

Appendix 3 - Proposal to adopt Public Spaces Protection Order

Consultation feedback	Officer response
<p>Resident and Green Space Volunteers coordinator for Winston Churchill Memorial Garden and the Honeybourne Line North</p> <p>I am in favour of all the recommendations.</p> <p>1. I have witnessed "professional" but unlicensed dog walkers on the Honeybourne Line with up to 8 animals. Despite them being on leads, these were big strong dogs and he could not have been in control of them all in an emergency. One dog defecated in front of my volunteers, and the faeces was left where it was because he could not see what was going on and the pack was moving along quickly. The poor animal had to defecate on the move. This is just an example.</p> <p>More waste bins would encourage dog waters to bin waste matter quickly, rather than dangle it around in non compostible plastic bags until they get fed up and hang it from a convenient fence or branch!</p> <p>2. The Order needs to explain who is an authorised officer in terms of requesting members of the public from refraining from drinking alcohol.</p> <p>3. A fund should be set up to start saving up for CCTV cameras in problem areas. No one expects the Council to have the funds immediately but a Fund which could be added to by members of the public and commercial companies, plus special grants would show that CCTV in some specific areas can reduce anti social behaviour.</p>	<p>This is evidence that the Order for the maximum number of dogs any one person can exercise at one time is justifiable.</p> <p>People can dispose of used poop scoops in either a designated dog waste bin or a normal litter bin. [CE]</p> <p>Not within scope of PSPO</p> <p>Order defines "Authorised person". Decision of officer designation is subject of report resolutions.</p> <p>Not within scope of PSPO</p>

Resident

Dear Mr Krog,

Proposal to adopt a Public Spaces Protection Order

I am writing to support the proposal that a Public Spaces Protection Order be adopted for Cheltenham.

I would also like to see an extension to the areas already defined as 'designated to exclude dogs'.

On Sunday, 24th July, in Pittville Park, a dog owner walked past us with his pet following behind. The dog paused to defecate on the grass. The owner would have been unaware had I not called to him to draw attention to it. He had a plastic bag and gathered up the faeces but there was still a residue on the grass which he could not remove.

The difficulty here is therefore threefold: (1) dog owners are human and can easily miss the moment. (2) The 'policing' of this falls to other park users, many of whom will be wary of initiating a confrontation or simply not see it as their problem. (3) But even where the initial mess is removed there remains a residue which is, if anything, more dangerous because a child, or indeed anyone, would not know a health hazard was there.

What I want to see is a shift away from the assumption that dog walking is the default position to one where it is seen as a specialist activity where specific permission is required. This would restrict dog walking to tarmac paths and areas of hard standing except in those places where dog walking is specifically permitted. I would like to see certain grassed areas designated as dog walking zones and for all others to be out of bounds. Otherwise we are effectively restricting children to a few fenced areas – and most of them not grassed – as if they are not the natural users of our public parks.

Dog walking and other uses, such as picnics, games and especially children playing are not compatible uses for the same land. It is not right that the lifestyle choice of a minority of the town's residents should have such a widespread impact on all of us.

Many thanks for your attention.

There will always be a residue left unless people carry disinfectant and other cleansing materials around with them.

[CE]

Resident

THE NEW PUBLIC SPACES PROTECTION ORDER IN PITTVILLE - & HATHERLEY PARKS

Please find enclosed 2 copies of letters, which I have recently had published in the 'Gloucestershire Echo'. One concerns some antisocial behaviour, at Pittville Park, which I witnessed in July. The other is about my thoughts on the banning of fishing there, following the horrendous story of the cob (male) Mute Swan, which narrowly escaped death due to a fishing-hook becoming stuck in his throat, thanks to the rapid actions of people & organizations, who care, like myself, about our beleaguered wildlife. I wrote this on 1st September. Please take my views into account, when debating the PSPO.

I should also like to see a ban on loose dogs at the Nature Reserves at Pittville & Hatherley Parks, due to the threat they pose to wild birds, especially wildfowl, which can be harassed, stressed, harmed & even killed by dogs, which follow their natural hunting instinct. I, too, have been harassed & stressed by a large black & white dog with a pointed muzzle jumping up at me & sworn at by its owner, at Marle Hill Lake, which quite damaged my confidence. Loose dogs bounding around mean that I can seldom pluck up the courage to go birdwatching at Pittville Park, which I really miss, as it is a splendid 'local patch' site for birds.

I tend to go instead to GWT The Park Campus NR, which is a dog-free zone, where I am more relaxed, although selfish owners occasionally flout the by-law there & are therefore guilty of antisocial behaviour. I usually report any miscreants, as there is no excuse for them, with Hatherley Park just 5 minutes away & Montpellier Gardens a mere ten. The Park NR is the only dog-free zone/park in Cheltenham for our precious wildlife, a sad state of affairs.

I trust you will include my input, when considering the new PSPO.

