

Dog Control PSPO 2021-2024

This document is provided to give you information regarding the Consultation available online at : www.cheshirewestandchester.gov.uk/DogControlOrderReview and should not be used to submit your responses (Question Numbers reflect the online Survey numbers)

Responses must be submitted by Sunday 4 July 2021.

The questionnaire is split into short sections that cover:

Dog Exclusion

Dogs on leads

Dogs to always be on a lead in a small number of specified areas

Length of lead

Dog Fouling

Restriction on number of dogs walked at a time

Prohibition of smoking from defined children's play areas

It should be noted that these PSPOs apply to all public land, or land to which the public has access, in the borough (except for land at the disposal of the Forestry Commissioners)

Dog Exclusion

Exclusion of dogs from defined children's play areas, multi-use games areas (MUGAs) and tennis courts

Dogs are currently excluded from any children's play area that contains children's play equipment such as slides, swings, climbing frames and similar apparatus and that is enclosed on all sides by fences, gates, walls or other structures that mark the boundary of the play area.

Dogs are also excluded from any partially or fully enclosed sports area (commonly known as a multi-use games area or MUGA) and from tennis courts. There is an exemption to any exclusion requirement for registered assistance dogs.

5. We are proposing to continue the borough wide Public Spaces Protection Order that excludes dogs from all outdoor fully enclosed children's play areas that contain children's play equipment. Do you agree with the proposal to continue to exclude dogs from these areas? Please select one option only.

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

6. We are proposing that the borough wide Public Spaces Protection Order that excludes dogs from partially or fully enclosed sports areas (commonly known as multi-use games areas), and tennis courts is continued. Do you agree with the proposal to continue to exclude dogs from these areas? Please select one option only.

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

Dogs on leads

Dogs to be placed on leads if requested by an authorised officer – applies across the whole borough

The council recognises that the vast majority of dog owners are responsible and keep their dogs under control while they are out. Dogs that are considered to be not under proper control are subject to this part of the Order. The current maximum fine for a Fixed Penalty Notice is £100 and up to £1000 on prosecution.

The proposal is therefore that the person in control of a dog should put the dog on a lead if requested to do so by an authorised officer. Authorised officers will carry appropriate identification.

7. Do you agree with the proposal to continue to require that dogs must be placed on a lead if requested by an authorised officer? Please select one option only

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

Dogs to always be on a lead in a small number of specific sites

Dogs must always be placed on a lead on some specified sites. The sites identified are those where there have been specific issues in allowing dogs to run free at any time.

8. Do you agree with the proposal to continue to require that dogs should always be on a lead in council maintained cemeteries and the crematorium gardens? Please select one option only

- Yes I agree

No I don't agree

Don't know

If you do not agree, please tell us why in the box below:

9. The council has received a number of enquiries regarding church cemeteries not maintained by the council. Do you think the PSPO should be extended to include a requirement for dogs to be on a lead in all cemeteries? Please select one option only

Yes I agree

No I don't agree

Don't know

Please identify any sites you think should, or should not be, a part of the PSPO as accurately as possible by name, address and postcode and give reasons for your suggestion(s). (Please Note: Landowners affected, including Town and Parish Councils, can provide more information in the landowners/managers section at the end of the survey)

10. Grosvenor Park in Chester has traditionally been an area where dogs must be on a lead at all times because of the formal planted areas. Do you agree with the proposal to continue to require that dogs should always be on a lead in Grosvenor Park in Chester? Please select one option only

Yes I agree

No I don't agree

Don't know

If you do not agree, please tell us why in the box below:

11. Are there any other specific areas where you feel that dogs should always be required to be on a lead? If so, please identify any sites as accurately as possibly by name, address and postcode and give reasons for your suggestion(s) in the box below:

Length of lead to be specified in the Order

In the current PSPO, if there is a requirement for a dog to be on a lead, a lead is defined as being of fixed length and of not more than 2 metres (m). Extendable leads are acceptable but, they should be locked at a length of 2m or less.

12. Do you agree with the proposal to continue to define the length of lead to be used (as described above) when there is a requirement for a dog to be on a lead? Please select one option only

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

Dog fouling

**Dog walkers to pick up dog foul and carry with them the means to pick up foul
It is already an offence, under a separate PSPO, to fail to pick up dog foul, subject to limited exemptions relating to some registered assistance dogs.**

13. It is proposed that the requirement to pick up dog foul is incorporated into the main PSPO covering dog control issues. Do you agree with this proposal? Please select one option only

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

14. In addition, the proposal is to continue with the borough wide requirement that, where dog foul is to be cleared, any person in control of a dog must carry with them an appropriate means of collecting dog foul. Do you agree with the proposal to continue to require dog walkers to carry a means to collect dog foul? Please select one option only

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

Restriction on number of dogs walked at a time

The proposal is to continue with the borough wide restriction on the number of dogs that can be walked by one person at any one time, whether on behalf of a business or themselves. The current maximum is set at six dogs.

15. Do you agree with this proposal? Please select one option only

- Yes I agree
- No I don't agree
- Don't know

If you do not agree, please tell us why in the box below:

16. If you agree with the proposal but disagree that the number should be set at a maximum of six? Please select one option as to what you consider the maximum number of dogs should be.

- 1
- 2
- 3
- 4
- 5
- 7
- 8
- 9
- 10 or more

Smoking

Prohibition of smoking from defined children's play areas

There is a current PSPO which prohibits smoking from all outdoor fully enclosed children's play areas that contain children's play equipment.

17. Do you agree with the proposal to continue to prohibit smoking in all enclosed play areas? Please select one option only

- Yes I agree

No I don't agree

Don't know

If you do not agree, please tell us why in the box below:

Section for landowners or managers

Landowners and land managers should be aware that where any PSPO is in place, the order will apply on any public land and any land to which the public have access, unless a specific exemption applies. The only current specific exemption is land at the disposal of the Forestry Commissioners.

Town and Parish Councils should note that they do not have the power to introduce Public Spaces Protection Orders and the Ministry of Housing, Communities and Local Government has stated that Byelaws dealing with dog control issues will not be confirmed. This means that Town and Parish Councils are not able to impose additional measures for dog control on their land and the only enforceable restrictions are those detailed in the Cheshire West and Chester Public Spaces Protection Orders.

However, any landowners, including Parish and Town Councils, can decide that any or all PSPO provisions are not enforceable on their land.

18. Any of the above proposals which are incorporated in the final Public Spaces Protection Order will, subject to specific exemptions, apply to all land to which the public have access in the borough, regardless of the current ownership or management status of the land. Is there any land which you believe should not be part of this PSPO?

Yes

No

19. Please give details and location of land you feel should be exempt from this PSPO, and the reasons why it should be excluded in the box below: