Proposal for a Public Space Protection Order (PSPO)
Dog control and dog fouling

January 2020
We are consulting on a proposed Public Space Protection Order (PSPO) for Warrington. This will allow us to introduce a range of measures to address issues surrounding dog control, including dog fouling.

**What is a Public Space Protection Order (PSPO)?**

Public Space Protection Orders can be used to regulate activities which can have a detrimental effect on the local community. They can help with giving local councils and local police additional powers to tackle anti-social behaviour in specific locations. More information about this can be found on the [gov.uk website](https://www.gov.uk).

**Why are you looking to introduce a PSPO?**

We recognise that the vast majority of dog owners continue to act responsibly. Being able to walk a dog and to enjoy areas of open space is important to owners and to the welfare of their animals. We do, however, continue to receive complaints about dog related anti-social behaviour and irresponsible dog ownership.

A Public Space Protection Order is one option for helping to tackle these issues. A survey in 2016 identified that and people supported action on this issue.

**Share your views**

We want to hear from you about our proposal to introduce a PSPO. You can complete the survey online at [smartsurvey.co.uk/s/PSPOdog/](https://www.smartsurvey.co.uk/s/PSPOdog/) or you can scan the QR code using a mobile device.

You can also get in touch by emailing [consultation@warrington.gov.uk](mailto:consultation@warrington.gov.uk) or by writing to Warrington Borough Council, New Town House, Buttermarket Street, Warrington WA1 2NH.

**About the questionnaire**

This questionnaire is split into seven sections and should take approximately 10-15 minutes to complete.

- **Section 1** About you (1)
- **Section 2** Dog fouling impact
- **Section 3** Dog related ASB
- **Section 4** Dogs on sports fields, children’s play areas and outdoor gyms
- **Section 5** Dogs on leads
- **Section 6** Comments
- **Section 7** About you (2)

**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 Regulation (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. We will only use your personal information for the purpose for which it has been given.

If you have any concerns or questions about the survey, require the questionnaire in another language or format including large print, Braille, audio or British Sign Language or simply require assistance in completing the form please email [equalities@warrington.gov.uk](mailto:equalities@warrington.gov.uk) and we will be happy to help.
The consultation runs for seven weeks from Monday 13 January 2020 to 5pm Friday 28 February 2020.

Section 1: About you

1. Which of the following best describes your situation? Please select one option.
   - [ ] I am a dog owner / from a family who owns a dog
   - [ ] I am not a dog owner but I walk / exercise a friends/ neighbours dog
   - [ ] I have never owned a dog
   - [ ] I have previously been a dog owner / from a family who used to own a dog
   - [ ] I walk dogs professionally
   - [ ] Prefer not to say
   - [ ] Other (please specify):

2. What is your postcode? Please write in the space below. We are asking you this to understand the distribution of respondents by geography and if views differ. It will only be used for the purpose of which it has been given

3. Who are you responding as - We ask this to ensure we have received a wide range of views from across the Borough from differing interest groups.
   - [ ] A Warrington Borough Council employee
   - [ ] A local resident who lives in Warrington
   - [ ] A person who works in Warrington
   - [ ] Local Borough, Town or Parish Councillor
   - [ ] Local Business owner/Manager
   - [ ] Representative of a local community group
   - [ ] Visitor to Warrington
   - [ ] Prefer not to say
   - [ ] Other (please specify):

Section 2: Dog fouling Impact

The majority of dog walkers clear up after their dog, but sadly being faced with dog mess on the ground or bagged up but hung on trees is all too common. It’s unsightly to see and is disgusting to remove from shoes, prams and wheelchairs.

However, the main risk is to health from an infection called Toxocariasis. This a rare infection caused by roundworm parasites. The parasites are more likely to affect young children as they are most likely to come into contact with it.

In most people, the infection causes no symptoms and the parasites die within a few months. Some people can experience mild symptoms, such as a cough, fever, headaches. In rare cases the larvae can infect organs such as the liver, eyes, brain or lung and cause more severe symptoms.
These can include, fatigue, seizures, loss of vision, and breathing difficulties. More information can be found here on the parliament.uk website.

