



Agenda Item 7

Licensing & Regulatory Committee
14th October 2020

Title: Public Space Protection Orders (Dog Controls)

Lead Officer: Marianne Rolfe, Jon Barnett

Portfolio Holder: Judith Falp

Public report / ~~Confidential report~~

Wards of the District directly affected:

Contrary to the policy framework: NO

Contrary to the budgetary framework: NO

Key Decision: YES

Included within the Forward Plan: NO

Equality Impact Assessment Undertaken: NO

Consultation & Community Engagement: Consultation with Stakeholders

Final Decision: YES

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	5/10/20	Andrew Jones
Head of Service	5/10/20	Marianne Rolfe
CMT	5/10/20	Andrew Jones
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	5/10/20	Judith Falp

1. Summary

- 1.1. The report provides an update on the stakeholder consultation which has taken place in regard to the Public Space Protection Orders (Dog Controls) (PSPO) and makes recommendations as to the extension of the existing orders.

2. Recommendation

- 2.1. That the Committee agree to extend the existing PSPO relating to Dog Controls for a further three years.

3. Reasons for the Recommendation

- 3.1. On the 21st September 2020 the Licensing and Regulatory Committee agreed to undertake a consultation regarding the proposal to extend the existing PSPO which is due to expire on the 21st October 2020.
- 3.2. The consultation began on the 22nd September and runs until the 5th October 2020. The results of that consultation are included as appendix 1. From the responses received there were no objections to extending the existing orders.
- 3.3. In accordance with the legislation, the following stakeholders were consulted:
 - All District Councillors, Parish and Town Councils.
 - Warwickshire Police
 - The Dogs Trust
 - The Kennel Club
 - Guide Dogs
 - The Jockey Club
 - All other relevant land owners
- 3.4. It is proposed that the existing PSPO regarding dog controls are extended for a further three years without alteration. The wording for the existing orders are contained in appendix 2.
- 3.5. The PSPOs have a term of three years and as outlined in the previous reports, the legislation for PSPOs outlines that if orders are varied, extended or discharged, there are statutory requirements regarding publishing or publicising of this and that a consultation process is required.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities – Anti-social behaviour including dog related nuisance can significantly impact upon quality of life. The level of crime and disorder is cited as the top consideration when deciding on where to live

Services - Green, Clean, Safe - PSPOs enable a preventive and if necessary an enforcement approach resulting in reducing crime and disorder thus allowing communities to enjoy the district's public open spaces

Money- Infrastructure, Enterprise, Employment – no impact

4.2.2. Internal impacts of the proposal(s)

People - Effective Staff – no impact

Services - Maintain or Improve Services – no impact

Money - Firm Financial Footing over the Longer Term – no impact.

4.3. Supporting Strategies

4.3.1. This report does not directly impact on any of the supporting strategies of Fit for the Future

4.4. Changes to Existing Policies

4.4.1. The report does not bring forward any changes to any existing Council Policies.

4.5. Impact Assessments

- 4.5.1 The government guidance on PSPO states that the restrictions of a PSPO can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. The PSPOs will apply to all individuals committing anti-social behaviour within the designated areas, without discrimination. No particular group should be disadvantaged through publicity or enforcement of the PSPOs.

5. Budgetary Framework

- 5.1 There is no cost incurred by the extension of the existing PSPO as the signage throughout the district is still relevant.

6. Risks

- 6.1. Not having valid PSPOs in place will have an impact on the officer's ability to educate, engage and enforce on dog-related nuisance across the district. This may have a detrimental effect on the reputation of the Council by:
- a. An increase in dog fouling
 - b. Dogs walked off leads for example on highways and cemeteries
 - c. No method of controlling dogs which are causing nuisance
 - d. Dogs entering children play areas, sports areas and marked pitches.

7. Alternative Option(s) considered

- 7.1. A decision could be taken to removal the existing orders in relation to the current dog controls. This would also require consultation with relevant stakeholders. As outlined within the report the feedback received outlines overwhelming support for the extension of the existing orders.
- 7.2. The existing consultation could move on to a public consultation following a report to committee outlining the proposals for the PSPOs which are reflective of the stakeholder pre engagement activities. However, as outlined previously it is not believed that a fair public consultation can be conducted at this time.
- 7.3. In addition to the above the timeline for such a consultation and report would still require the existing orders to be extended to allow the consolidation of the feedback from the pre consultation process, a suitable public consultation period and the preparation of reports to committee regarding the adoption and or amendments required to the revised PSPOs.