

(to be reproduced in English, Bengali and one other language as advised)

Dog control public spaces protection order (PSPO)

Consultation FAQs

Why is a Dog Control Public Spaces Protection Order (PSPO) needed?

PSPOs are aimed at ensuring public spaces so they can be enjoyed free from anti-social behaviour.

We know that the vast majority of dogs are well behaved and their owners are law abiding and respectful of others around them. We know that dogs ownership is a very positive experience for many residents, providing companionship and improving exercise rates and mental health of their owners. It is not the intention of a PSPO to demonise all dogs nor penalise responsible dog owners. A PSPO will help us to establish some sensible rules and expectations for dog owners.

The decision to consult on the introduction of a PSPO in Tower Hamlets is in response to a number of enquiries regarding the policy for dangerous dogs in the borough and following a recent spate of high-profile incidents involving out of control nuisance dogs and their owners. Many residents are nervous about the presence of large and intimidating-looking dogs in the borough's parks and green spaces.

The aim of the public consultation is to seek views from all Tower Hamlets residents and interested groups about the range of control measures we can implement through a PSPO.

What will the Dog Control PSPO include?

We are consulting on the following areas:

1. A **'dog fouling of land'** prohibition. This order makes it an offence if dog owners do not remove their dog's faeces straightaway and dispose of it in the proper way.
2. A **'dogs on leads by direction'** requirement. This order gives authorised officers the power to request that dogs be put on a lead in situations where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively towards other dogs or people.
3. A **'dog exclusion'** prohibition. This order identifies certain areas in the borough where dogs are not allowed.
4. A **'dogs on leads'** requirement. This order identifies areas where dogs must be on a lead at all times.
5. A **'maximum number of dogs'** requirement. This order means that there is a limit on the number of dogs someone can walk at one time.
6. A **license for professional dog walkers** who may walk a larger number of dogs, as specified by their insurance.

Exemptions

The following people would be exempt from the Dog Control PSPO:

- a blind person and / or physically or mentally Disabled person who uses a dog for assistance, trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of dogs.
- a dog used by the police or other agencies permitted by the Council for official purposes:
- anyone who has been given permission by the owner, occupier or person in charge of the land (private land), not to comply with the order.

What area would the PSPO cover?

A PSPO can be carried out in a public place, which is defined in the legislation as ‘any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. The PSPO would apply to the whole of the London Borough of Tower Hamlets area.

How will the PSPO be enforced?

Any person not complying with a PSPO can be issued by an Authorised Officer a fixed penalty notice (FPN) of £100 Fixed Penalty Notice. They can be taken to court if the fine is not paid within the specified timeframe. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) unless:

- they have the consent from the owner, occupier or person in charge of the land, not to comply with the order (private land)
- they have a reasonable excuse for failing to comply, or
- they fall within one of the other exemptions within the order, such as the exemptions in the order for persons who are registered disabled and persons who have a registered assistance dog.

How long will the PSPO last?

A PSPO lasts for three years. After that we would decide whether to renew it in consultation with residents.

Draft questions for consultation

General

1. In what capacity are you responding to this questionnaire

I am a resident	
I work in Tower Hamlets	
I am responding on behalf of an organisation (please specify) [free text box]	

2. What is your postcode? (required)

3. Are you a dog owner?
Yes / No

4. Are you a professional dog walker?
Yes / No

5. Are you an assistance dog user? Or did you used to be an assistance dog user?
Yes / No

- **Assistance dog:** this is dog that is trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of dogs to support blind people or people who are physically or mentally disabled who use a guide dog for assistance.

6. Have you, or a member of your family, or someone you know had any problems regarding dog behaviour in Tower Hamlets the past year? (please select one)

- Yes (me)
- Yes (a family member)
- Yes (someone I know)
- No

7. If you answered 'Yes', was this related to any of the following? (please select all that apply)

- Dog fouling
- Dog running out of control
- Dog attack on a dog or other pet animal
- Dog attack on a person
- Dog loose in children's play area or other dog free area
- Felt threatened by a dog's behaviour
- Stray dog
- Other (please specify):

8. Do you think that there is an issue around dogs being out of control in Tower Hamlets?
How big do you think the issue is?

[scale 1-10 with 1 meaning you don't think dogs being out of control is an issue and 10 meaning you think dogs being out of control is a huge issue]

9. Do you feel like dog mess is an issue in Tower Hamlets? How much of an issue is it for you?

[scale 1-10 with 1 meaning you don't think dog mess is an issue and 10 meaning you think dog mess is a huge issue]

Public Spaces Protection Order (PSPO) options

We are consulting on the following areas. If people do not adhere to these PSPOs they will be issued with a fixed penalty notice.

Please state whether you agree or disagree with the following proposals:	YES	NO	DON'T KNOW
<p>10. A 'dog fouling of land' prohibition.</p> <p>Dog walkers must clean up after their dog.</p>			
<p>11. A 'dogs on leads by direction' requirement.</p> <p>Authorised officers will have the power to request that dogs be put on a lead in situations where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively towards other dogs or people.</p>			
<p>12. A 'dog exclusion' prohibition. This order identifies certain areas in the borough where dogs are not allowed.</p>			
<p>12.1 Dogs should be excluded from all <u>gated</u> children's play areas and sporting areas (Multi use games areas, bowling greens etc) in Tower Hamlets</p>			
<p>12.2 Dogs should be excluded from all ungated children's play areas and sporting areas in use (such as football and cricket pitches, outdoor gym areas) in Tower Hamlets</p>			
<p>12.3 Are there other areas that you think dogs should be excluded from?</p>			
<p>13. A 'dogs on leads' requirement. This order identifies areas where dogs must be on a lead at all times. All public spaces in</p>			

Please state whether you agree or disagree with the following proposals:	YES	NO	DON'T KNOW
the borough including on roads and in car parks and all communal areas on estates.			
13.1 Dogs should be on a lead around all <u>ungated</u> children's play areas and sporting areas (such as football and cricket pitches, outdoor gym areas) in Tower Hamlets			
13.2 Dogs should be on a lead in all parks and opens spaces (except specified dog off lead areas) in Tower Hamlets			
13.3 Dogs should be on a lead in all parks and open spaces (except fenced designated dog exercise areas identified by the council) in Tower Hamlets			
14. A 'maximum number of dogs' requirement. This order means that there is a limit on the number of dogs one person can walk at one time to FOUR .			
15. Should the council introduce professional dog walker licenses?			

Proportionality

Proportionate means when the solution deals with the problem in a reasonable way.

The council is obliged to consider whether introducing a PSPO is necessary and proportionate, particularly if there are existing or alternative measures that can be used to tackle the issue. The council must ensure that it takes a balanced decision regarding the need for these dog control measures and their impact on the freedoms and rights of dog owners. This includes dog owners' duty to provide for their dogs' welfare including exercise.

16. Do you think the proposals are proportionate?

- Yes
- No
- Don't know
- If not, why [free text]

Summary

17. Do you have any other comments on dog control or the Dog Control PSPO in general?
[free text]