



## **ESSENTIAL REFERENCE PAPER 'B'**

# **EXTENSION AND VARIATION OF PUBLIC SPACES PROTECTION ORDER CONSULTATION QUESTIONNAIRE**

## **Dog Control and Anti-social Behaviour Measures – Winter 2018**

### **Extension and variation of PSPO's for dog fouling, dog control orders and measures to tackle irresponsible dog owners**

- 1. Dog Fouling** - Although measures taken by the Council have been successful in reducing the incidence of dog fouling, and the expectation that owners should be picking up after their dogs is now viewed as being reasonable, there are still a minority owners who continue to fail to pick up. A blanket restriction to avoid displacement to other sites is therefore required.

**Q1. Do you support the continuation of the existing power that makes it an offence if a person in charge of a dog fails to clean up its faeces on any land to which the public have access in the District?**

Yes ☐

No ☐

Don't Know ☐

- 2. Dogs on leads in specified areas** - East Herts Council owns 3 allotment sites in Hertford - West Street, Norwood Close, Windsor Drive. Dogs running loose in allotments can be a nuisance to other allotment holders.

Proposed change: To incorporate additional locations as specified in Schedule 1.

**Q2. Do you support the continuation and variation of the existing power that makes it an offence to not have a dog on a lead in all East Herts Council owned allotments and other land as specified?**

Yes ☐

No ☐

Don't Know ☐

- 3. Dog exclusion in specified areas** - A number of locations in the parks have been designated to be dog free areas for the safety and protection of users. The list of sites is detailed in the draft order.

Proposed change: To incorporate additional locations as specified in Schedule 1.

**Q3. Do you support the continuation and variation of the existing power that makes it an offence to allow a dog onto land which has been designated to exclude dogs?**

- All fenced children's playgrounds and areas which are designated and marked for children's play
- All fenced games areas e.g. tennis, ball courts, skate parks
- All bowling greens
- Marked playing pitches – when in use for playing sports.
- Additional land owned by Parish and Town Councils

Yes ☐

No ☐

Don't Know ☐

**4. Walking more than four (4) dogs** - It is more difficult to adequately control more than 4 dogs. This can lead to increase in dogs fouling or dogs not being kept under control and causing a nuisance with other park users.

**Q4. Do you support the continuation of the existing power that makes it an offence to take more than four (4) dogs onto any East Herts Council owned land at any one time?**

Yes ☐

No ☐

Don't Know ☐

---

**5. Dogs on leads when directed** - Most dog owners are responsible, but we do get complaints about dogs causing a nuisance to others, and the continuation of this power will help authorised officers deal with specific problems.

**Q5. Do you support the continuation of the existing power that makes it an offence for failing to put a dog on a lead when directed to do so by an authorised officer?**

Yes ☐

No ☐

Don't Know ☐

---

**6. Failing to produce a receptacle for picking up dog faeces** - Catching irresponsible dog owners in the act of not picking up after their dog can be difficult; this measure provides an additional enforcement tool. Experience has proved that this has been a useful deterrent and helped reduce dog fouling. Continuation of the power will assist officers in dog fouling hotspots.

**Q6. Do you support the continuation of the existing power that requires dog walkers to carry a poop bag or other means for clearing up after their pet?**

Yes ☐

No ☐

Don't Know ☐

---

## **Discharge of measures to enhance the Police and Council's ability to deal with anti-social behaviour.**

East Herts CSP continues to work in collaboratively to ensure the district remains a safe place to live, work and visit. The previous PSPO conditions were imposed as agencies felt they were needed to address those issues. However, experience has shown that other, more specific legislative tools within the ASB Crime and Policing Act 2014 are proving more effective.

The CSP recognises that a blanket wide PSPO is not needed as the majority of residents and visitors are law abiding citizens. Instead the CSP wants to focus its resources and attention on those who do not and take the most appropriate action against them. Agencies continually monitor crime trends and data and should there be an evidential need for a PSPO then this would be considered and consultation taken. In addition, agencies are also looking at ways to improve engagement with communities to help set priorities. By improving this engagement agencies will be able to take the most appropriate action; which on occasion could be a PSPO but one that is proportionate and specific to an area rather than a district wide one. Should you wish to be involved in priority setting please email [community.safety@eastherts.gov.uk](mailto:community.safety@eastherts.gov.uk)

## **7. Using a mechanically propelled vehicle in a disorderly or anti-social manner**

Reason for discharge: During the three years the PSPO has been in place the CSP\* (footnote to include agencies) has not had reason to make use of this power. Signage was produced and displayed in two locations whereby there were continued reports of vehicle related nuisance (predominantly cars racing in car parks). The approach from the CSP was to use a period of education with the signage at first to allow a proportionate response. In doing so, the issues were reduced or where needed other powers used; for example taking action where another criminal offence had taken place. The CSP has also found that areas where there has been persistent vehicle related nuisance there are often environmental measures that can be taken that help prevent or deter the problem; such as requesting the landowner to improve the security or design of the land. In addition, should a person(s) be identified as causing a nuisance with a motorised vehicle then there are other powers under the ASB Crime and Policing Act 2014.

