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KETTERING TOWN COUNCIL

REPORT FOR DECISION

Item No:- 22/117

Committee:-	Council
Date:-	19 th April 2023
Author:-	Martin Hammond, Town clerk
Report Title:-	Dog Control Public Spaces Protection Order
Wards Affected:-	All wards

1. Purpose of Report

To seek members' views on the renewal and/or extension of the dog control PSPO

2. Recommendations

Council is recommended to consider the remit and coverage of the PSPO

3. Information

3.1. North Northamptonshire Council currently has Public Spaces Protection Orders (PSPOs) in place to enforce responsible dog ownership on land used by the public.

A copy of the order for Kettering is attached as Appendix A. The PSPOs currently in place include the following controls:

- a) failing to remove dog faeces;
- b) not keeping a dog on a lead in a designated 'dogs on lead' area;
- c) not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
- d) permitting a dog to enter land from which dogs are excluded;
- e) taking more than a specified number of dogs onto land.

3.2. The existing orders from the predecessor authorities end in November 2023 and the intention is to create a new PSPO for North Northants that will include dog control in Corby for the first time and will review existing controls in the other areas. As part of the first stage public consultation, NNC would like to know about any new areas that require adding to the order, or changes that are required to existing areas listed on the orders. The current PSPOs can be viewed on the councils website: [Public Spaces Protection Orders \(PSPOs\) | North Northamptonshire Council \(northnorthants.gov.uk\)](https://www.northnorthants.gov.uk/public-spaces-protection-orders)

3.3. In Kettering Town, the current order applies to

Cemeteries

Kettering London Road
Kettering Rothwell Road

Open Spaces

Manor Gardens
Garden of Rest
Parish Church Yard
Market Place
Municipal Gardens

3.4. There is a prescribed procedure in legislation that NNC must follow in order to make a Public Spaces Protection Order. Following feedback from Town and Parish Councils and other partners they will conduct the necessary public consultation and subject to satisfactory proof that public interest requirements are met, will draw up the proposed order and undertake the legislative process. This initial part of the process requires an assessment of the current PSPOs to determine whether enforcement is still required. For the purpose of this consultation process we are referring to the dogs on leads and dog exclusion zone aspects of the PSPO. This is because these are the two orders that can be used to target a specific piece of land in order to combat dog related issues. There are certain parameters NNC must meet to be able to enforce a Public Spaces Protection Order in a given place. The overarching requirement is that the nuisance or problem being dealt with in a defined area is detrimental to the local community's quality of life.

The requirements more specifically are:

- currently or likely to have a detrimental effect on the quality of life of those in the locality;
- be persistent or continuing in nature and;
- be unreasonable.

If these parameters are not met, then the existence of the PSPO may be reconsidered and altered as appropriate. Later in the process the public will be consulted enabling them to offer any areas that they believe deserve consideration. All of the suggestions will then be considered and tested to determine whether or not there is an actual detrimental effect on the local community.

4. Consultation and Engagement

The Council is a consultee. Responses are sought by the **20th April 2023**.

5. Finance, Legal and Resource Implications

None for this Council

6. Climate change implications

Open spaces are important assets in an urban area and it is important that their use is enabled for everyone, without the risk of anti-social behaviour, or, in the case of dog mess, the risk of disease.

7. Other Policy Implications

The corporate plan says

1. The Council will support measures to improve physical and mental health wellbeing, particularly in the light of the impacts of covid 19, through its own services and in partnership with others.
2. The Council has approved motions declaring a climate emergency. It is exploring ways of encouraging and supporting sustainable habits and opportunities for local people.

Background Papers

Consultation letter from NNC 21st March

COUNCIL 19TH APRIL 2023 ITEM 117 APPENDIX ONE CURRENT PSPO attached

COUNCIL 19TH APRIL 2023 ITEM 117 APPENDIX TWO NNC QUESTIONNAIRE

Anti-Social Behaviour, Crime and Policing Act 2014 - Public Spaces Protection Orders

NNC Questionnaire (Pre-public consultation)

General questions

- 1) Details of Town or Parish Council responding on behalf of:

Specific questions

Part 1 dog fouling

- 1) Do you agree with NNC's proposal concerning dog fouling (it is an offence to not remove dog waste anywhere that the public have access to and is open to the air)
Yes
No
Reasoning...

- 2) Are there any specific areas within NNC that have had an issue with dog fouling?

Part 2 dog exclusion zones

- 1) Do you agree with NNC's proposal of restricting the access of dogs to certain areas, such as fenced children's play areas and specified cemetery's?
Yes
No
Reasoning...



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- 2) Are there any additional areas within NNC that you feel would benefit from having a dog exclusion zone enforced?

Yes

No

Reasoning...

- 3) Are there any current exclusion zones in place that need reassessing due to a change in circumstance?

Location...

Reasoning...

Part 3 dogs on leads

- 1) Do you agree with NNC's proposal of restricting certain areas of land so that a dog must be walked on a lead at all times?

Yes

No

Reasoning...

- 2) Are there any additional areas within NNC that you feel would benefit from having a 'dogs on lead' requirement in place?

Location...

Reasoning...

- 3) Are there any current 'dogs on lead' orders in place that you believe need reassessing due to a change of circumstance?

Location...

Reasons...

Part 4 dogs on lead by direction

- 1) Do you agree with NNC's suggestion that the majority of the authority should be covered by a 'dogs on lead by direction' requirement. This would mean that any authorised officer of the council, can require



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a dog owner to put the dog on lead. This may be following complaints of issues in the locality, during patrols where a dog/s is identified as not being under control

Yes

No

Reasons

Please return completed questionnaire to Catherine.Clooney@northnorthants.gov.uk,

Interim Environmental Protection Manager