4. In the past 12 months have you been affected by dog fouling in Warrington? Please select one option.
   - [ ] Yes
   - [ ] Don’t know
   - [ ] No
   - [ ] Prefer not to say

5. Do you consider uncollected dog waste to be a problem in and around the area where you live? Please select one option.
   - [ ] Yes
   - [ ] Don’t know
   - [ ] No
   - [ ] Prefer not to say

6. If yes, how frequently do you spot uncollected dog waste? Please select one option
   - [ ] Never
   - [ ] Rarely
   - [ ] Occasionally
   - [ ] Sometimes
   - [ ] Frequently
   - [ ] Always

7. Approximately for how long would you say you typically have to walk before you witness new uncollected dog waste? Please select one option.
   - [ ] Up to 5 minutes / Quarter of a mile
   - [ ] For around 20 minutes / 1 mile
   - [ ] For more than 20 minutes / 1 mile
   - [ ] Not applicable
   - [ ] Don’t know
   - [ ] Prefer not to say

8. Where do you typically see dog waste? Please select all places where you witness uncollected dog waste.
   - [ ] An allotment
   - [ ] Cemetery/Crematorium
   - [ ] Children’s Play Area
   - [ ] Grass verges
   - [ ] ‘Poo Trees’ (or other places where collections of waste have been bagged but left for others to dispose of)
   - [ ] Other (please specify):
Section 3: Dog related anti-social behaviour (ASB)

A dog shouldn’t be dangerously out of control anywhere in a public place, or a private place including the owner’s home. A dog is considered dangerously out of control if it injures someone or makes someone concerned it might injure them. A court can also consider a dog dangerous if it attacks someone else’s animal or the owner thinks they could be injured trying to prevent any dog attacking their animal.

Anti-social behaviour covers much more than ‘dangerous’ and can include; dogs constantly escaping; dogs being allowed out to foul in the street without supervision or it being cleared up; dogs constantly barking; dogs running free in unsafe or inappropriate places; aggressive dogs and other issues.

9. In the past 12 months have you been affected by irresponsible dog owners allowing their dogs to behave anti-socially in Warrington? Please select one option.

☐ Yes
☐ No
☐ Don’t know
☐ Prefer not to say

10. If yes, over the past 12 months on how many occasions has it happened? Please select one option.

☐ 1-3 times
☐ 4-6 times
☐ 7-9 times
☐ 10-12 times
☐ Over 12 times
☐ Prefer not to say
☐ Other (please specify):

11. Do you consider there is a problem with irresponsible dog owners allowing their dogs to behave anti-socially in Warrington? Please select one option.

☐ Yes  ☐ Don’t know
☐ No  ☐ Prefer not to say

11.1 If yes what was the nature of the anti-social behaviour? Please write in the space below.
12. Whereabouts have you / your dog been affected by dog owners allowing their dogs to behave anti-socially in Warrington? Please select all that apply.

- An allotment
- Cemetery/Crematorium
- Children’s Play Area
- Grass verges
- Park Land
- Public Footpaths
- Residential road sides
- Sports field /arena
- Other (please specify):

Section 4 - Dogs on sports fields, children’s play areas and outdoor gyms (Issue 1 & 2)

Issue 1. Exclusion of dogs from children’s play areas and outdoor gyms
We recognise the role of outdoor exercise and play for health and wellbeing and we want to make public spaces as accessible and child-friendly as possible.

We are proposing to exclude dogs from any outdoor gym or children’s play area that contains children’s play equipment such as slides, swings, climbing frames and similar apparatus including dedicated skate parks. This includes both those enclosed on all sides by fences, gates, walls or other structures that mark the boundary of the area, plus those unenclosed which will be defined by their safety surface. These clear boundaries will make it easier for people to identify the areas where dogs are not allowed. (Please note that there will be some exemptions to the exclusions, e.g. registered assistance dogs).

We believe that, by describing the areas where dogs are not allowed, rather than by using named and mapped areas, we will ensure that we do not miss out new or developing outdoor gyms and play areas and a common approach across the whole borough will give residents certainty.

It is proposed that a borough-wide PSPO is introduced that excludes dogs (apart from certain exemptions) from all outdoor gyms and children’s play areas that contain children’s play equipment.

Issue 2. Exclusion of dogs from other areas
We propose that dogs are excluded from all marked and maintained sports areas such as football and rugby pitches and from partially or fully enclosed sports areas commonly known as multi-activity areas.

The usual manner in which areas are identified is with perimeter markings. In order for the exclusions to apply, the markings must be sufficiently clear, bold and continuous to identify it as an area that is used for sporting activities. The exclusion zone would only apply within any posts and/or marked boundary of the pitches / areas / or within the enclosed area, so spectators could still take their dogs.

