

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

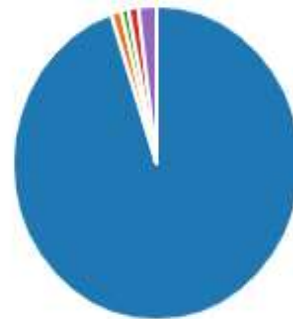
an elected member

representing a charity or organisation

other:

Results:

A resident of Monmouthshire – 1264 (94.8%) %
A business person – 15 (1.1%)
An elected member – 13 (1%)
Representing a charity or organisation – 15 (1.1%)
Other – 27 (2%)



2. Are you a dog owner?

Yes

No

Results:

Yes – 931 (69.8%)
No - 403 (30.2%)



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

Results:

Yes – 798 (59.8%)
No - 536 (40.2%)



Of the 931 dog owners, 470 (50.5%) said that it is a problem, 461 (49.5%) that its not.

Of the 403 non dog owners, 328 (81.4%) said that it is a problem, 75 (18.6%) that its not.

5. If yes please give details below:

Results:

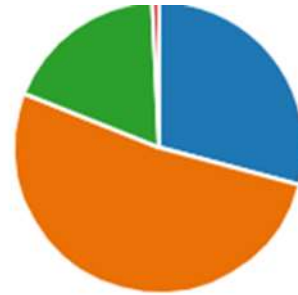
798 comments provided. In the main responses relate to fouling on pavements, footpaths, sports pitches and parks, with a significant number also citing concerns of fouling in more remote locations such as canal tow paths, woods etc

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

- Always
- Frequently
- Sometimes
- Rarely

Results:

Always – 232
Frequently – 414
Sometimes – 146
Rarely – 6

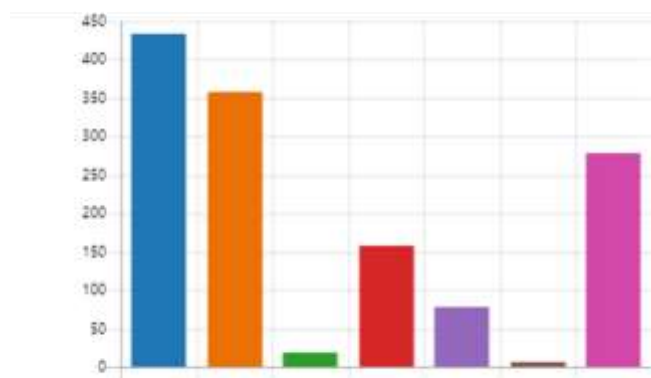


7. Where do you typically see uncollected dog waste:

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

Results:

Pavements – 437
Public footpaths – 358
Play grounds – 19
Parkland – 158



Sports Pitches – 78
Cemetery – 6
Other – 278

278 comments provided in relation to ‘other’ locations including canal tow paths, forestry paths, river banks, country lanes.

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.

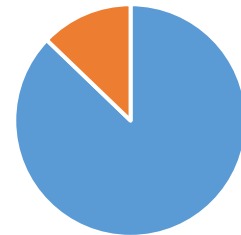
8. Do you agree or disagree with this control?

Yes (agree)

No (disagree)

Results:

Yes – 1163 (87.2%)
No - 171 (12.8%)



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

Results:

1304 comments provided. The main theme is public health and responsible dog ownership.

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.

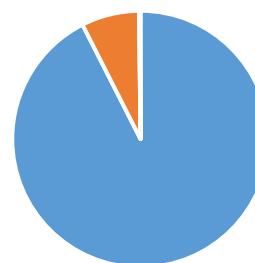
10. To what extent do you agree or disagree with requiring dogs to be on leads in the following:

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

Results:

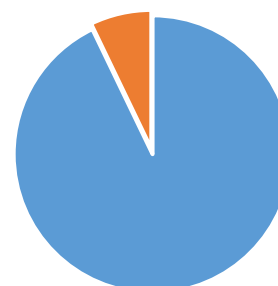
Children's playgrounds: 1237 agree / strongly agree 92.7%

Strongly Agree	944	70.8%
Agree	293	22%
Disagree	66	4.9%
Strongly Disagree	31	2.3%



