

Consultation on the renewal of the Public Space Protection Order

to tackle anti-social behaviour related to
Dog Control in public spaces

The London Borough of Hackney currently operates Dog Control Public Spaces Protection Orders (PSPOs). The purpose of these PSPOs is to control a number of issues which arise as a result of people failing to exercise proper control of dogs in public places.

The current PSPOs are due to expire on 20 October 2020, and the Council is now considering whether to renew the PSPO, for a further three years until 20 October 2023. The current PSPOs, which we are proposing to renew for a further three years can be viewed at hackney.gov.uk/dog-control-orders

Why is a Dog Control Public Space Protection Order (PSPO) required?

PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. They are not about stopping the responsible use of public spaces - but they do provide councils with a tool to tackle persistent issues that are damaging their communities.

The vast majority of dog owners act responsibly, keeping their dogs under control and clearing up their dog's waste. However, the council continues to receive complaints about dog-related negative behaviour and irresponsible dog owners.

In response to this, the Council is launching a consultation to ask residents their opinions about a variety of dog control related issues. The feedback from the consultation will help to shape and inform the dog control public space protection order (PSPO).

The prohibitions have been designed to be as simple as possible, giving clarity and outlining expectations. Well behaved dogs can be walked or exercised freely off lead in all large parks. This promotes healthy exercise for dogs and takes into consideration the needs of the borough's dog owners and the welfare of dogs.

The proposed Dog Control PSPO will cover:

1. **A 'dog fouling of land'** order, which makes it an offence if dog owners do

not remove their dog's faeces from land within Hackney that is open to the air and accessible to the public. People who are registered as blind, disabled, or otherwise rely on dogs will be exempt from this order. Failure to comply with the dog fouling control order may result in the issue of a £100 penalty and/or prosecution with a maximum fine up to £1,000. This order applies to all land in Hackney and includes:

- public roads, footpaths, cycle paths and verges adjacent to these roads
- parks and recreational spaces, cemeteries and Council-owned allotments
- school playing fields, playgrounds and any land surrounding schools and colleges
- council-owned housing estates

2. **A 'dog exclusion'** order, which enables the Council to stop dogs from entering certain areas including children's playgrounds, sports courts, multi-use games areas, marked pitches where games are in-play and dog free areas in parks.
3. **A 'dogs on leads'** order, which enables the Council to stop people from exercising dogs off-leads on roads, in car parks, churchyards, communal areas on estates and small public parks and gardens under half a hectare in size and Shepherdess Walk. This order excludes canal towpaths, as these areas are managed by the Canal & River Trust rather than the Council.
4. **A 'dogs on leads by direction'** order, which would give officers the power to request that dogs be put on leads where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively.

How would the PSPO be enforced?

If the person in charge of a dog fails to comply with the requirements of the order, they will be issued with £100 Fixed Penalty Notice and taken to court if the fine is not paid within the specified timeframe. A person guilty of an offence is liable on summary conviction to

a fine not exceeding level 3 on the standard scale (£1,000) unless:

1. They have the consent from the owner, occupier or person in charge of the land, not to comply with the order
2. They have a reasonable excuse for failing to comply, or
3. They fall within one of the other exemptions within the order, such as the exemptions in the order for persons who are registered disabled and persons who have a registered assistance dog

How long would the PSPO last for?

We are proposing that the PSPO lasts for three years, until 20 October 2023, at which point we would decide whether to renew it in consultation with residents.

Have your say and what happens next?

We are currently reviewing the Dog Control PSPO and would like to hear your views on any aspects of the proposed PSPO. Please complete the survey and provide us with your feedback.

Please read the Equality Impact Assessment and the proposed orders before giving us your views.

Further information:



The current PSPO and the areas it covers can be viewed here: hackney.gov.uk/dog-control-orders

For more information or if you have any questions about this consultation please contact:

Tel: **020 8356 3000**

Email: consultation@hackney.gov.uk

How to have your say by 30 October 2020.

You can take part in the consultation online at consultation.hackney.gov.uk

Community Safety, Business Regulation & Enforcement

London Borough of Hackney

Hackney Service Centre

1 Hillman Street

E8 1DY

Frequently Asked Questions:

Which areas in the borough will the PSPO apply to?

The PSPO will mirror the current provisions. A full list of the areas the order apply to can be found hackney.gov.uk/dog-control-orders

Will this proposed PSPO stop me from exercising my dog off of a lead?

Failing to keep a dog on a lead at all times when on the land identified in Schedule 2 of the order would be considered a breach of the PSPO. Failing to comply with a direction given by an Authorised Officer of the Council to put and keep a dog on a lead would also be considered a breach of the PSPO.

What happens if there are other areas that people think should be included? Can these be included in this PSPO?

Dogs can be exercised off the lead as long as they are in control in any park over half a hectare in size.

Does this PSPO apply to professional dog walkers?

Yes. Nothing in this order shall apply to a person who –

1. is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948;
2. is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance;
3. has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a Prescribed Charity and upon which he relies for assistance;
4. a person who is training an assistance dog in an official capacity; or
5. a dog used by the police or other agencies permitted by the Council for official purposes.

How will the PSPO be enforced?