The Order request a dog/s to be placed on a lead can be used in circumstances where a dog is causing nuisance in a park. [CE]

Resident

Following e-mail exchanges with Mr Walls in May of 2015 on the subject, I continue to frequently use the Honeybourne Line cycle and pedestrian route into Cheltenham, and I continue to experience difficulties when dog owners allow their pets to roam freely

and randomly across the track in the path of cyclists and pedestrians.

I fully appreciate that cyclists do not have exclusive rights on this track and I am scrupulously careful when I see pets and young children ahead of me who are likely to act randomly. I always ring my bell and give way to pedestrians where there is any amount of congestion and act politely and responsibly at all times.

However, as previously stated, I believe that there is a strong case, on the grounds of public safety, to restrict the freedom of dog owners to allow their pets to roam off the lead on this track. Whilst it is a pleasant place to be at times, the primary purpose of the Honeybourne Line is as a safe means of getting from A to B, and not as a park for exercising dogs.

There are a scant few signs which state that a £1,000 fine could be levied on people who 'may be directed to put and keep their dog on a lead', but this is effectively meaningless as there is no-one there in authority to make this direction and no guidelines as to what circumstances it would be made under.

I sincerely fear that a cyclist and indeed a dog could suffer significant injury at some stage, and were it not for my own vigilance and responsible attitude, I can think of several 'near miss' occasions when that could have been me.

So I am in favour of this PSPO, but would like to see a hard requirement for dogs to be on leads made more definitively, and not reliant on a theoretical 'direction' that will never actually be made in reality.

There should also, in my opinion, be a ban on the throwing of balls or other objects for dogs to fetch, which causes them to run very fast in sometimes random directions.

I would also be equally happy to see a speed limit for cycling put in place in order to control the behaviour of some cyclists that I see who ride at excessive and dangerous speeds.

The Honeyborne Line is an area that is used by dog walkers, pedestrians and cyclists all who should treat the area as a shared space and respect one another's use of it.

Restricting the times when dog are permitted to be off lead is a starting point.

There are sufficient dog related signs along the Honeyborne Line.

Cyclists need to be aware of pedestrians, children and dogs/other animals.

Set times when dogs must be on lead i.e. 08:00 – 09:30hrs and 15:00 – 17:00hrs that would encompass parents taking children to school.

Signs advising cyclists of dangers
[CE]

<p>Both of these aims should be achieved by the provision of fresh signage, clearly laying out the rules for use of the Honeybourne Line, at all entrances to it, in addition to 'dogs on leads' (mandatory) stickers on every lamppost along it.</p> <p>I would also press the Borough Council to increase their efforts to make Cheltenham a more 'cycling-friendly' town, to reduce road congestion, reduce risk of injury and encourage more healthy living for its residents. This should be by the provision of more cycle tracks and better maintenance of existing routes (e.g. the Honeybourne Line, where tree routes have made the track very bumpy).</p> <p>Thank you for the opportunity to contribute to this debate. I should appreciate an acknowledgement of this e-mail and an assurance that its content will be given proper consideration as part of the consultation process.</p> <p>If an open discussion of this PSPO proposal should ever be held as part of this process, I should be very interested in participating.</p>	
<p>Resident</p> <p>I would like to bring to your attention litter left in the playing the playing fields surrounding Holmer Crescent.</p> <p>This is generally left by youths who congregate in the fields at night during the summer months.</p> <p>It is usually the local dog walkers who come across the mess first and very often clear it up.</p> <p>Not sure if there is anything you can do, but I thought it would be good to let you know.</p>	<p>Not within scope of PSPO</p>

<p>Resident</p> <p>There appear to be a number of problems with the proposed PSPO as it relates to Leckhampton Hill and Charlton Kings Common and Daisybank Fields. The Consultation appears to be primarily about anti-social behaviour in public spaces in the town. Leckhampton Hill is included within the areas specifically covered, but Charlton Kings Common and Daisybank Field are not – for example in relation to the consumption of alcohol in a public place and the control of dogs and dog faeces.</p> <p>Leckhampton Hill is listed, in Schedule 1 of the proposed PSPO, under Parks/Gardens/Open Spaces/Play Areas. However, although Leckhampton Hill [registered Common Land CL171] is owned by CBC it is actually in Tewkesbury Borough, not Cheltenham. It is not at all clear whether any Public Spaces Protection Order, passed by CBC, could apply to Leckhampton Hill. Might this need to be done jointly in some way by CBC & TBC? Unfortunately this is the part of the site on which the most anti-social behaviour occurs (drinking, bonfires, not picking up dog faeces, letting dogs off leads etc.).</p> <p>Charlton Kings Common, which is within the Borough of Cheltenham, does NOT appear to be listed under Parks/Open Spaces etc. in Schedule 1. Since this is registered separately as Common Land [CL172], this appears to be an oversight. Likewise, Brownstone Quarry is also registered separately as Common Land [CL173]. I suspect that a clever lawyer could identify these as ‘separate legal entities’, not listed in Schedule 1 and therefore not covered by the proposed PSPO.</p> <p>No part of the site appears to be specifically listed in relation to the Order relating to Dog Walking, for example on the number of dogs someone is allowed to walk off a lead, or picking up dog faeces. Some people may think none of the PSPO applies, because the site is ‘in the country’. Is this another oversight? Is it even possible to expect someone walking more than four dogs to clean up after all of them? Should the BMX Jumps area in Daisybank Fields also be specifically listed as a Play Area from which dogs are excluded?</p>	<p>Clarified order in relation to areas mentioned.</p> <p>PSPO’s is only enforceable on CBC land that falls within CBC boundary. [CE]</p> <p>Are TBC considering adopting PSPO’s to cover their area? [CE]</p> <p>All public land within the borough of CBC will be covered by the PSPO’s. [CE]</p>
---	---