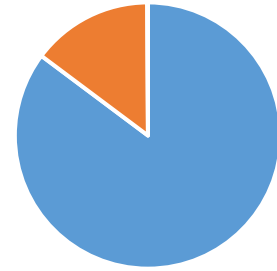
School grounds: 1239 agree / strongly agree 92.8%

Strongly Agree	878	65.7%
Agree	361	27.1%
Disagree	69	5.2%
Strongly Disagree	26	2%



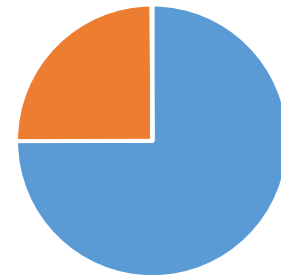
Cemeteries: 1141 agree / strongly agree 85.5%

Strongly Agree	688	51.6%
Agree	453	34%
Disagree	150	11.2%
Strongly Disagree	43	3.2%



Marked sports pitches: 1000 agree / strongly agree 75%

Strongly Agree	727	54.5%
Agree	273	20.5%
Disagree	254	19%
Strongly Disagree	80	6%



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

Results:

1272 comments provided.

Main reasons for agreement include:

- > Safety of children from both out of control dogs and faeces.
- > Children and adults may have a fear of dogs which dog owners do not appear to appreciate.
- > Fencing off playground areas would stop dogs having access to a place where children are playing.
- > Dogs on leads would lead to owners having more control over their dogs and would reduce the amount of uncollected faeces.
- > Dogs on leads would reduce fouling levels on marked sports pitches and school grounds. Some people mentioned that it is disrespectful to let dogs roam around in cemeteries without being on a lead.

Main reasons for disagreement include:

- > Dogs can be under control without being on leads, and dogs require off lead exercise.
- > If the pitches are not being played on it is ok for dogs to be off a lead.
- > Owners should be able to exercise judgement in relation to their dogs.
- > Dogs need a place where they can exercise freely and sports pitches and school grounds, outside school times, are such valued spaces.
- > Why the need to over control everything? Do not penalise responsible dog owners with well trained dogs.

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:

Results:

872 comments provided. Other than the options given in Q10 other public spaces include: public footpaths through fields, cycle paths, Bailey Park, Castle Meadows, Linda Vista Gardens, Caldicot Castle, Monmouth Brecon Canal.

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.

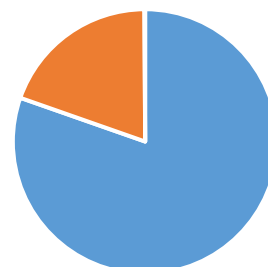
13. Do you agree or disagree with this as a new offence?

Yes (agree)

No (disagree)

Results:

Yes – 1073 (80.4%)
No - 261 (19.6%)



Of the 931 dog owners, 702 (75.4%) agreed with this as a new offence.

Of the 403 non dog owners, 371 (92.1%) agreed with this as a new offence.

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

Results:

1242 comments provided, the main response that it is a sensible, reasonable approach; although a number of strong opinions against including concerns over the practicality and nature of enforcement.

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.

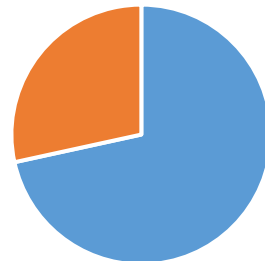
15. To what extent do you agree or disagree with the exclusion of dogs from the following:

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

Results:

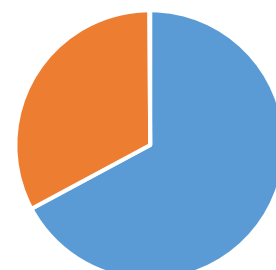
Children's playgrounds: 955 agree / strongly agree 71.6%

Strongly Agree	700	52.5%
Agree	255	19.1%
Disagree	257	19.3%
Strongly disagree	122	9.1%



School grounds: 897 agree / strongly agree 67.2%

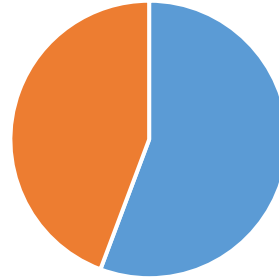
Strongly Agree	607	45.5%
Agree	290	21.7%
Disagree	312	23.4%