The tasking of council resources where use of this power is necessary is managed through the Weekly Tasking Meeting which is chaired by the Community Safety Partnership Manager,. Information about complaints and intelligence on incidences of anti social behaviour is presented and resources are tasked accordingly. The Weekly Tasking Meeting is attended by key Hackney Council departments, including Parks, the police and other external partners.

Officers able to enforce PSPOs include Council Officers (with delegated enforcement powers), Police Officers and PCSOs. If you witness a breach of the PSPO you can report it hackney.gov.uk/dog-fouling

What happens if I refuse to pay the fixed penalty notice?

A constable, police community support officer or council enforcement officer may issue a Fixed Penalty Notice to anyone he or she believes has committed an offence under section 67 of the Anti-Social Behaviour, Crime and Policing Act. You will have 14 days to pay the fixed penalty of £100. If you pay the Fixed Penalty Notice within the 14 days you will not be prosecuted. A person guilty of an offence under section 67 is liable on conviction in the Magistrates Court to a fine not exceeding level 3 on the standard scale.

Dog Control PSPO Questionnaire

1. Are you:

- A Hackney resident A visitor to Hackney Other, please specify:
 A Hackney Business A community group

2. Where do you live or where is your business located? (this information will help us to better understand the views of Hackney residents and businesses)

- E1 E10 N16
 E2 E15 Other, please specify:
 E5 EC1
 E8 EC2
 E9 N4

3. Are you a dog owner?

- Yes No

4. Are you a professional dog walker?

- Yes No

5. Have you recently witnessed a dog acting aggressively, or felt threatened by a dog in Hackney?

- Yes No

If so, where?

Continued overleaf...

Dog Control PSPO Questionnaire

6. Do you support the renewal of the Dog Control PSPO as outlined in the consultation document?

- Yes No Don't know

7. Are there any elements of the proposed PSPO which you feel should be removed? (Please also explain why).

8. Do you think there are any other locations which need to be covered by the PSPO?

- Yes No

If yes, please tell us where:

9. Has the current Dog Control PSPO had a negative impact on you in any way? If so, how?

8. Please tell us to what extent you agree or disagree with the following statements:

	Strongly agree	Partially agree	Neither	Partially disagree	Strongly disagree
The current Dog Control PSPO has been effective					
If the PSPO is not renewed, the problems associated with dogs in public places will come back					
It is important to control the way in which people look after their dogs in shared public spaces					

About you

This information will help us to understand our service users and residents, allowing us to establish if the response to the questionnaire is representative of the borough. All information is used under the strict controls of the 1998 Data Protection Act and the 2016 General Data Protection Regulations (GDPR). This information is optional and will not be used in a way that identifies you.

Gender: Are you: Male Female

If you prefer to use your own term please provide this here:

Age: What is your age group?

- Under 16 16 – 17 18 – 24 25 – 34 35 – 44
 45 – 54 55 – 64 65 – 74 75 – 84 85+

Do you have a disability? Yes No

Under the Equality Act you are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Ethnicity: Are you:

- Asian or Asian British White or White British Other (please state if you wish)
 Black or Black British Mixed background

Religion or belief: Are you or do you have?

- Atheist/no religious belief Hindu Sikh
 Buddhist Jewish Other (please state if you wish)
 Charedi Muslim
 Christian Secular beliefs

Sexual orientation: Are you:

- Heterosexual Gay man Other (please tell us if you wish)
 Bisexual Lesbian or Gay woman

If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.

এই দলিলে কি লেখা আছে সে সম্পর্কে যদি আপনি জানতে চান তাহলে অনুগ্রহ করে উপযুক্ত বাক্সে টিক দিন, এই পাতার নীচে আপনার নাম, ঠিকানা ও ফোন নম্বর লিখুন এবং এটি নীচের ঠিকানায় ফেরত পাঠান। (Bengali)

如果你想知道這分文件的詳細內容，請在方框內打鉤，在本頁下面寫下你的名字、地址和電話號碼並寄到下面的地址。(Chinese)

Si vous désirez connaître le contenu de ce document, veuillez cocher la case appropriée et indiquer votre nom, adresse et numéro de téléphone au bas de cette page et la renvoyer à l'adresse indiquée ci-dessous. (French)

Ger hun dixwazin bizanibin ku ev dokument çî dibêje, ji kerema xwe qutika minasib îşaret bikin, nav, navnîşan û hejmara telefona xwe li jêrê rûpel binivîsin û wê ji navnîşana jêrîn re bişînin. (Kurdish)

Jeśli chcesz dowiedzieć się, jaka jest treść tego dokumentu, zaznacz odpowiednie pole, wpisz swoje nazwisko, adres i nr telefonu w dolnej części niniejszej strony i przeslij na poniższy adres. (Polish)

Haddii aad jeclaan lahayd in aad ogaato waxa dokaumentigani sheegayo fadlan calaamadi godka ku haboon, ku qor magacaaga, cinwaanka iyo telefoon lambarkaaga boggan dhankiisa hoose ka dibna ku celi cinwaanka hoose. (Somali)

Si desea saber de lo que trata este documento, marque la casilla correspondiente, escriba su nombre, dirección y número de teléfono al final de esta página y envíela a la siguiente dirección. (Spanish)

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(Dog Control PSPO)