<p>The proposed PSPO makes no reference to the status of Leckhampton Hill and Charlton Kings Common as a Site of Special Scientific Interest (SSSI). Such sites are subject to special protections, for which the landowner, in this case Cheltenham Borough Council, is responsible for enforcing. For example, this covers the protection of flora and fauna on the site. However, similar protections might be needed for other parks and open spaces: for example, vandalism or other damage to flowers and trees, or wildlife (e.g. water-fowl) in public parks, like Pittville, or the Pilley Bridge Nature Reserve and on the street (e.g. trees). It appears to be an oversight to omit this from any PSPO relating to Leckhampton Hill and Charlton Kings Common specifically, but even to other parks and open spaces in the town. Alternatively, it may be appropriate to draw up a separate PSPO relating to SSSIs and Nature Reserves.</p> <p>Assuming the whole site is covered by the proposed PSPO, I should like to know more about how it is proposed to be policed and enforced. There is little point in having orders and regulations that cannot be policed or enforced. The Borough Council no longer employs a Warden for the site and the Community Park Ranger does not have any legal enforcement powers.</p> <p>Although I am a founder member of the Friends of Leckhampton Hill & Charlton Kings Common (FOLK), a former Chairman and still a member of its Executive Committee, I am writing in a personal capacity. However, having discussed this matter at FOLK's last Executive Committee meeting, I know that a number of my colleagues share my concerns.</p>	<p>Community Rangers can be empowered. [CE]</p>
<p>Green space development team</p> <ul style="list-style-type: none"> • How will either order be enforced/ policed • The Borough boundary needs to be confirmed – especially regarding Leckhampton Hill Common and Charlton Kings Common where part of the site is in 3 separate Boroughs (CBC/CDC/ TBC) although the whole site is owned by CBC. • Are all the Play areas identified in the dog exclusion areas included in the alcohol exclusion areas as the 2 lists are different. Should they not be 	<p>Green space development team's comments have been incorporated in the draft PSPO following meeting with the team. No further actions required in relation to their comments.</p>

identical?

- Do we need to specify lead lengths
- Pittville pump room lawn, Dogs on leads as this space is used very differently since play area installed. Area between the lake and the Pump Room carpark and the Albert Road rear gardens to Evesham Road
 - Café/kiosk has tables with food outside the play area fence
 - Dogs left tethered and unsupervised outside the play area fence are vulnerable to loose dogs
 - The lawn in front of the Pump Room is used for picnics and chase or running games
 - Increased vehicle movements in the vicinity of the Pump Room and car park
 - An increase in the number of the very young and less able children using the play area who have to cross this area to gain access. Some find an approach by a free ranging and exuberant dog intimidating

Page 2, Para.7 The Designated Area(s?) of land to exclude dogs are: a)

- Since the publication of 'Design for play' by Play England and the subsequent Government financed Play Builder Scheme, there has been encouragement to remove fencing from play areas where possible and to refrain from including fencing in new. These PSPOs need to acknowledge this change in play area design. It would help if terms such as fenced and enclosed are removed from the orders where they pertain to play. Some of the unfenced areas are listed under 'dogs on leads when directed.....' but this will lead to some items of equipment being in a dog exclusion area and adjacent equipment being in '...on leads...' area. It would be preferable for all equipment to be in an exclusion area. The term 'and marked' would best be omitted. While most play areas do have signs, the more dispersed and unfenced would be difficult to sign. Is this really necessary, the equipment is self-evident being several orders of magnitude larger than the sign and in many instances designed to be eye catching

- Page 3; Likewise in Para 7, b) not all ball courts are fenced, some are goal ends with unfenced sides, and some isolated basketball posts are not fenced. It is normal for skate facilities to be unfenced. There is probably as much risk of injury to dogs as to a person in a skate park. There will be unenclosed areas of outdoor gym equipment installed in the near future and these should be considered for including in the text for the dog exclusion areas. These will not be pleasant to use gym equipment after dogs have 'cocked a leg' as they pass.

- Para 8; 'This applies to the land specified in Schedule 1 of this order'; It would be easier to comprehend if it cross referred to the specific sub sections rather than the entire Schedule 1.

- General observation, why is the list on page 10 for 'Parks,.....Play areas' for prohibition of Alcohol different (more comprehensive) to the dogs on leads when directed? Reads as if a different hand wrote it, should the order read as a single piece of work?

Page 11

- Clyde crescent listed twice

Page 14, 'Dog exclusion in specific areas'

- Remove 'enclosed'

Page 14

- iV, bullet points need reformatted when 'Sandford Park, the area enclosed by High Street/ Bath Road/ College Road/ Bath Parade' is put under the same bullet point.

- iV) 9. Leads can be just as dangerous to cyclist as dogs off leads. Long leads are hard to see and obstruct more space for passers by. If 'dogs on leads' is to be put in place then the length of lead should be specified to ensure the dog is under control near its owner. Why has the area been limited to 'between Market Street and Queens Road (Honeybourne Line) between 08:00 – 09:30 & 15:00 - 17:00 hrs during school term

times.'? If this is for children's safety then it doesn't work when they use the Line during the holidays to access the play areas. Also it doesn't help preschool children and families. Limiting the area of control to between Market Street and Queens Road is puzzling due to the fact that there are the similar issues along the entire length of the Honeybourne Line.

Page 15

- Chelt Walk play area omitted- enclosed
- Elmfield Play Area omitted- enclosed
- Oak Avenue is usually known as Churchill Drive and is also listed as such in this list and again in housing act list page 19 as Ewens Estate Play Area. In addition for housing, neither Bush Court nor Hobart House play areas feature in any of the lists. How complete is the 1985 Housing Act list? It appears a bit muddled
- Penrith Road Play Area omitted-enclosed, may be housing
- St. Peters Play Area, is this St. Peters Square ?
- Welch Road is now known as Springfields Park

Page 16, Dogs on leads when directed

In general; some of the sites below are or have play areas and games or wheeled sports areas. It would be preferable to use their function as the determinant for dog exclusion rather than the presence of a fence. These sites have been marked with *. Are some sites omitted intentionally or not? It is difficult to follow the logic

- *Agg Gardners playing field and lakeside walk; this is partly a play builder site with unenclosed play equipment in addition to the fenced area. There is also a fenced ball court
- *Beeches skate park; this is unenclosed
- *Benhall Open Space; this is partly a play builder site with unenclosed equipment in addition to the fenced area
- *Brizen Farm play area; this has unenclosed play equipment, basketball and skate together with a fenced ball court
- Caine Square has been omitted
- *Chase Avenue; this is an enclosed play area with artificial turf

- *Charlton kings ball court; this is a fenced ball court
- *Chelt Walk; this is partly a play builder site with unenclosed equipment in addition to the fenced area
- Churchill Drive play area; this is already listed as a 'dogs excluded' area.
- Court Gardens- too many 'r's, called Hatherley Court Gardens in alcohol list
- Grace Gardens omitted
- *Elm Farm Open Space; has an unenclosed ball facility in addition to the fenced area
- Galileo Gardens omitted
- Hester Way Lane open space; change an '!' mark for a 't'
- *Hesters Way Park; has unenclosed equipment in addition to the fenced area
- *Hatherley Park; has unenclosed play equipment and basketball in addition to the fenced area
- *Honeybourne Line Play Area; this is unenclosed and there will be outdoor gym equipment installed along the track between Queens Road and St Georges Road this autumn. How will dogs on leads between 0830-0930 and 1500-1700 but loose at other times be explained when the gym and other users ask the obvious question? The play area is in the 'dog exclusion' and the 'on lead when directed' lists. Which one is it? Has this happened with others in the lists?
- Manor Farm Open Space, (Up Hatherley Way) omitted
- Manor Park omitted (has recently been adopted, just a small grass area open space)
- Maythorne Drive; Does this still exist? The play areas was removed several years ago and two houses built in the space it occupied.
- Midwinter play space; if this refers to the recent development, this is not managed by CBC
- Niven Courtyard omitted
- *Oldbury Close; enclosed play area
- *Pates Avenue Play Area; enclosed play area together with open grass with no equipment
- *Priors Farm Open Space/playfield (excluding children's play area); there is also play equipment and basketball outside the fenced play area
- *Queen Elizabeth Playing Field (excluding children's play area); this is partly a play builder site with unenclosed play equipment, picnic table and basket ball
- *St Peters recreation ground and Chelt Walk; this is partly a play builder site

<ul style="list-style-type: none"> • St Peters Square non play omitted • *Salisbury Avenue Open Space; There is a fenced ball court with unfenced table tennis tables within the site boundary fence. Parish Council land • The Oaks? Is this CBC? Is it even an open space or is it a narrow shrubbery? • Up Hatherley Way/The Oaks, as above • Triscombe Way Open Spaces omitted • Wharfedale Square omitted • Welch Road has been known as Springfields Park for several years • Whaddon Road Recreation Ground Play Area also in the 'excluded' list • Is there a reason for excluding nature reserves from the lists? There is a wildlife protection argument for excluding dogs <p>Would the above be clearer if a map based summary was available? Affected area could be shown on GIS with drill down for attribute detail or as paper copies accompany orders.</p>	
<p>Charlton Kings Parish Council</p> <p>The Parish Council has 2 allotment sites - the first is the land between Sappercombe Lane and the cemetery, and the second is between Ryeworth Road and Greenway lane immediately after Ashley Close.</p> <p>The main concerns expressed by Councillors related to walking of dogs, particularly since one of the allotment sites has a public footpath running through it, but if our allotments are included, this will be welcomed.</p> <p>Whilst it is noted that allotment land is included, the Council requests confirmation that allotment land owned by Charlton Kings Parish Council (not Cheltenham Borough Council) is included in the Order. The order is particularly relevant to the Parish Council's allotment site between Ryeworth Road and Greenway Lane, as a public footpath runs through the site.</p> <p>It is suggested that Newcourt Green be added for completeness</p>	<p>Incorporated.</p>

<p>It is requested that The Beeches playing field be included as an area where the consumption of alcohol is prohibited.</p>	
<p>Resident</p> <p>I have noted an increase in electrically assisted pedal cycles being used in local parks, public spaces and on pavements. These can achieve quite high speeds and accelerations and are as silent as a standard bike. I am concerned that this is creating a risk for pedestrians and especially young children playing in the parks or walking with their parents. Another group at risk are dog walkers and their pets due to the speed of approach and silence of the engines of the bikes. It may be that rules already apply to these bikes but this is not well publicised.</p>	<p>Not within scope of the PSPO</p>

<p>Cheltenham Spa Bowling Club</p> <p>Dear Mr Krog</p> <p>On behalf of Cheltenham Spa Bowling Club I am writing to ask for the car park and doorways associated with the access road between Jenner Gardens and the High Street to be included in the Public Space Protection (Cheltenham) Order (PSPO).</p> <p>We have a habitual problem with alcoholics who frequently gather around this area drinking.</p> <p>The problem is not just restricted to drinking they often urinate against the walls of the club and have even been known to defecate not to mention being sick and leaving their garbage scattered around for someone else to clear up.</p> <p>We have on many occasions called the police to try and get them moved on.</p> <p>We have spoken with our local MP, Mr Alex Chalk, who is more than happy to give us his full support.</p> <p>On the recommendation of Mr Chalk we will also be in contact with our ward councillors with a view to try and solve this continual problem.</p> <p>I note on the on the PSPO Document the High Street and Jenner Gardens are covered, but it would appear, not the area we are asking to be included.</p> <p>I trust this request can be given serious consideration as it would certainly go a long way to alleviate what is becoming a not just a problem for our club but surely impacts on all visitors to the town.</p>	<p>Already included in Order.</p>
<p>Friends of Leckhampton Hill and Charlton Kings Common (FOLK)</p> <p>FOLK is the voluntary group set up in 2000 to work cooperatively with the Borough</p>	

Council to safeguard and manage the land on the Hill and the Common that is owned by the Cheltenham Borough Council. The cooperation envisaged when FOLK was established has continued very fruitfully over the past 15 years. Aspects of this co-working include the very close working relationship between FOLK and Borough Council staff and the continued presence of Borough Councillors as appointed members of the FOLK Executive Committee.

Given that the protection and good management of the Hill and the Common are FOLK's fundamental objectives, FOLK is extremely interested in the proposed Public Spaces Protection Order for open spaces in Cheltenham. This letter presents the views of FOLK on the present proposals.

FOLK strongly supports the principal of introducing a Bye-law that seeks to better control anti-social and potentially damaging activities on Council owned land. There are a number of activities on the Hill and the Common that FOLK considers undesirable or damaging. These activities include, but are not confined to, commercial dog walking, late night parties by young people, fires, the flying of drones and motorcycles. Litter is a major problem.

However, FOLK is anxious that any Bye-laws will be useless, and potentially counter-productive, if they are not supported by vigorous enforcement, which could have significant resource implications. These concerns are particularly relevant to the Hill and the Common which together occupy a large area and of which parts are well hidden from public view. There are also the issues that the Hill and Common are on the boundary of the Borough and not easy of access, and that some regular activities, such as camping and late night parties, take place outside the normal working hours of Council staff.

Regarding the proposals on which comment is sought, FOLK would make the following observations.

- Charlton Kings Common and the associated Daisybank Fields are not included in the list of sites to which the regulations would apply.

Clarified in the Order.

<ul style="list-style-type: none"> • Brownstone and Salterley Quarries and the adjacent agricultural land owned by the CBC are also not listed. • Leckhampton Hill, Brownstone and Salterley Quarries and the adjacent agricultural land owned by the CBC are in Tewkesbury Borough. Would any powers sought by the CBC apply to these areas? If not, then how could the required level of protection be delivered and enforced? • Both Leckhampton Hill and Charlton Kings Common are designated as Sites of Special Scientific Interest under national legislation. This legislation gives a high level of protection to certain natural features of the sites and places obligations on the owner of the sites, in this case your Council, to deliver that protection. Any Public Spaces Protection Order should be consistent with this national legislation, whilst providing any necessary protection not given by the designations. 	<p>Clarified in the Order.</p> <p>Only in relation to the areas with the borough</p> <p>Noted. No further action in relation to PSPO.</p>
<p>Resident</p> <p>References:</p> <p>(a) CBC web home page</p> <p>(b) SCRUTINY TASK GROUP REPORT DOG FOULING IN CHELTENHAM MARCH 2014</p> <p>(c) http://www.bbc.co.uk/news/uk-england-27690167</p> <p>(d) In Brunete, a small town 20 miles from Madrid, volunteers were enlisted to look out for irresponsible owners. Many were identified from the town hall pet database and the excrement returned as "Lost Property" in a box bearing the town's insignia</p> <p>The following has been copied from reference (a):</p> <p>Dog Control Orders that places the following duties on people responsible for dogs in a public place:</p> <p>Removing dog faeces</p> <p>Keeping dogs on leads</p>	<p>Noted but no action required.</p>

