

**Summary of Consultation Comments and Officers Response**

Where comments are of a similar nature they have been paraphrased.

Comments that relate to specific problem areas have been referred to the relevant officer to investigate.

**1. Dog Fouling**

Comment	Officers Response
Dog fouling seems to be a big issue. Never see a dog warden. More enforcement required.	The council has 4 officers employed who are authorised to issue FPNs as part of their role. It is anticipated that increased patrols will take place in 2019. It should be noted however that a key aspect in successfully dealing with dog fouling, is community support and intelligence which enables targeted interventions. In a large rural district random patrols are highly unlikely to be effective.
More dog bins are needed to prevent filled dog poo bags being left on the verges.	Specific requests will be looked at and also where possible will highlight that bagged dog waste can be put in public litter bins too.
This Order also ignores the 'black bags' hanging in the trees/bushes that are often seen.	Black bags containing dog faeces would be classed as litter and there is existing legislation in place to deal with this.
An objection to the dog fouling Order being used in open countryside.	Officers will take a sensible and proportionate approach to enforcing the legislation but also note that in the countryside, and especially where farm animals graze it is better to pick up dog faeces to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.
A suggestion that district wide registration of all dogs is necessary to enable DNA testing to be carried out.	The council uses a range of methods to promote responsible dog ownership. The PSPO is an additional tool. The forensic method is a fairly new approach but one that requires voluntary participation, therefore only responsible owners would likely sign up to it.

**2. To fail to put your dog on a lead in a specified area**

Comment	Officers Response
A suggestion that part of the open space should be designated dog areas where dogs can be walked off the lead safely or dog walking areas where dogs should be kept on the lead to give owners a choice.	There are many open areas of the district where owners can take dogs. We are keen to promote responsible dog ownership and for dog owners to have sufficient control of their pets to be able to let them

	<p>run without the need for secure fencing. EHC has provided a small fenced dog training area in Bishops Stortford installed by the Friends of Southern Country Park. This area is to help responsible dog owners train their dogs to return when needed so they can be walked safely in our parks when off the lead. If dogs will not return on command, owners should keep them on a lead in parks at all times. If dogs are not under control, they are at risk of escaping and finding a road or harming other park users.</p> <p>Where there are specific problems we make use of “dog on lead by direction” orders, to allow a more targeted approach to tackle the individuals who allow their dogs to run out of control. Where we have problems with dogs not being kept under control we also work with the Police using the LEAD initiative, Acceptable Behavioural Contracts and Community Protection Notices.</p>
<p>Some owners that have dogs off leads don't always pick up if not seen / or its dark</p>	<p>We have followed the guidance for the legislation which states PSPOs should be used in a proportionate and evidenced-based way and therefore have restricted this measure to a small number of sites where dogs off the lead can cause a nuisance. A blanket restriction requiring dogs to be walked on leads would not be proportionate to the problem. Instead we will continue to use site specific methods through education (such as using glow in the dark signage) and enforcement where necessary.</p>

### 3. Dog Exclusion Areas (children play areas, fenced games areas, bowling greens, and marked playing pitches when in use for playing sports)

Comment	Officers Response
<p>There should be some dog parks where you can take dogs too.</p>	<p>Residents can take dogs to all Council owned parks in the district but should be mindful that some areas within the parks such as football pitches and play areas are excluded for the benefit of other users.</p>
<p>Good idea to exclude dogs in play areas - but rules ambiguous where unfenced ones are concerned</p>	<p>We will seek to ensure clarity on unfenced play areas through adding maps where</p>

	possible.
Additional land needs to be specific and worded to be clear of why dogs are excluded.	The list of additional sites where dogs are excluded are included in Schedule 1 of the Order. These are generally small areas such as play areas where dogs may represent a health and injury hazard.
Query on the time period covered by the order to exclude dogs from marked playing pitches when in use for playing sports.	This means dogs are excluded from the pitch when there are footballers on the pitch. It doesn't mean during the football season. Parks are a resource for a wide range of users with dog walking in the majority. Most dog owners are responsible and can exercise their dogs across the park without impact on football pitches that are not in use. We see no reason to penalise the majority of dog owners for the inconsiderate few.
Question why dogs only have to be on leads when pitches are in use for playing sports. Also concern that this does not address the issue of fouling on pitches before play	This proposal is for the safety of all users and its felt proportionate to allow dog owners to exercise their pets on the pitches when games are not taking place. Responsible owners will avoid pitches while in play for the safety of others and their dog. Where there are problems of fouling on pitches, it is important that residents contact the council to provide information to assist us target our patrols more effectively and catch those responsible.
A comment that the Order restricts dogs freedoms and is against dogs reducing the space for them to run.	Only a small number of locations are included where dogs are excluded or have to be placed on the lead. This proposal is for the safety of all users and its felt proportionate to restrict dogs from play areas and bowling greens. Dog owners will still be allowed to exercise their pets on the majority of open spaces and on pitches when games are not taking place. Responsible owners will avoid pitches while in play for the safety of others and their dog.

#### 4. Walking more than four (4) dogs

Comment	Officers Response
If an owner has more than 4 dogs and kept under control they should be allowed to walk them together in the open spaces.	Four dogs are felt to be a reasonable number and this is a continuation of the existing Dog Control Order that has been in place for many years. We believe that an owner walking more than 4 dogs is

	unlikely to be able to pick up after them and the outcome of relaxing this measure would be an increase in dog fouling. A responsible owner should be able to manage up to 4 dogs, depending on their nature.
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### 5. To fail to put an out of control dog on a lead when directed to do so

Comment	Officers Response
Owners don't always put dogs on leads when out of control and no one enforces.	This measure enables officers to deal with a specific problem, rather than a blanket restriction on all users. Specific issues should be reported to the council with detail describing the owner, dogs, dates and times of incidents so we can investigate.

