

CONSULTATION SUMMARY

PROPOSED PUBLIC SPACES PROTECTION ORDER ON DOG CONTROLS IN MONMOUTHSHIRE

CONSULTATION START DATE 2nd OCTOBER 2023 CONSULTATION END DATE 25TH
NOVEMBER 2023

BACKGROUND:

Monmouthshire County Council has responsibility for the management and maintenance of public spaces across the county, of which we are fortunate to have so many amazing locations. The wealth of our open spaces is a huge attraction to residents, businesses and visitors to the county and supports good dog ownership.

We recognise that the majority of dog owners act responsibly and keep their dog(s) under control, which includes clearing up after them in a public place. However, the council receives a significant number of complaints regarding issues with dogs in public areas, in particular fouling. These continue despite the best efforts of the council and its partners to raise awareness of the anti-social nature of dog fouling and related matters.

The council, informed by a three-month public consultation in 2021, has been reviewing the current controls in place to ensure they remain relevant and effective in maintaining a cleaner, healthier and safer place to live, work and visit.

WHAT IS A PUBLIC SPACES PROTECTION ORDER (PSPO)?

Introduced by the Anti-social Behaviour, Crime and Policing Act 2014 (the Act) a PSPO is intended to deal with any particularly persistent and unreasonable behaviour that is having, or likely to have, a detrimental effect on the quality of life of persons in a defined area.

The aim is to stop the unreasonable behaviour in public spaces by introducing restrictions on the use of an area. A public space is defined as ***'any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.'***

A PSPO can last for up to three years, after which it can be extended following further consultation. A breach of a PSPO restriction is an offence liable on conviction in court to a fine of up to £1000. In the first instance a Fixed Penalty Notice (max £100) would generally be given.

Summary of Proposals

The current dog controls in the county are provided by the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998. This makes it an

offence not to pick up after your dog if it fouls certain public spaces. **It does not include all public spaces.**

In 2021 we consulted with the public to find out if there was support for further dog controls in the county. There has since been wide ranging consultation with elected members, sports clubs and associations and key landowners of public spaces to refine proposals. The draft PSPO has five proposed dog controls:

- A provision requiring the person in charge of a dog to clean up if it defecates in a public space. This will apply on ALL publicly accessible land in the county of Monmouthshire.
- A provision requiring the person in charge of a dog in a public space to have an appropriate means (E.g., a dog bag) to pick up any faeces deposited by that dog and to show they have bag(s) if requested to do so by an authorised officer.
- A provision requiring the person in charge of a dog when in a public space to put the dog on a lead, of no more than 2 metres length, when directed to do so by an authorised officer, where the dog is considered to be out of control, or causing alarm or distress or to prevent a nuisance.
- The introduction of a number of dog exclusion areas, identified through consultation as high public health risk areas and requiring further protection from dog fouling. These are typically children's play areas and marked sports pitches.
- The introduction of a number of areas, identified through consultation on a case-by-case basis, where a dog needs to be kept on a lead of no more than 2 metres in length.

There are also a number of exemptions in the order:

- The dog fouling provisions will not apply to some disabled people, whose sight impairments or other disabilities prevent them from being able to clean up after their dogs.
- The dog exclusion provisions will not apply to a dog trained by a registered charity to assist a person with a disability and upon which a disabled person relies for assistance.
- None of the provisions will apply to apply to the normal activities of a working dog, whilst the dog is working.

How do I comment on the proposals?

The survey is available on our website <http://www.monmouthshire.gov.uk/pspo-dog-controls/>

If you have any concerns or questions about the survey, require the questionnaire in another language or format or simply require assistance in completing the form please telephone 01873 735420 or email environmentalhealth@monmouthshire.gov.uk and we will be happy to help.

If completing a paper version please return to Environmental Health, Monmouthshire County Council, County Hall, The Rhadyr, Usk, NP15 1GA.