Keeping dogs on leads when directed
Excluding dogs from land

Reference (b) supplies the information that '6 to 8 metric tonnes of dog waste is collected each week; the transfer and haulage of which costs £5630 per annum'. However, it is not clear if some of the collected material is mixed so reducing the true amount assigned to dog excrement. Neither the disposal or administration costs have been provided.

Reference (b) also states that 'The annual cost of cleaning parks and green open spaces, emptying litter bins in those areas and emptying all dog waste bins is £129,000 per annum'

The report does not state the number of households and gives the incorrect 39% of households having at least one dog. Reference (c) gives the widely accepted figure of 24%.

From this report, it is not clear of the overall cost of the service to the ratepayers. These financial matters need to be resolved and all relevant information brought up to date. For health and Safety reasons alone the dog fouling position has now become unacceptable and cannot continue to be 'cost free' for those responsible. Polluters must have to pay their fair due.

Much of reference (b) involves the waste bin situation discussing their location and confusion over color coding and usage. It is not clear whether the 6 to 8 tonnes of dog excrement referred to was obtained from the red dog waste bins or mixed with other colored bins. The report has a long exposition on the legal aspect of enforcement which to date has been almost completely ineffective. All 23 members of the scrutiny task group appear to endorse the existing simple laissez-fair carry on regardless approach. The report fails to mention one single new idea. Perhaps the action described in reference (d) is rather too extreme but at least something was being done.

From personal experience, the number of dogs now owned by residents in the Borough

has increased rapidly over the past few years and has now apparently become a 'desirable life choice' with owners willing to spend large sums on animals with little or no consideration for suitability. The dog count per household now exceeds that for cats. Supermarkets have long aisles dedicated to nothing but dog and cat foods. Larger breeds are often thought to provide their owners with a degree of 'protection'.

Reference (b) provided no information about the number of households or the size of the dog population in the Borough. Without such vital data it is difficult to get any idea of the overall problem and even where to locate bins. The following attempts to arrive at an estimate of the present dog population and the excrement so generated.

With 52,000 households in the Borough and using the latest data showing that 24% of households have at least one dog, there are an estimated 12,500 dogs [reference (b) incorrectly states that 39% of householders had at least one dog.]. No account is taken for those households having more than one dog. Assuming 125 gram of wet excrement per day per dog, [some data shows much more] this equates to a weekly total of about 10937kg or nearly 11 metric tonne.

The 6 to 8 metric tonne said to be actually collected weekly is therefore only 63% of the expected total. The 'missing' 37% of excrement lies either within the householder's private space or very much more likely is deposited within public spaces, never collected but often seen. Almost all owners take their dog/s out to 'do its business' away from the home.

This selfish attitude is no longer acceptable. Using presently disputed total costs, each dog costs every ratepayer at least £10 per year. In comparison, it should be remembered that householders with gardens pay £36 per year for brown garden waste bins.

With the rapidly increasing number of dogs, it has been noticed that owners are now transporting them by car to those parks where it is easy and free to park. Indeed at some parks this has led to an increase in inconsiderate and difficult parking for local residents. It is possible that the new parking restrictions around Pittville Park have had some influence in this regard.

Reference (b) states that 'the vast majority of dog owners are responsible' and elsewhere 'the minority of those irresponsible dog owners' unfortunately this is not the complete story otherwise why is it possible to find dog excrement on each and every visit to any local park. Many owners are not irresponsible; just simply unaware [sometimes deliberately] of what their dogs are actually doing when let loose off the leash.

Typical actual examples of dog owner behaviour:

- 1) Owner arrives by car with 3 large dogs which are immediately let off the leash. While walking round the park the owner's attention is 100% on their mobile phone. One dog is ahead, the other two are behind unseen ranging widely.
- 2) An elderly couple are walking slowly over the grass. Their dog follows behind and defecates unseen by owners.
- 3) A group of youngsters walk through the park at some speed with a dog which defecates against a tree and quickly runs after the group and out of the park.
- 4) A couple are walking together with their individual dogs while earnestly talking. One dog is ahead the other is behind for a considerable period its actions totally unseen.
- 5) Another owner walks at speed around the park using their mobile phone continuously. During this period their dog is off leash and mostly out of sight to the owner behind bushes where young children often go to 'hide'.
- 6) A dog off leash jumps into a lake and disturbs the wild fowl and heron. The dog owner and friend believe this to be very funny.
- 7) An owner realises that their dog's defecation has been noticed by observers. They do not have a suitable disposal bag to hand so have to borrow one from another dog owner. They then spend a considerable time attempting unsuccessfully to locate the excrement.
- 8) Immediately on entering the park, an owner releases two small dogs which run off at speed and are quickly out of sight. The first section of grass in the park has several instances of dog excrement as a park ranger points out.
- 9) An elderly person is walking with difficulty in the park and nearly falls when a group of small dogs running loose between their legs very nearly tripping them up. No

apology given.

