



COUNCIL: 22nd February 2023

Report of: Corporate Director of Place & Community

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SUBJECT: PUBLIC SPACE PROTECTION ORDER RENEWAL 2023 – DOG CONTROL

Wards affected: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To seek approval to renew the Councils' existing Public Space Protection Order which details numerous Dog Control provisions for locations across the Borough and include two additional locations.

2.0 RECOMMENDATIONS TO COUNCIL

2.1 That due consideration is given to the results from the public consultation conducted between 15th December 2022 and 26th January 2023.

2.2 That the Public Space Protection Order detailed at Appendix 2 to this report be approved for renewal for a 3-year period commencing on 1st April 2023 with the inclusion of the two additional locations as outlined in the public consultation.

3.0 BACKGROUND

3.1 On the 1st April 2017, the Council created a Public Space Protection Order (PSPO) under the Anti-social Behaviour, Crime and Policing Act 2014 (Appendix 1).

Further details can be found via:

<https://www.westlancs.gov.uk/environment/dogs/dog-control.aspx>

The order details restrictions that are in place relating to:

- dog fouling;
- dog exclusion areas;
- areas where dogs are walked on a lead and;

- the number of dogs that can be walked by one person.
- 3.2** There are currently 69 enclosed play areas where dogs are excluded and 8 areas where dogs are required to be kept on leads. The order consolidated numerous pieces of old legislation and has been successful in minimising dog related issues in the areas concerned.
- 3.3** All PSPO's are valid for a period of 3 years and must be reviewed. If the review supports an extension before the current expiry date, a local authority can extend the lifetime of the Order for a maximum further period of 3 years if satisfied on reasonable grounds that in doing so, is necessary to prevent an occurrence or reoccurrence of the activities including an increase in frequency or seriousness of those activities. The 2017 order was extended in 2020 for another 3 years until 2023. An Order can be extended for up to a further 3 years and there are publication requirements as set down by the Secretary of State.
- 3.4** In addition, a local authority has the power to amend an Order if it satisfies two conditions.

Condition 1: It believes:

- a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or;
- b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect

Condition 2 is that the effect, or likely effect, of the activities

- (a) is, or is likely to be, of a persistent or continuing nature,
- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the notice.

- 3.5** As the lifetime of the current Order requires extending, and there has been further evidence to justify extending the jurisdiction of the Order, Council is asked to approve the renewal of the existing PSPO for a further 3 years in addition to the inclusion of the two additional locations to ensure continuity with current locations.

4.0 CONSULTATION

- 4.1** Since the renewal of the order in 2020, two new additional play areas have been created at Thompson Avenue, Ormskirk and The Queen Elizabeth the Second Platinum Jubilee Park, Tawd Valley, Skelmersdale.

- 4.2** The additional sites considered for inclusion in the Order with restrictions are:

- Enclosed children's play area, Thompson Avenue, Ormskirk - dogs to be excluded

- Enclosed children's play area, The Queen Elizabeth the Second Platinum Jubilee Park, Tawd Valley, Skelmersdale – dogs to be excluded
- The Queen Elizabeth the Second Platinum Jubilee Park, Tawd Valley, Skelmersdale – dogs to be kept on leads

4.3 As is required, the Council consulted on the additional new proposed restrictions (i.e. Appendices 3 and 4 to this report) for a period of 6 weeks. In addition to consulting the community, the Council is also required to consult the Police and Crime Commissioner. This is because the Police potentially have a role in enforcing the Order. The Council's website contained a questionnaire in relation to the proposals, which allowed respondents to support or object to the proposals and add comments.

The consultation took place from 15th December 2022 and 26th January 2023.

4.4 Statistical analysis from the public consultation period can be found at Appendix 5.

4.5 No response was received to the consultation from the Police and Crime Commissioner.

4.6 Having considered the data collected from the consultation, it is recommended that the two additional sites with restrictions, be included and the Order agreed from 1st April 2023 for a period of 3 years.

5.0 SUSTAINABILITY IMPLICATIONS

5.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Community Sustainability Strategy.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 The resource implications from this report can be met within existing resources.

7.0 RISK ASSESSMENT

7.1 Including the play areas and new restrictions will demonstrate consistency with previous work and assist in the reduction of anti-social behaviour.

Putting restrictions in place on the new sites at The Queen Elizabeth the Second Platinum Jubilee Park, Tawd Valley, Skelmersdale and Thompson Avenue, Ormskirk also reduces the risk of park users coming into contact with dog faeces that can cause toxocariasis.

8.0 HEALTH AND WELLBEING IMPLICATIONS

8.1 The proposal will reduce exposure to dog faeces by members of the public whilst they are undertaking recreational activities.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix 1 to this report, the results of which have been considered in the Recommendations contained within this report.

Appendices

Appendix 1 - EIA Document

Appendix 2 -Existing Public Space Protection Order (01.04.20 – 31.03.23)

Appendix 3 - Proposed areas where dogs are to be excluded

Appendix 4 - Proposed areas where dogs will be required to be kept on a lead

Appendix 5 - Results of Public Consultation (15.12.22 – 26.1.23)

