off lead becoming aggressive towards other dogs. A safer area away from the hustle of general public would be well received, as this is an area which doesn't appear to have any controls	5/8/2019 12:22 AM
9	As a dog owner who does wish to be responsible I am happy to clean up after my dog. However as a ratepayer etc I do feel we have a right to have safe dog friendly areas. I am fed up of aggressive cyclists in permissive cycle routes who travel at speed & do not use bells to indicate their approach. A balanced provision is required for all users of our green space.	5/7/2019 9:45 PM
10	It is absolute!y essential for spaces to be set aside where dogs can run free. Not all dogs are easy to recall and need to be trained in a safe area.	5/7/2019 9:18 PM
11	Special enclosed exercise area/field should be available for dog owners.	5/7/2019 9:10 PM
12	Hi I am an owner of dogs and agree that dogs should be kept under control at all times in certain areas. I feel strongly though that there should be some designated areas in each village/town for dogs to be able to be off lead and socialise with other dogs.	5/7/2019 7:34 PM
13	Your questions are to simplistic, a single dog can be be out of control, owner not picking up mess etc and a group of dogs can be well behaved with good owners.	5/7/2019 7:06 PM
14	Some dog friendly sites would be a good idea	5/7/2019 3:33 PM
15	Stop trying to control peoples lives.	5/7/2019 3:29 PM

16	We need more dog bins on the canal it's terrible as you walk along the toe path not sure if it's your responsibility or British waterways ?	5/7/2019 3:23 PM
17	I feel a schedule two order should apply tot he whole of the Jubilee playing fields (as Birstall already apply) I have seen and had complaints about dogs not on leads showing aggression to children and other dogs.	4/29/2019 3:33 PM
18	Re number of dogs being walked: maybe there is a difference between a licensed dog boarder walking x dogs and someone not licensed walking the same number? Licensed dog boarders / walkers (I'm not one by the way) seem to have a much clearer understanding of the responsibilities of dog walking.	4/29/2019 10:12 AM
19	dogs should be walked on leads in urban areas (+footpaths) Provide more bins for poo bags . Faeces	4/23/2019 3:00 PM
20	Banning from certain areas if dog owners repeatably fail to pick up after their dog.	4/16/2019 4:27 PM
21	Information telephone number or complaint number to be freely available on Parish noticeboards should someone encounter a dangerous dog	4/16/2019 3:40 PM
22	Allow dog warden to check dog walkers have a supply of dog poo bags. In the Netherlands its an automatic fine for dog walkers without bags.	4/16/2019 2:44 PM
23	Dogs should be on leads in Town Centre.	4/16/2019 8:27 AM
24	Stop paid dog walkers and private dog owners from using the field at the top of Buddon Lane, which is private property (with the exception of the bridle path). Few of them carry bags to collect dog faeces and if they do, more often than not they toss the bags into the hedges or leave them on the path.	4/15/2019 5:22 PM
25	.	4/14/2019 10:12 PM
26	Dogs to be kept on leads on open sports grounds eg cricket pitches as these are used by an extensive amount of children for various activities including school groups and child care clubs	4/14/2019 3:00 PM
27	I think that all dogs should be on a lead in public places and parks. as owners seem to let dogs of lead and run around. whilst they stand around , they are unaware of whom the dog is approaching or what the dog is doing. when one highlights that they find it very intimidating when the dog runs up to you.. the usual answer is we have a very friendly dog. Which may be the case but is not very helpful .maybe I am being fussy but I do not feel comfortable when a strange dog comes running up to me.	4/14/2019 11:49 AM
28	Additional dog faeces bins might help those who do pick up to dispose of the bags properly rather than hanging them in trees.	4/14/2019 1:47 AM
29	People be encouraged to pick up dog poo if they see it even if they have no dog.	4/13/2019 9:40 PM
30	The level of council tax is a disgrace. CBC should have better topics to spend our money on.	4/13/2019 1:39 PM
31	Dog bin at the end of Buddon Lane please	4/13/2019 1:34 PM
32	There are numerous dog walkers on Stafford Orchard who let dogs off the leads and then become unaware of their canines defecating.	4/13/2019 1:22 PM
33	A bin at the path between Chaveney Road and Cradock Drive. A bin at the path between the Quorndon Fox and Sanders Road	4/13/2019 12:24 PM
34	More waste disposal bins please eg Buddon lane	4/13/2019 12:01 PM
35	As I indicated in a previous response, dogs should be kept on leads in all public spaces. Dog friendly spaces should be created to allow dogs to run freely without leads	4/13/2019 11:32 AM
