

Consultation on Public Spaces Protection Order (PSPO)

Review of PSPO/dog control (2018)

Summary document

May 2021

We are keen to welcome dog walkers and dogs to the Borough and want to encourage responsible dog ownership. There are public concerns over irresponsible dog ownership, including complaints of dog attacks on people and their pets, dog fouling on grassed areas and graves, and dogs out of control.

The Anti-Social Behaviour Crime and Policing Act 2014 provides a legal framework for local authorities to be able to deal with a particular nuisance or problem in a geographical area by way of a Public Spaces Protection Order (PSPO) – which are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

The current PSPO came into force in July 2018 and is in place for a period of three years with an expiry of July 2021. We are required to review the existing PSPO/dog control (2018) and as part of this review we are required to consult with residents and other interested stakeholders.

The current PSPO/dog control (2018) places responsibilities on dog owners (and dog walkers) to:

- ✓ Pick up after their dog has fouled.
- ✓ Keep their dog on a lead in named locations and at certain times of the year.
- ✓ Keep their dog out of named restricted areas.
- ✓ Put their dog on a lead when asked to do so by an enforcement officer.

Between 2015 and 2018 the Council received 898 complaints about dog fouling. Since the implementation of the PSPO/dog control (2018), the number of complaints about dog fouling has decreased to 306.

Between 2015 and 2018 the Council received 138 complaints about dog-related incidents (such as dogs off a lead and behaving in an aggressive manner and dogs attacking other dogs or wildlife). Since the implementation of the PSPO/dog control (2018), the number of complaints about dog-related incidents has decreased to 118.

We work in partnership with Derbyshire Police to investigate dog incidents, particularly those that have occurred in public spaces such as parks. Data provided by Derbyshire Police shows that there has been a decrease in reports of dog-related incidents between 2017 (243 incidents) and 2020 (152 incidents).

There are several existing restrictions which we would like to continue enforcing which will enable us to strengthen our approach of dealing with dog fouling and problematic dog behaviour.

As the offences would be breaches of a PSPO, we may issue a fixed penalty notice offering the person concerned the opportunity of discharging any liability to conviction for the offence by paying a fixed penalty. This fixed penalty must not be more than £100 and the fine level is currently set at £80.

We are proposing to continue with the existing control measures which are available online <https://www.chesterfield.gov.uk/health-and-environment/public-spaces-protection-orders-pspos/dog-control-public-spaces-protection-order-pspo.aspx>

In summary, the offences are outlined here:

Failure to pick up after their dog

Our enforcement officers will issue a fixed penalty notice if a person in charge of a dog fails to pick up after the dog has fouled. This would not be applicable to anyone who is registered blind. The Council's enforcement officers would be able to enforce this anywhere the public has access. We will not be able to enforce this where the

landowner, occupier, or other person in charge of a public space has given permission for dog walkers not to pick up faeces.

Keeping a dog on a lead (at named locations)

Our enforcement officers will require a person in charge of a dog to keep the dog on a lead at named locations. Failure to do so would result in a fixed penalty notice being issued.

Excluding dogs from children's play areas (at named locations)

Our enforcement officers will be able to require a person in charge of a dog which has entered a children's play area to remove that dog from the play area. Failure to do so would result in a fixed penalty notice being issued.

Excluding dogs from sports pitches (at named locations)

Our enforcement officers will be able to require a person in charge of a dog which has entered a designated sports area to remove that dog from that area. Failure to do so would result in a fixed penalty notice being issued.

Dogs on lead by direction

Our enforcement officers will be able to require a person in charge of a dog which is behaving in a manner that is causing alarm or distress to another person or animal to put request that that dog is put in its lead. Failure to do so would result in a fixed penalty notice being issued.

During the consultation period we will be collating all views and comments we receive. If you have any questions please contact the Environmental Protection team via the main switchboard on 01246 345345 or send an email to pollution@chesterfield.gov.uk

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