



<b>Licensing and Regulatory Committee</b>	<b>Thursday, 06 March 2025</b>	<b>Matter for Information and Decision</b>
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**Report Title:** **Public Space Protection Order (Regulation of Dogs) 2025**

**Report Author(s):** **Jon Wells (Senior Strategic Development Manager)**

<b>Purpose of Report:</b>	The PSPO was formally brought into force on 24 September 2021 for a period of three years and is to be renewed to allow for the effective control and regulation of dogs across the Borough.
<b>Report Summary:</b>	<p>The byelaws in relation to Dogs (Fouling of Land) Act 1996 and byelaws made by the Council of the Borough and Oadby and Wigston under section 164 of the Public Health Act 1875, sections 12 and 15 of the Open Spaces Act 1906 and section 15 of the Open Spaces Act 1906 with respect to public walks / pleasure grounds / open spaces were revoked by the Anti-Social, Police and Crime Act 2014.</p> <p>It was resolved at Full Council on 30 March 2021 to enact the PSPO across the whole Borough. The PSPO was formally brought into force on 24 September 2021 for a period of three years.</p> <p>A 10 weeks consultation to review the PSPO was undertaken to ensure the reasons for the PSPO are still valid and this report recommends that the PSPO is extended for a further three years under section 60(2) of the Anti-Social Behaviour, Crime and Policing Act 2014 and other enabling powers.</p>
<b>Recommendation(s):</b>	<b>A. That the Public Space Protection Order (Regulation of Dogs) 2025 (as set out at Appendix 1 to this report) is considered and recommended to Full Council for approval.</b>
<b>Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):</b>	<p>David Gill (Head of Law and Democracy / Monitoring Officer) (0116) 257 2626 <a href="mailto:david.gill@oadby-wigston.gov.uk">david.gill@oadby-wigston.gov.uk</a></p> <p>Jon Wells (Senior Strategic Development Manager) (0116) 257 2692 <a href="mailto:jon.wells@oadby-wigston.gov.uk">jon.wells@oadby-wigston.gov.uk</a></p>
<b>Strategic Objectives:</b>	<p>Our Council (SO1) Our Communities (SO2) Our Environment (SO4) Our Partners (SO5)</p>
<b>Vision and Values:</b>	<p>"Our Borough - The Place To Be" (Vision) Proud of Everything We Do (V2) Customer &amp; Community Focused (V1)</p>
<b>Report Implications:-</b>	
<b>Legal:</b>	In accordance with Section 60 of Anti-Social Behaviour, Crime and

	Policing Act 2014, a PSPO cannot have effect for more than three years, unless extended under section 60(2) of the same 2014 Act. The previous PSPO has now expired so the proposal is to create a new PSPO to replace it.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Key Supplier / Partnership Failure (CR2) Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
<b>Statutory Officers' Comments:-</b>	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
<b>Consultees:</b>	<ul style="list-style-type: none"> <li>• Leicestershire Police</li> <li>• Animal Care Services</li> <li>• Dogs Trust</li> <li>• Kennel Club</li> <li>• General Public</li> </ul>
<b>Background Papers:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Review of Public Space Protection Order (Regulation of dogs) 2021 PSPO, Licensing and Regulatory Committee, 11 March 2021</a></li> <li>• <a href="#">Approval of Public Space Protection Order (Regulation of dogs) 2021, Council, 30 March 2021</a></li> </ul>
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Public Space Protection Order (Regulation of Dogs in the Borough of Oadby &amp; Wigston) 2025</li> <li>2. Kennel Club Consultation Response</li> </ol>

## 1. Background

- 1.1 The Oadby and Wigston's Dogs (Fouling of Land) Act Designation Order 2004 ("the 2004 Order") and its various Byelaws for the Regulation of Dogs (1995) ("the 1995 Byelaws") were superseded by the enactment of a Public Space Protection Order (PSPO) for the Regulations of Dogs made under sections 59 - 75 of the Anti-Social Behaviour, Crime and Police Act 2014.
- 1.2 It was resolved at Full Council on 30 March 2021 following consultation with residents, Police and other interested parties to enact the Public Space Protection Order across the whole Borough. The PSPO was formally brought into force on 24 September 2021 for a period of three years. New designated signage was procured and erected in the designated areas across the Borough to highlight the key regulatory issues. The PSPO requires renewal every three years to ensure the issue is still relevant and controls are still required.

- 1.3 The Order identifies areas and includes maps of the designated areas to be controlled and a whole Borough requirement that dog fouling of land, dogs on leads by direction and means to pick up is enforced.

## **2. Consultation**

- 2.1 The Council undertook a 10-week consultation through social media and direct contact with relevant authorities and interested parties.
- 2.2 Consultation closes on the 24 February 2025. At the time of writing this report 210 responses have been received all of which either agreed or strongly agreed that dog fouling controls and dogs on lead restrictions in certain areas are required. 78% agreed that there should be certain designated areas where dogs are excluded, for example children's playgrounds, tennis courts, bowls greens and multi-use games areas. A verbal summary of the consultation responses will be given at the meeting, and the Kennel Club response (a formal consultee) is provided at **Appendix 2**.

## **3. Content of the PSPO**

- 3.1 Fouling - meaning it shall be an offence if a dog defecates at any time on land to which the public has access to, without it being removed;
- 3.2 Dogs on leads by direction - meaning it shall be an offence to fail to comply with a direction given by an Officer of the Council to place a dog on a lead;
- 3.3 Keeping of dogs in leads – meaning it shall be an offence to not keep a dog on a lead in certain designated areas (primarily in public open spaces);
- 3.4 Exclusion of dogs – it shall be an offence to allow a dog to enter or remain on certain designated areas (primarily enclosed play or sports areas); and
- 3.5 Means to pick up – it shall be an offence if a person in control of a dog does not have the suitable means to be able to clean up after it.

## **4. Enforcement of the PSPO**

- 4.1 The enforcement of the PSPO has been undertaken by Animal Care Services Limited either in response to complaints or as part of their weekly patrols. The Council has put up signs in areas designated in the PSPO and all authorised officers are able to enforce. This includes our own Environmental Health staff.
- 4.2 Where it is established that an offence has taken place, the PSPO can be enforced through the provision of Fixed Penalty Notices (FPN) issued by authorised officers of £100.00 to be paid within 14 days reduced to £70.00 if paid within 7 days. Alternatively, anyone found guilty of an offence can be liable to a penalty not exceeding £1000.

## **5. Extension to the PSPO**

- 5.1 It is proposed that the PSPO provided at **Appendix 1** be extended for a further three years.