10) Sat on a park bench to admire view only to look down to see dog excrement trodden into the surrounding grass.

11) No properly trained dog has ever been seen that fully and instantly obeys its owner. Much shouting of silly names – but no obedience.

These events occur innumerable times per day in the local parks. Gratefully most of the local access footpaths to the parks are fairly clear of such excrement simply because the dogs are on leash for their safety from traffic. Anyone doubting the above simply has to go to such parks and spend some time just sitting and watching from several different vantage points. Dogs will evacuate their bowel in less than 10 seconds and immediately run off. With such owner actions as detailed above, it is clear why the prevailing attempts to manage the problem of dog fouling have almost completely failed.

The continuing financial difficulties of local government are well known. Resources for this low priority problem are either limited or non-existent. At the present we cannot fund either full or part time staff to monitor and control any such anti-social behaviour. Signs threatening penalties of up to £1000 for dog fouling breaches have little chance of being enforced and are in consequence completely ignored. Detecting and then recording such ten second events is almost impossible. Closed circuit video monitoring or DNA testing are not possible at this time due to the high capital and monitoring costs. However, in the longer term the DNA system does look attractive and has been adopted in some countries.

Possible Solution

Firstly, the polluters must now pay.

Presently the disposal of garden waste costs such user households £36 per year. Although not fully used during the winter months this charge is reasonable and works well. It seems obvious that dog owners should also pay an annual sum to help clear up their own dog fouling. It does not seem right that 76% of householders not having a

dog should have to pay for the disposal of dog excrement owned by only 24% of householders. By observation it is clear that many dog excretion events are undetected by their owners when off the leash. In addition such dogs create other social nuisances, such as upsetting wild life, endangering the elderly, jumping up to strangers, fighting other dogs, disturbing the peace by barking, entering and fouling marked out game areas etc.

It is proposed therefore that every dog entering public areas including parks should be kept on a short lease at all times. It would then be almost impossible for owners to avoid seeing and hence picking up and then removing the faeces of their own dogs - unless deliberately ignored. All the other dog related problems given above would also be reduced considerably. Any failure to comply with such an order would be very much easier to detect and ease the consequential issuing of 'on the spot' fines. To this end it is proposed that the annual dog charge would also fully cover the cost of the recruitment, training, and equipping with worn recording devices, two full time park management officers who would randomly attend all parks and other areas covered by the leash order. Such officers would not be 'office bound' but spend at least 70% of their time on patrol. The estimated annual cost of providing this would be about £70,000.

The video <http://youtu.be/5h7Oah7VMzQ> mentioned in reference (b) is interesting and needs showing to a wide audience especially children. Everyone should also note that all the dogs shown were on leach.

A suggested annual charge of £30 per those householders having a dog would raise £375,000 per annum. Much could be accomplished with this sum.

In addition to the already fenced areas for children, certain other areas within public parks should also be out of bounds for dogs, these would include marked out games pitches for football, rugby, hockey, basketball etc. a low cost way of implementing this would be to use fine but highly visible double yellow lines around such areas. This again would be relatively easy to enforce.

The howls of objections from dog owners will be heard from Scotland to Cornwall.
Typical objections would include at least: -

My dog needs to run freely for exercise!
Run with them. More often than not it is the owner that really needs the exercise!

I always pick up my dogs excrement
Observations prove otherwise

Why can't I use a long extending leash?
Because they could trip up or be a nuisance others particularly the elderly

My 3 dogs are large and needs to run a lot
Local parks are not a suitable place for such dogs. Find elsewhere in the country –
Cheltenham is surrounded by it! Or use a closed dog park where for a charge dogs may
run, play, meet other dogs, jump, defecate, and urinate as much as they wish at any
time of day or even night.

My dog always does what I tell it!
It almost certainly does not. A fully trained dog is a very rare sight. Get lessons.

I pay my rates and so can do what I want!
Why should the majority pay for cleaning up your dog's excrement?
Etc.

SUMMARY:

The dog fouling problem has existed for years and is getting worse.

Warning signs threatening fines of up to £1000 are irrelevant because there is almost
no likelihood of enforcement.

Seeing and recording a ten second event is very difficult which itself impacts directly on

possible enforcement.

The usage of different coloured waste bins has become confusing. Dog waste mixed with other items makes the estimation of the actual dog waste quantity difficult to determine.

From reference (b) there are clearly far too many 'experts/managers' involved with dog matters most not having supplied any useful input to solving the problem of dog fouling. No one queried the 39% figure; asked how many households or dogs were in the Borough. Many added their names to the survey to simply to convince constituents of their concern about this matter. In any future survey 3 out of a much smaller group say 4 should not be dog owners.