Strongly disagree	125	9.4%
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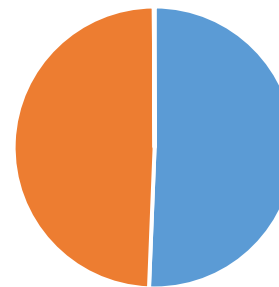
Marked sports pitches: 743 agree / strongly agree 55.7%

Strongly Agree	531	39.8%
Agree	212	15.9%
Strongly disagree	218	16.3%
Disagree	373	28%



Cemeteries: 676 disagree / strongly disagree 50.7%

Disagree	464	34.8%
Strongly Disagree	212	15.9%
Agree	297	22.2%
Strongly agree	361	27.1%



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

Results:

1229 comments provided.

Main reasons for agreement include:

These places are not suitable for dogs:

- Dogs shouldn't be in these areas.
- Plenty of other places to walk dogs without being in these places
- These places are not suitable as dog exercising places.
- Unless a support dog
- Even responsible owners may miss fouling, let alone irresponsible who do not pick up

Public health / safety:

- Fouling can cause public health issues
- Not all mess is collected by responsible / irresponsible owners

- People / elderly/children can feel intimidated/scared around dogs- should be protected
- Dog mess is a health hazard, and these places should be protected
- Not everyone likes dogs

Not in children's areas:

- Dogs should not be around areas where kids are playing
- Children should feel safe when playing
- Kids areas should be fenced off to distinguish playground areas.
- If play areas are fenced off, it allows the rest of the area to be safe for dogs

Main reasons for disagreement include:

No Exclusion- Leads/control preferred:

- Exclusion too far, dogs on leads in these areas is suitable

No exclusion- Family members:

- Dogs are part of the family so should be included.
- Many dogs are walked as part of the school run / sports matches to spectate so this will limit the access for families and be detrimental to all concerned. As long as the dogs are on a lead and owners responsible should not exclude.

No Exclusions- responsible owners:

- As responsible dog owners, people feel this is too far
- Majority of people are responsible owners

Allow dogs in cemeteries:

- Many people take dogs to graves to help with support and grief
- They are part of the family.
- As long as they are on leads they should still be allowed in to cemeteries.
- They act as a support to many elderly residents visiting graves

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:

Results:

446 comments provided. Other than the options provided in Q15 other public spaces include:

- Town centre/shops/eateries
- Parks/gardens/picnic areas

- Canal towpaths/cycle paths
- Farm land/Nature reserves
- Public areas/green spaces/public events

Comments not in favour of Dog Exclusion Areas include following themes:

- Too many restrictions as it is
- Shouldn't be excluded just on a lead is suffice
- Biased against dog owners
- Restricting where dogs can be walked
- Owners with dogs should be encouraged as part of tourism
- Increase enforcement and education- punish those irresponsible.
- Dogs are family members, as long as under control should be with the family.

ADDITIONAL COMMENTS

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

Results:

591 comments provided.

Main themes:

- > Generally not supportive of further restrictions / feel is unnecessary / should not be a focus for the council (87 comments).
- > Generally Supportive of intervention (51 comments).
- > Suggest should enforce existing laws / more wardens or improve signage (43 comments).
- > Suggest it is punishing the majority due to the actions of a minority (42 comments).
- > Should provide dog friendly areas for dogs off leads etc / if restrictions imposed (36 comments).
- > Questions how it will be enforced/policed/cost implications (32 comments).
- > Emphasise the importance of or suggest the need more dog bins (31 comments).
- > Suggest there should be a focus on education/training for dog owners of dogs (17 comments).

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.

Results:

234 comments provided.

Main themes:

- > concerns for persons with certain disabilities not being able to pick up dog faeces.
- > impact of restricting access to parks, playing fields etc may have on persons with mobility issues and the elderly.

Other matters include:

- > Impact on tax payer/financial implication.
- > Bring standards up for irresponsible dog owners, better protection of children.
- > Physical and mental well being negatively affected for dog owners.
- > Enforcement.
- > Dog owners rights, increase abandonment.
- > Safety of dog owners especially females having to walk dogs in more isolated areas.

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.