

Dog Control Public Space Protection Order 2021

What is a Public Space Protection Order?

The Anti-social Behaviour, Police and Crime Act 2014 places duties on local authorities to tackle Anti-social behaviour (ASB) by working in partnership with the police, social landlords and other agencies. The Act makes provision for Public Space Protection Orders (PSPO) which are intended to be used to control and restrict anti-social behaviour in public spaces. They can also help by giving local councils and the police additional powers to tackle anti-social behaviour in specific locations.

The exact details of a local Public Space Protection Order can be defined by a local council. They can be blanket restrictions, or they can just be targeted towards certain groups or types of behaviour at certain times of the day. They can also restrict access to public spaces (including some highways) where that route is being used to commit anti-social behaviour.

Once agreed, Orders can be enforced by a police officer, police community support officer and delegated council officers. A breach of the Order is a criminal offence and can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a fine of up to £1,000 on prosecution. Any income from Fixed Penalty Notices is likely to be used to offset costs around running the Public Space Protection Order; signage; court fees for failure to pay fines etc.

The PSPO must be reviewed every 3 years.

The PSPO replaces previously existing powers under dog control orders, designated public place orders (also known as Alcohol Control Zones) and gating orders.

Why introduce this?

The Council previously introduced a PSPO to address dog related anti-social behaviour in 2017. This Order has now expired. The Council is now considering whether to implement a further 3 year PSPO to re-establish these powers to better enable police officers and delegated council officers to tackle the problems of dog related antisocial behaviour.

The Council has reviewed the number of complaints received regarding dog related nuisance including dog fouling in the borough over the last 5 years. Hotspots where complaints were received are spread widely across the borough.

The Council is proposing to include the following controls across the borough:

- Any person in control of a dog to clear up any dog faeces deposited by the dog;
- Any person must comply with any request from a Constable or authorised Council officer to clear up and/or remove any faeces deposited by the dog where they have otherwise failed to do so;

- Any person must comply with a direction given by a Constable or authorised Council Officer to put and keep the dog on a lead to prevent a nuisance or annoyance to others;
- A person is prohibited from being in charge of more than 6 dogs at any one time in a public place;
- A person in charge of a dog in a public space is prohibited from allowing the dog to enter the “Dog Exclusion Zones” (defined in schedule 1 of the proposed PSPO attached - Note: This prohibition does not apply to any person who is disabled in respect of any dog which is trained by a registered charity on which he/she relies for assistance.)
- A person in charge of a dog in a public space is required to keep the dog on a lead in those areas set out in Schedule 2

The enforcement of these powers fits into the wider strategy in Newham crack down on anti-social behaviour and promote cleaner streets and open spaces.

Dog related anti-social behaviour and disorder

The enforcement of dog controls will work towards facilitating public spaces that are clean and safe for all to enjoy. Responsible dog ownership enforcement through the powers enabled under a PSPO will aid the reduction of risk to the general public from:

- catching toxocariasis from dog waste;
- potential animal attacks
- dog related accidents

Both the public and wildlife will be further safeguarded via the 'dog on a lead', 'dog exclusion' and 'maximum number of dogs' restrictions.

Consultation

The Council is seeking views from residents, business owners, partners and stakeholders on the proposed Dog Control PSPO. The Consultation is open for 28 days and will close on 24 November 2021.

Please provide your feedback using the survey [link](#).

You can also find on the website details of data analysis of the complaints received by the Council over the last 5 years as well as a draft copy of the proposed order to help inform your responses.

Should you have any questions regarding this consultation, please contact Lisa Hooper, Community Safety Manager lisa.hooper@newham.gov.uk