13. To what extent do you agree or disagree with exclusion of dogs from the following:
Section 5: Dogs on leads (Issue 3)

Issue 3. Dogs to be placed on leads if requested by an authorised officer which includes a Local Authority Enforcement Officer, a Police Officer and a Police Community Safety Officer – to apply across the whole borough.

We recognise that the vast majority of dog owners are responsible and keep their dogs under control while they are out. However, if they are not properly supervised and kept under control, dogs that are allowed off a lead in public areas may cause nuisance or even injury to members of the public or other animals and may cause road traffic accidents.

We believe that, for animal welfare reasons, dog owners should be able to exercise their dogs off-lead in open spaces. We do, however, recognise that on certain occasions or in certain circumstances, the option should exist for authorised officers to require a dog to be put on a lead. Dogs that are considered to be not under proper control will become 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 all public land in the borough, or land to which the public has access (except for land at the disposal of the Forestry Commissioners) will be subject to a Public Space Protection Order, which would require the person in control of a dog to put the dog on a lead if requested to do so by an authorised officer. Authorised officers will carry appropriate identification.
This means we can deal with any behaviour by a dog that is likely to cause annoyance or disturbance without introducing overly restrictive measures on all dogs and dog owners at all times. This flexible approach will also allow officers to address any issues that arise in any area at any time during the lifetime of the Order. (Please note that there is likely to be a small number of specific sites where dogs must be kept on a lead at all times - see issue 4).

14. To what extent do you agree or disagree with the proposed requirement that dogs must be placed on a lead if requested by an authorised officer? Please select one option.

<table>
<thead>
<tr>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree or disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
</table>

14.1 Please explain your reasons for your responses above in the box below. Please give as much information as possible.

Section 5: Dogs on leads (Issue 4)
Issue 4. Dogs to always be on a lead in a small number of specific sites

The second proposal in relation to dogs being on a lead is that dogs must always be placed on a lead on specific sites. The sites identified will be those where it is agreed that there are specific issues in allowing dogs to run free at any time.

Over recent years, we have received complaints about dog owners taking dogs into council maintained cemeteries and crematorium gardens and allowing them to wander freely. The consequences are that dogs may defecate and urinate on graves and in memorial gardens causing an unpleasant environment in an area meant for peace and respect. There have also been instances of dogs digging inappropriately if left to roam free. We realise that people may wish to take their pets into cemeteries and the crematorium gardens but it can be distressing for other visitors if dogs are allowed to run free.

15. To what extent do you agree or disagree that dogs should always be on a lead in council maintained cemeteries and the crematorium gardens? Please select one option.

15.1 If you disagree / strongly disagree, please tell us why in the box below
16. Orford Park has historically had dedicated areas where dogs do not need to be on leads, with the remainder of the park requiring dogs to be on leads at all times because of the range of recreational uses including sports, play areas and community open spaces.

To what extent do you agree or disagree with the following: Please select one option in each row.

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<thead>
<tr>
<th></th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree or disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
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<tbody>
<tr>
<td>Continue as it has historically been, off lead within the dedicated areas and on lead across the rest of Orford Park.</td>
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<td>Change to dogs on lead across the whole of Orford Park (including the current off lead areas).</td>
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<tr>
<td>Change to dogs off lead across the whole of Orford Park excluding where dogs are excluded under other sections e.g. children’s play areas, sports pitches.</td>
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Sites of Special Scientific Interest (SSSI) and Nature Reserves or similar

Warrington is blessed with a number of green open spaces important for nature conservation – Sites of Special Scientific Interest (SSSI) and Nature Reserves. These sites support rare and endangered species, habitats and breeding grounds.

Free roaming dogs, disturb ground nesting birds and damage great crested newt breeding ponds. Whilst there are already Wildlife and Countryside Act offences, by ensuring dogs are always on a lead at these sites will help reduce unintentional breeding disturbance and habitat damage.

17. To what extent do you agree or disagree that dogs should always be on a lead in the following council owned nature reserves? Please select one option in each row.

