

**Synopsis of report:**

**To inform Members of the expiration on the 13<sup>th</sup> June 2023 of the Dog Control Public Space Protection Order (Runnymede Borough Council) 2020 and the options for resolution**

**Officer Recommendations:**

- i) **To resolve that the PSPO be extended, as worded in the existing order (Appendix B), for a further 3 years**

**Alternatively to resolve that**

- ii) **the current order be discharged when it expires on 13<sup>th</sup> June 2023**

**1. Context of report**

- 1.1 Public Space Protection Orders (PSPO) issued under The Anti-Social Behaviour, Crime and Policing Act 2014 remains in force for a maximum period of 3 years. In June 2020 Runnymede Borough Council extended (with a minor variation in respect of providing details to a police officer or an authorised council officer) a PSPO covering dog control matters related to dog fouling, keeping dogs on leads and excluding dogs from specified areas. The Order first came in to effect on the 23 January 2017. The current order will expire on the 13 June 2023.

**2. Report**

- 2.1 A Public Space Protection Order (PSPO) can be made by a local authority if it is satisfied that the following conditions are met:
- Activities carried on in a public place have a detrimental effect on the quality of life of those in the locality or it is likely that such activities will be carried on and that they will have such an effect.
  - The effect of the activity is likely to be of a persistent or continuing nature, or is likely to be, such as to make the activities unreasonable.
- 2.2 PSPOs can be framed to apply to all persons or persons in specified categories. Before making such an order, the local authority must consult with the Police, Police and Crime Commissioner and other relevant bodies.
- 2.3 In June 2020 Runnymede Borough Council (RBC) extended a PSPO covering dog control matters related to dog fouling, keeping dogs on leads and excluding dogs from specified areas. The Order which came in to effect on the 14 June 2020 will expire on the 13 June 2023.
- 2.4 This PSPO first became necessary in 2017 to replace the lapsed order in relation to dog fouling following repeal of the Dogs (Fouling of Land) Act 1996. Without the PSPO no specific dog fouling offence exists nor provisions to exclude dogs from enclosed play areas or require a dog be put on a lead on by direction from a Police Officer or authorised council officer (with cause). An offender could be issued with a fixed penalty notice of £100, reduced to £80 if paid within 14 days.
- 2.5 From April 2019 to March 2023 the council received 201 complaints about dogs and dog fouling.

- 2.6 Officers have had regard to the statutory guidance<sup>1</sup>, and whilst revised on 27<sup>th</sup> March 2023 it still recommends consulting, in particular, The Kennel Club for PSPOs in relation to dogs. The council must also consult whatever community representatives they think appropriate. Additionally an open and public consultation to give the users of the public space the opportunity to comment on whether the proposed restrictions is strongly recommended by the guidance.
- 2.7 A statutory and community consultation, together with a public consultation ran from at least 23 March to 7 April 2023. The public were made aware of the consultation by an insert in the annual council tax reminder.
- 2.8 In addition to consulting the Kennel Club a number of statutory and community consultees have been consulted, including:
- Cabrera Trust  
Surrey Police  
Police & Crime Commissioner  
Surrey County Council  
Runnymede Borough Council (Housing & Open Spaces)  
Surrey Wildlife Trust  
Dogs Trust  
Chertsey Meads Management Liaison Group  
Englefield Green Committee  
Housing Associations
- 2.9 The consultation yielded 31 responses from the public and a further 16 responses from statutory and community consultees. The details and responses from the consultation can be found in Appendix A. In summary the significant majority of respondents feel there is still a need for the order. In terms of successfulness 40% felt it is successful, 27% responded no change observed, and 7% stated it was very unsuccessful, with the remainder giving a narrative response as reported in Appendix A.
- 2.10 Some respondents called for greater control of the number of dogs that may be walked in open spaces at any one time. Borough and district groups (such as community safety) are discussing further controls in respect of dogs, though it does seem there is consensus not to introduce knee-jerk control measures and central direction/learning will likely follow. Indeed the Rt Hon Lord Beynon, Minister for Biosecurity, Marine and Rural Affairs, wrote to Local Authorities on 6<sup>th</sup> March 2023 in light of recent fatal dog attacks where he outlined that, among other matters, a 'Responsible Dog Ownership working group' has recently been established and that that 'conclusions and policy reform recommendations are expected later this year'.
- 2.11 It is intended that the extended order be the same as the 2020 order, a copy of which is provided in Appendix B.

### **3. Resource implications**

- 3.1 PSPO enforcement is likely to be carried out by existing staff in environmental services, where resources allow.

### **4 Financial implications**

- 4.1 There are no financial implications in respect of this report.

### **5. Legal implications**

- 5.1 Under section 60 of the 2014 Act a PSPO may not have effect for a period of more than 3 years unless extended under that section.

### **6. Equality implications**

---

<sup>1</sup> Anti-social behaviour powers: statutory guidance for frontline professionals

- 6.1 There are equality implications in respect this report. The Kennel Club response made suggestions in respect of assistance dogs advocating either the wording in a like PSPO in Mole Valley or that of Northumberland County Council. The existing wording is equally effective as the latter and no changes are considered necessary at this time.

## **7. Environmental implications**

- 7.1 Enforcement of dog fouling (dog control) offences contribute to the Council's health & wellbeing strategy under the Corporate Business Plan (2022-2026) In particular it contributes to the strategy's Healthy Community objective. It enhances the environment by providing that dog fouling and certain dog related anti-social behaviour can be dealt with and/or deterred. The strategy recognises, under the wider determinants of health model, that general environmental conditions (among other factors) contribute to health.

## **8. Conclusions**

**(To resolve)**

**Background papers**

**Anti-social Behaviour, Crime and Policing Act 2014**

**Anti-social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers Statutory guidance for frontline professionals (last update 27 March 2023)**