

## **VARIES THE PUBLIC SPACES PROTECTION ORDER WITH RESTRICTIONS FOR DOGS**

**(ADE)**

### **1. SUMMARY**

- 1.1. This report requests that Council varies the Public Spaces Protection Order for the restriction for dogs for the remaining period of the current PSPO i.e. until 31<sup>st</sup> March 2028.

### **2. Background**

- 2.1. The Council first implemented a PSPO relating to the control of dogs which came into effect on 1<sup>st</sup> April 2016. The PSPO was then extended in 2019 and then again in 2022. It was further extended in April 2025, via an Urgent Decision, to ensure it did not expire but allowing time for a full report to be considered in relation to the proposed variations as set out in this report.
- 2.2. The current level of Fixed Penalty Notice (FPN) is £100
- 2.3. The [current PSPO](#) lists the following offences:
- Failing to remove dog faeces - district wide.
  - Failing to keep a dog on a lead- applies only to the area directly surrounding the café at The Aquadrome.
  - Failing to put a dog on a lead if directed to do so by an authorised officer - district wide.
  - Permitting a dog to enter or remain on specified land from which dogs are excluded - children's play areas, courts, outdoor gyms, skate areas, fenced picnic areas - district wide.
  - Permitting a dog to enter or remain on land used for the grazing of animal on Chorleywood House Estate - between 1st June and 30th September inclusive.
  - Restrict the number of dogs one person can be in charge of to a maximum of 4 - district wide

- 2.4. Since the implementation of the PSPO the Council has issued six FPNs for a range of breaches and has also banned a commercial dog walker using the CPN route. More detail can be found via [www.threerivers.gov.uk/news/commercial-dog-walker-banned-three-rivers-area](http://www.threerivers.gov.uk/news/commercial-dog-walker-banned-three-rivers-area).

### **3. Public Consultation**

- 3.1 The public consultation on the proposed extension of the PSPO along with proposals for amendment was undertaken from 26<sup>th</sup> November 2024 to 31<sup>st</sup> December 2024. The consultation was publicised through the council website, social media and e updates.
- 3.2 In addition to the public consultation the proposals were directly communicated to Parish Councils, the Police, the Police and Crime Commissioner, Hertfordshire County Council and The Kennel Club.

3.3 The proposed variations consulted on were as follows:

- Failing to have a dog on a lead on land that is in active use for the grazing of animals. This variation reflects the changes to grazing on council land since the initial introduction of the PSPO and would replace the restriction detailed as shown in point 2.3.
- Failing to put a dog on a lead within the Aquadrome. This variation reflects consultation feedback received as part of the development of the Aquadrome Management Plan and the adoption of the Aquadrome Asbestos Management Plan and would replace the restriction detailed in 2.3
- Failing to put a dog on the lead in the area surrounding the café at Leavesden Country Park.
- Failing to put a dog on the lead on land adjacent to the highway – district wide

3.4 The consultation responses are shown in the Appendix. Seven Three Rivers' residents responded, two of which were dog owners. Three respondents advised that they had experienced problems with dogs. Three out of the seven also felt that there was a fairly or very big problem with dogs out of control and four residents felt that there was a problem with dog mess.

3.5 All participants feel that dog walkers should clean up after their dogs, be placed on leads by direction and be excluded from children's play areas.

3.6 In relation to the questions to do with dogs on grazing land and ungated children's play areas opinions were inconclusive.

3.7 Five respondents felt that dogs should continue to be kept on leads around the café in the aquadrome and four believe that the same should be introduced at Leavesden County Park.

3.8 Three respondents were not in favour of having dogs on leads across the whole aquadrome site.

3.9 The majority of the respondents believed that four should be the maximum number of dogs permitted to be walked by any one person.

3.10 The majority also felt the proposals were proportionate.

3.11 The Council also received a submission from the Kennel Club, which raised a number of points, the key issues being as follows;

- Query on dog restrictions over Croxley Common Moor - officers response that the restrictions are only in direct relation to the areas and timing of livestock presence.
- Support expressed for measures to address dog fouling, but advocate for awareness raising rather than solely focussing on PSPOs – officers response that the council promotes responsible dog ownership and this with continue.
- Support expressed for reasonable on-lead orders in specific areas but opposes the blanket ban on dogs being off-lead at Rickmansworth Aquadrome – officer response that the proposal is reasonable to balance the needs to the dog owners, other users of the site and the protection of the

nature reserve, its fragile ecosystems and to manage the risk of asbestos exposure.

- Support for dogs on lead by direction where officers enforcing are knowledgeable about dog behaviour to ensure fair application – officer response this is in place.
- Opposition to blanket exclusions from public spaces and arbitrary limits on the number of dogs one person can walk, suggesting instead accreditation schemes for commercial dog walkers as a more effective way to promote responsible behaviour – officer response is that public consultation has and continues to demonstrate public support for this restriction.
- Advocation for flexibility within the order in relation to assistance dogs – officer response that this is already considered and included

#### **4 Options and reasons for recommendations**

4.2 Option 1 (Officer Recommendation) –To approve the variations of the current PSPO relating to dog control throughout the district for the remainder of the current PSPO, until 31<sup>st</sup> March 2028. By maintaining the current powers and adding the variations related to dog control ensures there are deterrents in place and penalties for those who fail to behave responsibly. It aids in balancing the needs of dog owners and other members of the community as well as the needs of our natural spaces and ecosystems and in dealing with anti-social behaviour.

4.3 Option 2 – Maintain the current PSPO relating to dog control throughout the district without implementing the additional proposed variations.

#### **5 Policy/Budget Reference and Implications**

5.1 The recommendations in this report are within the Council's agreed policy and budgets.

#### **6 Community Safety and Public Health**

6.1 Having the PSPO will aid ensuring that all members of the community can safely enjoy the amenity space provided by the council and will assist Officers in dealing with the activities of irresponsible dog owners across the district.

#### **7 Communications**

7.1 Signage throughout the district will be updated in due course. The website will also require updating. This can all be met within existing resources.

#### **8 Legal Implications**

8.1 The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act) provides Local Authorities with powers to make Public Spaces Protection orders (PSPOs). These orders are intended to address activities carried out in public spaces which have a detrimental effect on those in the locality.

8.2 Under the Act, a PSPO runs for 3 years unless extended and/or varied in accordance with the provisions of the Act. The current PSPO period ends on 31<sup>st</sup> March 2028.

#### **9 Financial Implications**

9.1 None specific to this report.

## 10 Staffing Implications

10.1 The Council employs one Animal Welfare Licensing Inspector (AWLI) who is authorised to issue FPNs under the PSPO. The enforcement of this PSPO represents just one of a number of responsibilities of this officer therefore proactive enforcement of the PSPO is limited.

10.2 So, whilst the PSPO can, and has been enforced, with six FPNs being issued since implementation of the PSPO, the number is minimal. This does not mean that the PSPO is not needed, it remains a deterrent and is a tool to enforce should the need arise.

## 11 Equal Opportunities Implications

11.1 An equalities impact assessment has been undertaken

## 12 Climate Change and Sustainability Implications

12.1 A sustainability impact assessment has been undertaken resulting in a score of: 3.2

## 13 Risk and Health & Safety Implications

13.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below. 1

13.2 The subject of this report is covered by the Waste and Environment Service Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within that plan.

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
Dogs are allowed to foul without their faeces being picked up	A resident falls ill through contact with dog faeces	PSPO Byelaws Use of CPNs	Publicise the enforcement powers of the council and restrictions of the PSPO	2
Aggressive and uncontrolled dogs	Risk of attack/injury on people, wildlife and other dogs	PSPO Byelaws Use of CPNs	Publicise the enforcement powers of the council and restrictions of the PSPO	6

- 13.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

15 Very Likely ----- 14 Likelihood ----- 13 ----- 12 ----- 11 ----- 10 ----- 9 ----- 8 ----- 7 ----- 6 ----- 5 ----- 4 ----- 3 ----- 2 ----- 1 Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
Impact Low -----> Unacceptable				

#### Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

#### Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- 15.1 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks.

- 15.2 The effectiveness of the management of operational risks is reviewed by the Audit Committee annually. Progress against the treatment plans for strategic risks is reported to the Policy and Resources Committee quarterly. The effectiveness of all treatment plans are reviewed by the Audit Committee annually.

## 16 Recommendation

- 16.1 It is recommended that:

- 16.2 Approval be granted to vary the current PSPO relating to dog control for the remainder of the current PSPO.

## 17 Appendices

- 17.1 Appendix 1: Response Data from public consultation
- 17.2 Appendix 2: EIQA
- 17.3 Appendix 3: Sustainability Impact Assessment

**Background Papers:**

Report prepared by: Jennie Probert, Environmental Strategy Manager

**Data Quality**

Data sources: Public Consultation on Dogs PSPO

Data checked by:

Carl Harris- Consultation Officer

Data rating: Tick

1	Poor	
2	Sufficient	X
3	High	

**Background Papers**

Anti-Social Behaviour, Crime and Policing Act 2014