<table>
<thead>
<tr>
<th>Nature Reserve</th>
<th>Strongly agree</th>
<th>Agree</th>
<th>Neither agree or disagree</th>
<th>Disagree</th>
<th>Strongly disagree</th>
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</thead>
<tbody>
<tr>
<td>Bewsey Meadows</td>
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<tr>
<td>Burtonwood Nature Park</td>
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<td>Gatewarth</td>
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<td>Lymm Dam</td>
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<td>New Cut Ecology Park</td>
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<td>Paddington Meadows</td>
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<td>Risley Moss</td>
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<td>Rixton Clay Pits</td>
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<tr>
<td>Walton Hall Gardens and Golf Course</td>
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</table>
17.1 Please explain your reasons for your responses above in the box below. Please give as much information as possible.

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

Section 6: Comments
19. Please use the space below to add any further comments you wish to make about a Proposal for a Dog Control Order.

Section 7: About You
Note: These monitoring questions are optional. Please only complete this section if you are responding as an individual. If you are not responding as an individual please skip through these questions.

We are committed to ensuring our services are provided fairly and are accessible to those who need them. To help us meet this commitment, we ask all customers to complete an equality and diversity monitoring form.

The reason why we ask you these questions is so we can:
- Make our council services open to everyone in Warrington,
- Treat everyone fairly and appropriately when they use our services
- In consultations, make sure that we have views from all across Warrington.
- The Equality Act 2010 makes these aims part of our legal duties. Your answers help us check that we have met the law and help improve our services.

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 Regulation (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. We will only use your personal information for the purpose for which it has been given.

The information you provide through this survey will be kept secure and analysed by Warrington Borough Council. To read our Privacy Notice see warrington.gov.uk

These monitoring questions are optional. You do not need to answer any of the following questions if you do not wish to, and you will not be affected in any way if you choose not to answer any, or some, of the questions. Thank you for your time in completing this questionnaire.

20. Age. Please select one option.

☐ Below 16
☐ 16-24
☐ 25-34
☐ 35-44
☐ 45-54
☐ 55-64
☐ 65-74
☐ 75-84
☐ 85 or over
☐ Prefer not to say

21. Gender. Please select one option.

☐ Male
☐ Female
☐ Other
☐ Prefer not to say

22. Is your gender identity the same as you were assigned at birth? Please select one option.

☐ Yes
☐ Prefer not to say
☐ No

23. What is your relationship status? Please select one option.

☐ Single
☐ Married
☐ Widowed
☐ Co-habiting
☐ In a same sex marriage
☐ Separated
☐ In a same sex civil partnership
☐ Divorced
☐ Prefer not to say

24. How would you describe your ethnic origin? Please select one option

☐ White (go to Q25)
☐ Mixed/multiple ethnic groups (go to Q26)
☐ Black/African/Caribbean (go to Q27)
☐ Asian / Asian British (go to Q28)
Other ethnic group (go to Q29)
Prefer not to say (go to Q30)

25. White
- English / Welsh / Scottish / Northern Irish / British
- Irish
- Gypsy or Irish Traveller
- Any other white background (please state)

26. Mixed / Multiple ethnic groups
- White and Black Caribbean
- White and Black African
- White and Asian
- Any other mixed background (please state)

27. Black/African/Caribbean
- Caribbean African
- Any other Black/African/Caribbean background (please state)

28. Asian / Asian British
- Indian
- Chinese
- Pakistani
- Any other Asian background (please state)
- Bangladeshi

29. Other ethnic group
- Arab
- Any other ethnic group (please state)

30. How would you describe yourself? Please select one option.
- Heterosexual/straight
- Bisexual
- Gay Man
- Lesbian/Gay woman
- Other
- Prefer not to say

31. Your religion or belief. Which group below do you most identify with? Please select one option.
- Jewish
- Muslim
- No religion or belief
- Prefer not to say
- Hindu
- Christian
- Sikh
- Buddhist

32. Are you currently pregnant or have you been pregnant in the last year? Please select one option.
33. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? Please select one option.
- Yes
- Yes a little
- Yes a lot
- No (do not answer the next question)
- Prefer not to say (do not answer the next question)

34. If you answered ‘yes’, please state the type of impairment. If you have more than one please tick all that apply.
- Physical Impairment
- Sensory Impairment
- Learning Disability/Difficulty
- Long-standing illness
- Mental Health condition
- Autistic Spectrum
- Other Developmental Condition
- Other (please state):

Thank you.

Details of the results will be published on our website warrington.gov.uk

Trading Standards, Taxi and Alcohol Licensing Enforcement
Planning Enforcement and Environmental Crime

Warrington Borough Council
New Town House
Buttermarket Street
Warrington
WA1 2NH

warrington.gov.uk