Review of Stroud District Council’s Existing Public Spaces Protection Orders.

Stroud District Council please seeks your views as part of a review of its existing Public Spaces Protection Orders (PSPOs) in respect of control of dogs.

**Background:**

In 2012, Stroud District Council made 4 Dog Control Orders to address issues relating to dogs. In 2017, these Orders transitioned into PSPOs unchanged. These PSPOs remain in force and the table below summarises the Orders for your information:-

<table>
<thead>
<tr>
<th>Identifier</th>
<th>Summary of Order Provisions</th>
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<tbody>
<tr>
<td>PSPO1</td>
<td>Failure to remove the faeces when a dog under the person’s control has defecated on any land within the District which is open to the air and to which the public has a right of access. Exemptions exist for assistance dogs.</td>
</tr>
<tr>
<td>PSPO2</td>
<td>Failure to put a dog on a lead when directed to do so by an authorised officer of the Council, if such restraint is necessary to prevent a nuisance, behaviour likely to cause annoyance or disturbance to a person or the worrying or disturbance of any animal or bird. This also applies to all land within the District which is open to the air and to which the public has a right of access.</td>
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<tr>
<td>PSPO3</td>
<td>Permitting a dog to enter land from which dogs are excluded which applies (where signed at the entrance) to any fenced, hedged or walled children’s play area, bowling green, croquet lawn, tennis court, skateboard park, cycle enclosure, putting green or other sporting or recreational facility. Exemptions exist for assistance dogs.</td>
</tr>
<tr>
<td>PSPO4</td>
<td>Not keeping a dog on a lead in a designated area. This applies to all allotments, cemeteries, car parks, canal towpaths and designated cycle tracks as well as specified footpaths routinely used to access any primary, secondary or high school or college.</td>
</tr>
</tbody>
</table>

PSPOs can apply for a maximum of 3 years, at which time a process of review and consultation must be undertaken to assess the need for the Order to be extended by up to a further 3 years. There is no limit on the number of times that a PSPO may be extended. The current PSPOs would therefore effectively “expire” in October 2020 without extension.

Thus, this correspondence please seeks to formally consult you on your views on the extension of the 4 current PSPOs. A brief summary of the current position and a recommendation for each of the existing Orders is set out below for your consideration.

**PSPO1 – Fouling:**

With respect to the need to require the removal of dog faeces, fouling in an area is clearly detrimental, both in terms of the unpleasantness of its appearance, its odour...
and its health impact and disease transmission potential.

Dog fouling remains a significant problem across the whole District and was the subject of 203 complaints from members of the public in 2018/19. While the great majority of dog owners are responsible and clear up after their dogs, there remains a significant minority who disregard the law.

The power to serve Fixed Penalty Notices and/or prosecute identified offenders is vital in seeking to address the issue alongside a toolkit of more educational approaches. To not retain these powers would send out entirely the wrong message in respect of how the Council views this irresponsible, anti-social behaviour and, were that the case, one would expect the situation to deteriorate further. Thus, it is proposed to retain the powers contained in this PSPO for a further 3 years.

**PSPO2 – Dog on Lead when Directed to Do So:**

This second PSPO relates to persons being required to put a dog on a lead when directed to do so by an authorised officer of the Council, where this is required to prevent nuisance, disturbance or animal worrying. It is clear that dogs that are not under proper control can prove alarming and intimidating to both adults and children.

The ability to require dogs to be put on a lead allows a targeted approach to tackle individuals that allow their dogs to run out of control, without negatively impacting on the vast majority of dog owners. Officers on the ground report that this power is a useful backstop to ensure compliance with such interventions. Thus, it is proposed to retain the powers contained in this PSPO for a further 3 years.

**PSPO3 - Permitting a Dog to Enter Land from Which it is Excluded:**

The third PSPO relates to the exclusion of dogs from designated signed areas, for example fenced, hedged or walled children’s play areas, bowling greens, croquet lawns, tennis courts, skateboard parks, cycle enclosures, putting greens or other sporting or recreational facilities.

Once again there is a clear need for this provision to ensure that dogs do not enter areas where there is a clear conflict between their presence and that of other users. Their exclusion also greatly reduces the potential issue of fouling, thus enabling safe and clean access for people, especially those with young children. Compliance is reported as excellent as the rationale for the exclusion appears to be widely understood and supported and clear signage has proven effective in highlighting the requirement. However, any loss of the exclusionary powers could reasonably be expected to lead to an increase in problems to users of the areas. Consequently, it is proposed to retain the powers contained in this PSPO for a further 3 years.

**PSPO4 – Dogs on Leads in Specified Areas:**

The fourth DCO relates to a requirement to keep dogs on a lead in designated areas such as allotments, cemeteries, car parks, canal towpaths and designated cycle tracks.

Complaints from the public in respect of these matters are relatively rare. Additionally, officers report that enforcement of this PSPO in relation solely to the canal towpaths and cycle tracks has proven to be very difficult and has led to obstruction of officers in the form of refusing to provide details as well as threats to officers. This resistance appears to stem from a perceived unfairness among dog owners.
owners in respect of having to put dogs on leads in what are regarded as “shared spaces” when they may be clearly walking to heel and, as such, are largely under control. Exercising off the lead is accepted as an important benefit for dogs and a requirement for dogs to be on leads on many miles of track or towpath provided for leisure and recreation is perceived as disproportionately prohibitive.

Given that uncontrolled behaviour, where identified, may be addressed by utilising other PSPOs, for example by directing that dogs be put on a lead, it is proposed to remove cycle tracks and canal towpaths from this Order. This would represent a logical, proportionate and targeted approach to identified problems. Additionally, other powers can be utilised to tackle specific problem owners and behaviours, for example Community Protection Notices, rather than taking a blanket approach. However, it is proposed to retain the other exclusion areas, for example cemeteries, in a slightly amended Order for a further 3 years.

**Consultation Responses:**

We would please ask that you respond in writing to this consultation by no later than 13th July 2020.

A Consultation Response Form is provided within the consultation documents which seeks to provide a simple format for responses. However, you are certainly not compelled to use that format and all written responses received will be fully considered.

Please return all consultation responses either by:-

a) e-mail to dave.jackson@stroud.gov.uk ; or

b) post to Mr D. Jackson - Environmental Protection Manager, Stroud District Council, Ebley Mill, Ebley Wharf, Stroud, Glos, GL5 4UB.

Thank you for your anticipated input into this process.