

## Public Spaces Protection Order on dogs – FAQs

A new Public Spaces Protection Order (PSPO) comes into force across Daventry District on 1 December 2018, meaning dog walkers risk a £100 fine and potentially prosecution if they fail to:

- Put their dog on a lead in cemeteries, graveyards and memorial gardens
- Keep their dogs on leads around schools (when the school is open)
- Stop smoking in fenced-off children's play areas
- Walk 6 or less dogs at one time

These new rules work alongside existing PSPO rules which are also liable to a fine and potential prosecution if they fail to:

- Pick up their dog's poo
- Carry the means for picking up their dog's poo while on a walk
- Stop their dog from entering a fenced-off playground
- Place their dog on a lead when directed by a Council officer
- Put their dog on a lead in the area around the visitor centre/café at Daventry Country Park

## Here are some frequently asked questions about the PSPO

### What is a public space?

A public space is a place that is generally open and accessible to people. Roads (including the pavement), public squares and parks are typically considered public space.

### Who decided on what offences were appropriate for a PSPO?

A public consultation process ran from 29<sup>th</sup> May to the 24<sup>th</sup> July 2018 to inform the development of the new PSPO and resulted in 610 survey responses and nearly 2,000 comments. The process revealed overwhelming support both from the public and interested bodies for the continuation of the five offences currently covered by our Public Spaces Protection Order. Support has also been shown for the introduction of the new requirements: dogs on leads in graveyards, memorial gardens and cemeteries, dogs on leads near schools, restriction of dogs to be walked at any one time and prohibition of smoking from children's play areas.

### I'm a professional dog walker, does the 'walk 6 dogs or less' rule apply to me?

Yes, this rule applies to all. We believe that this is sensible number of dogs to be in control of at any one time. All of the PSPO rules apply to dog walkers, pet owners and members of the public.

### How will I know when I need to put my dog on a lead near school sites or graveyards?

In most areas there will be signage to tell you when your dog must be on a lead. However, it is your responsibility to put your dog on a lead near school sites or graveyards whether signage exists or not. There is no defence for being ignorant of the requirements.

### Why is smoking included in a dog related PSPO?

PSPOs are used to protect a public space and those who are using it, and can be extended to address a number of issues. Prohibition of smoking in play areas was strongly supported by all public consultees.

## **What if I'm asked to show a dog poo bag and I refuse? Do Council enforcement officers have powers of stop and search?**

Officers have no powers of stop and search – but it is an offence to fail to produce a bag or other means for picking up after your dog when asked by an authorised enforcement officer. The officer will ask for your name and address and issue a fixed penalty fine of £100 if you refuse or are unable to produce a bag. People are reminded it is a criminal offence to obstruct an authorised enforcement officer in their duty.

## **I only take one bag out with me on a walk – what if I am approached after I've used it?**

We would urge owners to take a handful of bags with them on every walk – you never know when your dog might decide to go twice. However enforcement officers will take a common-sense approach to the new powers. The fines are not in place as a money-making scheme or to 'catch-out' responsible owners. Officers will generally approach people at the start of their walk – at the entrance to parks or in car parks at popular dog walking spots – when owners would be expected to have a supply of bags with them. Officers will also be reasonable when considering any explanation offered as to why a person is not carrying bags.

## **I've never seen a dog warden. How will these rules be enforced?**

Daventry District Council has eight officers who carry out a range of enforcement work covering a broad range of public health, pollution and nuisance duties. Two of these officers routinely patrol dog fouling hotspots around the district, including early mornings, evenings and on weekends. They wear plain clothes and usually use an unmarked van in order to keep a low profile.

## **What about dog walkers who have poo bags but no intention of picking up after their dogs?**

The main offence of failing to pick up after your dog will still be enforced. Officers will target dog fouling hotspots with the intention of catching the small minority of dog owners who are still failing to pick up after their dogs.

## **Why might I be told to put my dog on a lead?**

Most dogs love being off the lead and in many circumstances – so long as your dog is safe and under control – that is absolutely fine. However if an authorised officer has formed the opinion that a dog is causing danger or serious nuisance to other persons or their dogs the owner will be ordered to bring it under control on a lead.

## **I've bagged my dog's poo but there is no dog poo bin around. What should I do?**

Dog poo can be bagged and placed in any normal public bin – it does not have to go in a dog poo bin. If there are no bins available it can be taken home and put into a dustbin. If you come across any bins that are full please report it to DDC at [www.daventrydc.gov.uk/online](http://www.daventrydc.gov.uk/online) and we will empty it.

## **I use an assistance dog – do the same rules apply?**

The measures do not apply to assistance dogs used by the blind or by persons registered as disabled who lack the physical ability to comply with the requirements of the PSPO. Full details are listed in the exemptions section, 11, of the PSPO.

## **I've seen a dog walker allow his dog to foul without picking it up. What should I do?**

Please report it to the Council with as much information as possible, such as:

- The time/date/location of incident
- The frequency of the offence if it happens regularly

- A description/breed of the dog
- Any other descriptions to help identify the offender, including their name and address if known

You can report it by phoning 01327 871100 or by visiting [www.daventrydc.gov.uk/online](http://www.daventrydc.gov.uk/online)

### **How are you informing people of the new rules?**

In addition to articles such as this, we have erected clear signage at sites across the district warning people across the district, this includes clear signposting of the areas where dogs must be kept on leads. The existing rules are in force now and the new ones will be enforced from 1<sup>st</sup> April 2019, following public awareness events aimed at educating and advising people about the new rules.

### **When would you prosecute someone who fails to comply with PSPO requirements?**

A prosecution might be appropriate for repeat offenders, or if the offence is so serious that it merits prosecution. For example a dog owner that allows their dog to be dangerously out of control despite being directed by an officer to put it on a lead may risk prosecution, rather than a fine.