36	I suggest dog wardens nee to be patrolling problem areas at problem times; this seems to be early morning and late at night, not 9-5! Also perhaps the public/schools/community groups need to be engaged in schemes to support council officers. Is it possible to increase the fine if the offence is committed within a certain radius of a school?	4/13/2019 9:32 AM
37	No dogs allowed off leads in public	4/13/2019 6:01 AM
38	Prosecution should take place to people who do not pick up their dog waste	4/11/2019 10:39 PM
39	All dogs to be kept on leads whist on a walk!	4/11/2019 6:55 AM

40	Don't tar all dogs and owners the same as the bad. Most owners spend a lot of time and money to have well rounded dogs that can be trusted to not let the owners down in public.	4/10/2019 9:45 PM
41	Dogs to have separate park allocated to them	4/10/2019 9:01 PM
42	Owners SHOULD pick up dog waste - more bins need to be provided. Can all bins in public places accept dog poo? If so, indicate this to dog owners though clear labels and signs. Lots of dog waste bins are placed in silly locations and at silly heights!	4/10/2019 8:48 PM
43	Dogs should NOT be allowed to run up to other dogs that are walking politely to heal off a lead. Some of us train are dogs to be a pleasure to ourselves and others. So many badly behaved dogs AND owners out there now with no idea of what is sociable and acceptable	4/10/2019 2:52 PM
44	I think the council needs to provide more bins (especially in light of the number of new estates being built) so dog-owners can deposit their dog waste. There aren't enough & the few you find are always overflowing.	4/10/2019 1:47 AM
45	On footpaths dogs should be on a lead	4/9/2019 11:50 PM
46	I would like to see all dogs kept on leads in the Stafford Orchard Quorn as it's primary use is as a children's recreational area.	4/9/2019 9:50 PM
47	More robust monitoring of dog fouling offenders.	4/9/2019 8:37 PM
48	Put higher penalties for leaving faeces on sports grounds or playing fields	4/9/2019 2:55 PM
49	To have a 0 tolerance on dog mess not being picked up. There is far too much dog poo being left on public footpaths, especially those around the school. It is becoming impossible to walk my children around the village without them stepping in some.	4/9/2019 8:24 AM
50	All dogs to be kept on a lead at all times	4/9/2019 8:08 AM
51	There does appear to be a trend of forcing rules and regulations on dog owners in my experience children and teenagers cause far more mess and damage to green areas than ever dog owners or dogs do. However I do agree that owners should pick up their dogs mess but again if there were more bins that would encourage the practice. More often than not there is no bin, it should be the rule that wherever there is green space then there should be dog bins. You cannot expect people to carry bags of mess around for hours on end. I also think you should take more notice of people leaving litter and debris behind them in those spaces. Persecuting dog owners is only one small part of the problem.	4/8/2019 11:40 PM
52	Dedicated dog safe area to allow safe, controlled dog play off leads within an enclosed area just for dog owners, this will allow better dog mess management and cut anti social situations from public who are not dog lovers	4/8/2019 9:30 PM
53	More bins	4/8/2019 7:40 PM
54	None	4/8/2019 7:12 PM
55	Agility play areas like kids play area would be a good idea	4/8/2019 6:21 PM
56	I think any dog that shows aggression to people and other dogs should be muzzled and it's the owners responsibility. It's is Not about the number of dogs you walk it is about the dogs behaviour. I've seen fantastic behaved group walked dogs with a walker and I've seen single dogs behaving badly with their owner.	4/8/2019 5:45 PM
57	Areas where theres a lot of crap-patrolled to catch people not picking mess up .the dogs arnt bad the owners are	4/8/2019 5:23 PM
58	On the spot fines to people spotted not clearing up after their dogs.	4/8/2019 2:15 PM
59	Who at present insures the above are being adhered to? As far as I'm aware the current dog warden only collects contained stray dogs	4/8/2019 2:06 PM
60	Dog parks like in America Dog walking business are constantly up against public objecting to us earning a living. I recognise there are cowboy traders like in all areas of work. That sadly gives the rest of us a bad reputation. However, Dog walkers pay taxes - use some of the money to create dog parks for dog walkers alike	4/8/2019 12:43 PM
61	I believe dog theft is becoming a huge problem and somehow councils and police need to work together to stop this happening. Dogs and even cats are being stolen for dog fighting. One of the culprits being gypsy sites. Please could you look into doing something to stop this .	4/8/2019 11:38 AM

62	More waste bins!	4/8/2019 8:38 AM
63	I live in Syston and there are not enough dog poo bins around the village, two new estates have sprung up on the Barkby Road in Syston and no bins have been provided so dog owners end up putting their dog bags in small bins that been are on children's play areas.	4/8/2019 8:31 AM