### **Q7. Do you support the discharge of this existing power?**

Yes ☐

No ☐

Don't Know ☐

---

## **8. Failing to surrender possession when asked of new psycho active substances (commonly known as legal highs) or drug that is not alcohol or tobacco on any land within the District.**

Reason for discharge: The CSP included this condition within the PSPO prior to any guidance from the Home Office being made available. Since this time the Psychoactive Substances Act 2016 has come into effect that has allowed agencies to address the longer term and root causes of the use of new psychoactive substances. Where there is evidence of use (e.g. paraphernalia finds), then the CSP will collectively work together to record this and take the most appropriate action; for example asking the local Police Community Support Officers to patrol the location. Should the CSP identify anyone in possession of them then the most appropriate powers would be used depending on the evidence available.

### **Q8. Do you support the discharge of this existing power?**

Yes ☐

No ☐

Don't Know ☐

---

## **9. Prohibition of alcohol consumption in five (5) designated areas.**

Reason for discharge: The CSP has again not made use of this PSPO power within the three years. At the time of conversion the CSP believed the conversion was needed to help address any alcohol related disorder in the five locations. However a PSPO can penalise the majority whilst trying to tackle a minority. Under the ASB Crime and Policing Act 2014 there are a number of other powers available that allow agencies to take action against the minority who cause problems in the district. These measures are more sustainable in terms of monitoring, resources and costs. Within the district there are a number of initiatives and procedures in place to address problems linked to the night time economy, for example:

- Pubwatch – a network of licensees and partner agencies to monitor those who cause problems within licensed premises, anyone who persistently does so can be placed on the PubWatch scheme which prohibits their entry to licensed premises.

- CCTV – the town centres have CCTV in place to help capture evidence of any disorder. East Herts Council is currently undertaking a review of CCTV in the district to ensure that it is meeting needs.
- Scannet – a PCC funded initiative used in premises with late licenses to scan the ID of persons entering
- Specific Police Operations at key times of the year
- Using more appropriate powers under the ASB Crime and Policing Act against individuals who have come to notice for ASB or criminal behaviour e.g. a Community Protection Warning or Criminal Behaviour Order. This will also be in conjunction with signposting them to any support services they may need should they have any dependency needs.

This power was not intended to address any underage drinking as there are already powers for Police in regards to this. In addition, where there are identified 'street drinkers' the CSP wants to work with those persons to help address their possible addictions and put in place a longer term resolution. The issuing of a fixed penalty notice would not necessarily achieve this.

This power is dependent on Police resources and does not necessarily address the underlying root causes. The CSP is therefore confident that by continuing it's successful partnership working and using a variety of methods there is not an apparent need for this power.

**Q9. Do you support the discharge of this existing power?**

Yes ☐

No ☐

Don't Know ☐

**10. Shouting swearing, screaming or making any unnecessary noise in a disorderly or anti-social manner in area where alcohol restrictions are in place.**

Reason for discharge: The above condition has not been used during the three years the PSPO has been in place. The rationale for use was to take action against alcohol related ASB in the designated areas. However, upon reflection the CSP accepts this condition was not practical in terms of enforcement. It again is very dependent upon Police resources and during the busier times within the town centres this condition is not practicable. Instead the CSP will continue to use the previously listed measures to take action against person(s) who act in an anti-social manner in the district.

**Q11. Do you support the discharge of this existing power?**

Yes ☐

No ☐

Don't Know ☐

**11. ADDITIONAL COMMENTS**

**Q12** If you have any additional comments about the renewal of the Public Space Protection Order that are not addressed in this questionnaire, please feel free to write them below or continue on a separate sheet.

**ABOUT YOU**

*East Herts Council takes your privacy very seriously and will only use your information for survey analysis. All published survey results will remain anonymous.*

*We will not share your personal information with any third parties without your prior consent. We will retain your information on our database for 1 year after which your information will be deleted. If you agree to your information being kept on our database as set out in this Consent Notice, please tick this box* ☐

**Q13. Gender**

Male ☐

Female ☐

Prefer not to say ☐

**Q14. Are you a dog owner?**

Yes ☐

No ☐

**Q15. What is your age group?**

18 and under ☐

19 - 24 ☐

25 - 34 ☐

35 - 44 ☐

45 - 54 ☐

55 - 64 ☐

65 - 74 ☐

75+ ☐

**Q16. Do you have a long-term illness or disability that limits your daily activities?**

Yes ☐

No ☐

**Q17. What is your postcode?** \_\_\_\_\_

**Q18. Contact Details** – *completing this section is optional. .*

Name: \_\_\_\_\_

Organisation (if applicable): \_\_\_\_\_

Email or Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Thank you for completing this consultation questionnaire.

Please return it to us in the attached freepost envelope

or post to:

PSPO Consultation  
East Herts Council  
Freepost ANG6624  
SG13 8EQ