

Subject:	Proposed Public Space Protection Orders	Status:	For Publication
Report to:	Cabinet	Date:	13 th February 2019
Report of:	Public Protection Manager	Portfolio Holder:	Operations
Key Decision:	x Forward Plan x	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION
1.1	That authority is given to undertake an 8 week consultation exercise on the proposal to make a Public Space Protection Order (PSPO) to introduce amended dog controls across Rossendale.

2. PURPOSE OF REPORT

2.1 To seek authority to start the process of introducing a PSPO for dog controls in the borough of Rossendale under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 by undertaking a statutory consultation exercise with members of the public and other relevant stakeholders on a proposed PSPO.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale’s residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
 - **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
 - **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- Failure to review existing Dog Control Orders/Transitional PSPO’s will mean that the council will not be able to deal effectively with the issues around dog control or provide an adequate enforcement function across the borough.

5. BACKGROUND AND OPTIONS

5.1 The Anti-Social Behaviour, Crime and Policing Act 2014 introduced a variety of powers for local authorities to deal with anti-social behaviour including Public Spaces Protection Orders (PSPO’s).

These are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community’s quality of life, by imposing conditions on the use of that area which apply to everyone. The order can be used to deal with likely future problems.

PSPO's are designed to make public spaces more welcoming to the majority of law abiding people and communities

In 2009 Rossendale Borough Council brought in a number of Dog Control Orders under the Cleaner Neighbourhoods and Environment Act 2005 that covered various areas in the borough covering the offences of not removing dog faeces, failing to keep a dog on the lead in designated areas, failing to adhere to a dog exclusion order and failing to adhere to a dogs on lead order as directed by an authorised officer.

- 5.2 In October 2017 the Anti-Social Behaviour, Crime and Policing Act allowed existing Dog Control Orders to automatically convert to PSPO's which would then need to be reviewed after 3 years.
- 5.3 However it is prudent of a local authority to review the need and scope of the Orders to ensure that the powers exercised by the council are both relevant and necessary.
- 5.4 Currently the transitional PSPO's cover;
- Dog Fouling
 - Dogs on leads
 - Dogs on leads by direction
 - Exclusion of dogs

The geographic areas to which these apply are detailed in appendix A to D to this report

It is proposed to consult on the current restrictions remaining and the introduction of two new controls;

- Maximum numbers of dogs walked at one time to be limited to 5 dogs
- And
- The requirement of dog walkers to carry with them a "poop bag" or other means to pick up after their dog has fouled.

Consultation will take place via the council's website and with key stakeholders such as the police, local councillors and community groups.

The proposed questions to be included in the consultation are attached at Appendix E of this report.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 Any financial implications arising will be contained within existing budget resources.

7. MONITORING OFFICER

- 7.1 No legal implication arising out of this report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 Consultation to be carried out as detailed.

9. CONCLUSION

- 9.1 The Cabinet could consider a "do nothing" approach and continue to enforce the existing orders. However there will not be a review of these until October 2020 to assess if they are

effective, address the anti-social behaviour in question and if the orders are in place in the correct areas.

It is therefore suggested that Cabinet approve the recommendations which would allow a full and extensive consultation with residents and relevant stakeholders to make orders which are relevant, necessary and consistently enforced across the borough.

No background papers