64	There should be one designated oark in the borough where dogs can be off lead. Everywhere else they should be on lead. People underestimate the effect dogs off lead had on those afraid and unable to control their fear of dogs. It's unfair.	4/8/2019 8:20 AM
65	Yes	4/8/2019 7:20 AM
66	Please do not ban dogs. Please can you instead do something about people putting their dogs poops into little bags and then hanging them on trees. My favourite walks have been ruined by people doing this. I would far rather they kicked the poop into a hedge.	4/8/2019 1:35 AM
67	some dogs are better behaved off the lead and it should be the responsibility of the owner....	4/7/2019 11:26 PM
68	In Thrussington we only have the village green as a place for children to play. It is not fenced, but as it is the only place for children to meet together, run around and play it should be reasonable to expect similar rules re no dogs. Especially as we are surrounded by fields where dogs can be walked.	4/7/2019 8:38 PM
69	Bigger fines are needed for people who do not clean up after their dogs	4/7/2019 8:25 PM
70	Not all dogs need to be on a lead as they have been trained to walk alongside their owner. Your questions are very yes & no but one size doesn't necessarily fit all. It would be helpful to have some large fenced off areas where dogs can be off lead running & playing together which are not charged for.	4/7/2019 6:41 PM
71	Dogs should be kept on leads within the villages - not only to control the dogsbut to make it feel safer for those residents young and old who might be fearful of dogs.	4/7/2019 6:20 PM
72	More poo bins or emptied more frequently	4/7/2019 6:20 PM
73	Well behaved and trained dogs shouldn't be forced to be on a lead	4/7/2019 6:12 PM
74	No other comments.	4/7/2019 5:01 PM
75	I am a dog owner having three Jack Russells and am sickened by the amount of dog waste on the pavements etc. There should be large fines where people are caught not picking up.	4/7/2019 4:48 PM
76	Banning dog walking on school fields and sports pitches - even if they pick up the dog's faeces the ground is still contaminated. The number if dogs to be controlled at any one time should differ for professional dog walkers and owners if the dog walkers are suitably qualified/experienced maybe?	4/7/2019 4:29 PM
77	Please can we have more poo bins around the borough.	4/7/2019 4:24 PM
78	Harsher sanctions for those who do not pick up their dogs mess	4/7/2019 4:23 PM
79	More dog poo bins to be installed around shepshed, or at least empty the ones we have	4/7/2019 4:18 PM
80	More parks and green spaces should have dog free areas to allow children to play safely and free from dog fouling	4/7/2019 3:39 PM
81	-	4/7/2019 3:29 PM
82	Dogs should be under control when off lead too.	4/7/2019 2:51 PM
83	Dog licence reintroduced	4/7/2019 2:48 PM
84	None	4/7/2019 2:46 PM
85	Overflowing poo bins emptied more frequently. More info to owners to not dispose of there poo bags in bins inside fenced of children's play areas (the chimes for example). More poo bins on popular dog walking routes especially the grand union canal.	4/7/2019 2:44 PM
86	It would be nice to have a secure dog park within charnwood	4/7/2019 2:35 PM
87	Please do more to punish those who do not pick up dog poo. It is all over paths, grassy areas where children play and playgrounds. Many who do pick it up then chuck their bags in bushes or up into trees. It's ridiculous and dog users know they will not be punished.	4/7/2019 2:30 PM
88	More dog waste bins needed	4/7/2019 2:26 PM

89	More poo bins	4/7/2019 2:10 PM
90	More dog bins available and emptied regular	4/7/2019 2:07 PM
91	Dogs need to be able to play off lead. Areas must be allocated for this along the lines of Rushcliffe country park	4/7/2019 1:57 PM
92	I don't think there is any point in bagging dog poo if the bags are then left as litter . There MUST be bins at every single site where dogs are walked .	4/7/2019 1:50 PM
93	Designated off lead areas in public parks etc	4/7/2019 1:41 PM
94	Better laws to ensure that dog owners have more accountability.	4/7/2019 1:02 PM
95	Dogs to be generally kept on a lead in public, especially larger or more aggressive breeds. If there are areas where this is not the case, warning signs to indicate that dogs are allowed off the lead in that particular area, so that people with small children can avoid it.	4/7/2019 12:53 PM
96	None	4/7/2019 12:50 PM
97	Separate exercise area for dog's. Kept on leads on public footpaths	4/7/2019 12:47 PM
98	More dog litter bins are needed in busy dog walking areas.if you only have one bin in a busy dog walking area and a dog fouls a fair distance away, people will not walk around carrying a bag for ages.	4/7/2019 12:43 PM
99	More dog waste bins needed	4/7/2019 12:40 PM
100	Stick and flick- move the pooh into undergrowth as it is a good fertiliser could be away of reducing the use of bags. Provide more dog bins where this can't happen and encourage biodegradable bags.	4/7/2019 12:37 PM