### 6. Failure to produce a receptacle for picking up dog faeces

Comment	Officers Response
Concern that occasionally a responsible dog owner who has already used their bags or given their last bag to help out another dog owner or friend would not be able to produce one if asked by officers.	<p>This is supplementary to the existing dog fouling measure and not meant to replace it, so officers will use this as an additional tool where we have dog fouling problem areas and catching the perpetrators is a problem. In these areas additional signage will be installed regarding the means to pick up warning dog owners of the increased patrols</p> <p>The powers will be used in a fair and proportionate way by trained authorised officers only.</p>

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

Comment	Officers Response
The standard of driving in the area is abysmal; racing, motorists jumping red lights, using mobile phones.	These type of behaviours are existing criminal offences and covered under Road Traffic offences. The PSPO is not intended to address this and should not replace existing legislation.
People park on pavements which causes obstructions and is inconsiderate.	These type of behaviours are already covered by parking regulations or legislation. The PSPO is not intended to address this and should not replace existing legislation.

<p>This should include mobility scooters who drive dangerously on pavements.</p>	<p>This is not what the power is intended for. A PSPO is a powerful remedy as it affects the behaviour of every person within the specified area rather than being targeted at individuals. The CSP needs to take care to ensure a balance to tackle ASB and crime and disorder.</p>
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### 8. Fail to surrender possession when asked of any new psychoactive substances

Comments	Officers Response
<p>There is evidence of use in some parks and open spaces. How will this be addressed?</p>	<p>East Herts Council works closely with our contractors who help manage our parks and open spaces. These type of paraphernalia finds are recorded and any emerging patterns or increased finds are shared with colleagues in the Community Safety Team. This information is then shared with other relevant agencies such as Herts Police so that the area in question can have increased monitoring. Those found in possession or to be using new psychoactive substances will have the most appropriate action taken. This will depend upon their age, the circumstances of the incident and any other known risk factors. A district wide condition about usage does not allow officers to address local issues or the root causes for use.</p>
<p>Residents have concerns about drug use in parks and open spaces (not specifically new psychoactive substances).</p>	<p>Should residents witness incidents where they believe drug taking or dealing is taking place this should be reported to Herts Police.</p> <p>You can do so by calling the non emergency number on <b>101</b> or <b>999</b> in an emergency. Any call you make will create a log, and where possible officers will attend. Due to the nature of policing this may not always be possible. However, the local officers will be routinely checking the calls that come in for their patch and can then patrol accordingly for where the incidents are being reported.</p> <p>The Community Safety Partnership can then take the most appropriate action against those found responsible.</p>

### 9. To fail to surrender alcohol when asked in a designated area

Comment	Officers Response
Concerns about licensing laws and late night opening hours.	A Public Spaces Protection Order is not intended to address licensing issues. East Herts Council works closely with other partners to ensure licensed premises adhere to their conditions and there are processes in place to allow for reviews of licenses.  Full details can be found on the East Herts Council website.

### 10. Shouting, swearing, screaming or making unnecessary noise where alcohol restrictions are in place.

Comment	Officers Response
Issue with foul language at football matches particularly where young children are present.	This type of behaviour is not what the condition is intended for. Should there be a significant disturbance or abuse aimed at <b>specific people</b> then reports should be made to police to investigate Public Order offences.
Stop large groups of kids gathering on streets as this can be intimidating.	This is not what the power is intended for. A PSPO is a powerful remedy as it affects the behaviour of every person within the specified area rather than being targeted at individuals. The CSP need to take care to ensure a balance to tackle ASB and crime and disorder against the perception of a problem or the behaviour of the minority.  Residents are encouraged to report incidents of ASB to agencies to address, however young people congregating in the street is not classed as this, unless there is evidence of other types of behaviour.

#### Other Comments

Can 'No Ball Games' signs be used when young people are playing ball games in areas; specifically in residential areas.	This is not a sign that East Herts Council uses as we are not able to enforce this and would not be an appropriate for a PSPO. Should there incidents whereby there is damage to vehicles or property (and it is believed to be intentional) this should call Herts Police as this could be a possible criminal offence (e.g. damage).
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Could specific receptacles for recycling plastic and paper	The council is keen to encourage recycling
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<p>be provided in key areas, like near football pitches, play areas.</p>	<p>however where we have trialled litter recycling bins in other places they have been misused and contaminated by general rubbish. We are reviewing our bin provision in the open spaces and will seek to ensure there is adequate capacity in key areas.</p>
<p>A number of responses specifically mentioned litter as a big problem, particularly on football pitches. Some also stated that this order doesn't address the litter and fly tipping issue.</p>	<p>The council will be taking a more robust approach in the future for dealing with football clubs that fail to remove litter from pitches after use.</p> <p>With regarding to general littering and fly tipping, the council doesn't have specific 'litter wardens' but does have a team of 4 officers who carry this out as part of their role. Increasing enforcement on both littering and fly tipping is included in the Councils priorities for 2019/20 and a range of proactive measures are planned. Specific problems areas raised in this consultation will be added to a list of areas for both increasing education and enforcement through patrols.</p>