



PUBLIC CONSULTATION

HAVE YOUR SAY ON PLANS TO INTRODUCE A PUBLIC SPACES PROTECTION ORDER ON DOG CONTROLS IN MONMOUTHSHIRE

CONSULTATION START DATE 26th July 2021 CONSULTATION END DATE 26th October 2021

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.

It is appropriate now to review 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.

The Council is considering the introduction of a Public Spaces Protection Order to set out the dog controls in the county.

WHAT IS A PUBLIC SPACES PROTECTION ORDER (PSPO)?

Introduced by the Anti - social Behaviour, Crime and Policing Act 2014 a PSPO is intended to deal with any particular 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 would replace any current related restrictions in place. Breach of a PSPO restriction is an offence liable on conviction in court to a fine of up to £1000. An authorised officer can issue a Fixed Penalty Notice of up to £100 In order to give an offender the opportunity of avoiding a breach going to court.

So that fully informed decisions can be made we want to know your views.

SURVEY

Please tell us what you think by date 26th October 2021

Visit: <https://www.monmouthshire.gov.uk/public-spaces-protection-order-on-dog-controls-in-monmouthshire/> Telephone to request a survey form: 01873 735420

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1. I am completing this survey as:

a resident of Monmouthshire

a business person

an elected member

representing a charity or organisation

other:

2. Are you a dog owner?

Yes

No

3. What is your postcode?

DOG FOULING

Current provisions:

If a dog fouls at any time on designated land in Monmouthshire and the person in charge of the dog fails to remove the faeces, that person is guilty of an offence unless there is a reasonable excuse for failing to do so.

The designated land is provided in the Monmouthshire County Council (Fouling of Land by Dogs) (Monmouthshire) Designation Order (No 1) 1998, in Part 1 by general description and Part 2 specifically. It does not include all public spaces.

4. Do you consider uncollected dog waste to be an issue where you live, work or visit in Monmouthshire?

Yes

No

5. If yes please give details below:

6. If yes how frequently do you notice uncollected dog waste?

- Always
- Frequently
- Sometimes
- Rarely

7. Where do you typically see uncollected dog waste:

- Pavements
- Public footpaths
- Play grounds
- Park land
- Sports pitches
- Cemetery
- Other:

Do you support a control requiring dog owners to remove dog faeces if their dog fouls any land to which the public have access across the county, unless that person can show that:

- has a reasonable excuse for failing to do so. Please note, being unaware of the fouling, whether by reason of not being in the vicinity or otherwise, or not having a device for or other suitable means of removing the faeces, shall not be a reasonable excuse.
- putting the faeces in a receptacle eg a bin, which is provided for the purpose, shall be sufficient removal from the land.

8. Do you agree or disagree with this control?

Yes (agree)

No (disagree)

9. Please give reasons for your answer in the box below:

DOGS ON LEADS AREAS

The Council recognises the need for dogs to be exercised off the lead in open spaces. The majority of dog owners are able to do so while still keeping their dogs under control. However where dogs are not properly controlled this can cause nuisance to other persons and other dogs using the area.

The Council is mindful that there may be certain public areas where it is not appropriate to allow dogs to run free off the lead and is therefore considering the need to require dogs to be on a lead in some specified locations.

10. To what extent do you agree or disagree with requiring dogs to be on leads in the following:

	Strongly Agree	Agree	Disagree	Strongly Disagree
Children's playgrounds				
Marked sports pitches				
School grounds				
Cemeteries				

11. Please give reasons for your answer in the box below. If any area(s) concern you please tell us where:

12. Are there any other public spaces where you feel dogs should be on a lead? If so please let us know the area(s) and your reason:

DOGS ON LEADS BY DIRECTION

The Council is considering a new offence for failing to put a 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. This would assist officers dealing with problems when they arise without introducing overly restrictive measures on all dog owners.

13. Do you agree or disagree with this as a new offence?

Yes (agree)

No (disagree)

14. Please give reasons for your answer in the box below:

DOG EXCLUSION AREAS

The Council recognises the importance of outdoor exercise and play to good health and well being. It is vital that public spaces are accessible and child friendly as possible. Concern is raised on occasions that dogs should not be allowed access to certain areas as they impact on the use and enjoyment of those areas.

The Council is therefore considering the need to exclude dogs from some specified public spaces.

15. To what extent do you agree or disagree with the exclusion of dogs from the following:

	Strongly Agree	Agree	Disagree	Strongly Disagree
Children's playgrounds				
Marked sports pitches				
School grounds				
Cemeteries				

16. Please give reasons for your answer in the box below. If any area(s) concern you please tell us where:

17. Are there any other public spaces you feel dogs should be excluded from? If so please let us know the area(s) and your reason:

ADDITIONAL COMMENTS

18. Please add any further comments regarding the proposed Public Spaces Protection Order on dog controls in the box below:

19. If you feel that any of these proposals will affect you as an individual because of any of the following (age, disability, gender reassignment, marital status, pregnancy and maternity, race, religious belief, sex, sexual orientation, use of Welsh language, BSL or other languages) please give details below.

Thank you for taking the time to complete the survey. If completing a paper version please return to Environmental Health, Monmouthshire County Council, County Hall, The Rhadyr, Usk, NP15 1GA

Data Protection and Confidentiality - We comply with all legislation governing the protection of personal information, including the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Any personal information you supply will remain strictly confidential and anonymous and will be held and used in line with the Data Protection Act 2018. For more information about privacy, please visit: <https://www.monmouthshire.gov.uk/your-privacy/>

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.