101	See 5. No of dogs should be 2 max off lead or 6 if all on leads.	4/6/2019 4:10 PM
102	I would like to see a park warden in Sileby Memorial Park to provide reassurance to the people who use it. I find it uninviting & quite unsettling with people taking their dogs on their and youths hanging about.	4/6/2019 12:42 PM
103	na	4/6/2019 9:49 AM
104	Consider providing additional "poop" boxes in areas which are well frequented dog walks	4/5/2019 9:46 PM
105	Multiple small dogs walked at the same time by an adult, say two, should be fine as I carry out that type of walk every week. But not multiple large dogs and especially not by children.	4/5/2019 5:22 PM
106	Dog licences	4/5/2019 3:17 PM
107	to assist more dog poo bins should be provided t strategic locations.	4/5/2019 3:16 PM
108	No other comment	4/5/2019 3:08 PM
109	Dogs which look out of control of their owners should be specially controlled.	4/5/2019 2:18 PM
110	Survey is wrongly entitled Dog Control. Should be dog owner control. It should be against the law in any place anywhere on earth NOT to remove dog faeces. I have a dog and it grossly annoys me when dog owners think it is OK not to pick up faeces in fields and country footpaths. Should be an offence on any property unless on the owner's own land/garden. ie if there was zero tolerance people would be shamed into picking up as they do in the street.	4/5/2019 1:54 PM
111	Dog faeces left by owners, is one of the most repulsive elements of walking in open spaces.	4/5/2019 12:00 PM
112	Clear and more signage that people can understand like the footpath is part of the highway	4/5/2019 11:48 AM
113	More stricter fines for dog owners who do not pick up mess, would also ban dogs on sports pitches, extremely bad hygiene, they have no dog areas on beaches, do should be the same.	4/5/2019 10:23 AM
114	.	4/5/2019 10:18 AM
115	let dog bags be available in local buildings.	4/5/2019 10:12 AM
116	.	4/5/2019 10:03 AM
117	More signs on lamp posts etc advising penalties for not picking up dog faeces	4/5/2019 10:02 AM
118	None	4/5/2019 9:53 AM

119	Breaching the instructions in a control order - I'm not sure if that's the correct terminology - should result in the dog being removed. For instance letting it off the lead after a warning, allowing someone not designated to exercise the dog. I have known this to happen.	4/5/2019 9:51 AM
120	Increased fines for not picking up after your dog	4/5/2019 9:20 AM
121	People who collect faeces but then hang the bag on a tree or bush or leave by the path should be subject to serious penalties.	4/5/2019 9:08 AM
122	Open spaces that have Children's Play equipment in them that are not fenced off from the rest of the open space needs to have adequate signage around the area asking people to pick up after their dogs. Plus dogs should not be allowed on Cricket /Football pitch areas off their leads.	4/3/2019 3:10 PM
123	.	4/2/2019 8:24 PM
124	Several of these proposals depend on the temperament of the dog. It should be possible to penalise owners for animals' anti-social behaviour, but I don't believe arbitrary limits on all owners are a fair way to do this.	4/2/2019 2:03 PM
125	Making sure dogs aren't a nuisance on extendable leads too. We had an incident where the owner let his dog jump all over us while we were having a picnic on a park bench.	4/1/2019 11:33 PM
126	To address the issue of dog waste bags being thrown into trees and hedges where they are unsightly and may injure domestic and wild animals. More bins? More frequent emptying of bins, harsher penalties? More dog wardens?	4/1/2019 11:10 PM
127	Ensure there are sufficient staff on duty to enforce, otherwise it is a futile exercise. People already ignore signage and despite littering laws leave bags of poo on the pavement, fences and trees.	4/1/2019 9:04 PM
128	Very large fines for those who allow their dog to foul. (£5000)	4/1/2019 5:30 PM
129	Dog fouling is a serious problem, and I welcome any efforts to this.	4/1/2019 3:49 PM
130	Dog handlers to be in control of a pet by command	4/1/2019 3:36 PM
131	For Charnwood Borough Council to not only provide more dog waste bins but also to empty them on a more regular basis and to provide the public with a free phone number to report overflowing bins	4/1/2019 3:17 PM
132	Who has the power to Enforce the PSPO on Signs placed & if CCTV counts as a Enforcement (my opinion CCTV should).	4/1/2019 1:48 PM
133	There must be some sort of repercussion for dog owners not cleaning up mess. A fine does not seem to be enough of a deterrent	4/1/2019 1:26 PM
134	I would like to see higher fines for offenders.	4/1/2019 12:19 PM
135	dogs are very popular particularly with families. by all means restrict owners to having dogs on leads in certain areas but for a dog to be healthy it should be allowed to run freely and this will be supported by national dog charities. With respect to dog fouling this should be controlled.	3/25/2019 5:31 PM