The 'polluters must now pay' principle has to be implemented.

76% of householders do not have dogs but have too often seen dog excrement and have to pay for it being cleared up via the rates.

Keeping dogs on a short lease within parks has several other important social benefits.

A reasonable annual charge will enable our public spaces including parks to be better maintained, monitored, and managed for the majority.

If successful, the amount of excrement collected should increase and if monitored confirm that the new restrictions were operating.

CBC already runs a successful garden waste disposal scheme. Costs would of course be involved in obtaining and maintaining a dog owner data base. Such costs would eventually be paid by the dog owners via the annual charge.

If ever implemented, the new regulations would need to be carefully introduced over an extended period. The newly appointed park management officers would at first warn dog owners of the forthcoming new regulations. When the new regulations are

instigated, dog owners would be warned that next time they would incur an 'on the spot fine'.

We must develop a 'can do' attitude to this problem not continue with the existing laissez-faire, wringing of hands, can't do anything attitude.

Addendum to reference (a)

Reference (a): - My previous submission dated 07/11/2016

Reference (b): - SCRUTINY TASK GROUP REPORT DOG FOULING IN CHELTENHAM MARCH 2014

Reference (c): - Overview & Scrutiny Committee – 27 April 2015

Update on the recommendations of the dog fouling scrutiny task group

My previous submission at reference (a) observed that the dog fouling situation in Cheltenham was getting worse and had become a health and safety concern.

Reference (b) also addressed some of the health concerns at paragraph 4.2.2.

However, since my original submission, it has been brought to my attention, more detailed health data; new environmental aspects; and some data error problems.

DOG FAECES CONTENT

Dog faeces may contain parvovirus, whipworms, hookworms, roundworms, threadworms, campylobacteriosis, giardia, and coccidia. If left unattended, these parasites will contaminate the water, soil, and can even cause infection in both dogs and humans (especially children). The microscopic hookworm larvae can be passed to another dog or person directly through the skin or by accidental ingestion as can other bacteria. Children are especially venerable to infection because they tend to enjoy playing in the dirt, where parasites such as hookworm larvae lay dormant waiting for a new host. Young children may also put dirty hands or toys in their mouth, further

<p>increasing the chance for infectious material consumption.</p> <p>ENVIRONMENTAL ISSUES</p> <p>Dog faeces can be catastrophic to the local water table, contaminating nearby ponds, lakes, and rivers. When faeces are allowed to remain on the soil for long periods, mechanical grass cutting and/or rainstorms will begin to dilute and break apart the faeces and slowly spread the bacteria into local water sources. Grassed areas holding water for extended periods of time, will amplify the problem. During the summer months parents and young children often have picnics on potentially contaminated grassed areas previously frequented by numerous dogs. It does not appear that any environmental survey; contamination assessment and measurement of local parks have ever been undertaken.</p> <p>% ERRORS</p> <p>Table 5 in paragraph 3.1 of reference (c) gives the results of changes in fouling incidents such as 'falling by 6% (from 152 deposits to 77)'. By simple examination it is clear that the true % value is about 50% not the inexplicable 6% stated. All the other % figures are also incorrect. With such errors, it is not clear how the overall figure of 41% was derived. If the actual data had not been provided, the erroneous % figures would have been accepted as being true. Although such errors in this particular matter are not critical, they could become so in respect of financial matters. It is surprising that software tools were not used to compute % change information.</p>	
<p>Dog Owners Against Discrimination</p> <p>I am writing regarding the public consultation currently underway in Cheltenham, imposing restrictions on dog owners.</p> <p>1) I cannot find any maps or specific details of the sections of land the proposed PSPO refers to. an you please provide this information.</p> <p>2) Legally, NO council employee or representative can conduct a 'stop and search' on dog owners, demanding that they provide evidence that they are carrying pooh bags. Even the police cannot stop and search people without showing 'just cause' for doing</p>	<p>Areas covered were to patchy and widespread to be practical for mapping. Areas outlined in order. Mapping will be considered in future.</p> <p>Not within scope of PSPO.</p>

so. Failure to produce a pooh bag is NOT a criminal offence. Failure to pick up after a dog may be an offense, but to try stop and search powers on dog owners is to afford them fewer rights than the law accords to terrorists and drug dealers. It is outright discrimination, criminalising a sector of the population who - for the most part - have done nothing wrong.

We contacted the Equality Advisory Support Service, who have CONFIRMED that any council trying to enforce stop and search powers on dog owners may well be in breach of Article 8 of the Human Rights Act.

They said: "it would still appear that there are elements of the Human Rights Act which may be engaged in your case. In particular Article 8 which gives you the right to respect for your private and family life, your home and correspondence.

An individual's right to private life can include their right to physical and psychological integrity and a right to participate in the life of their community. If your council is saying they have a right to stop and search dog owners to ensure they are carrying pooh bags, Article 8 is there to ensure that any interference with your rights as a dog owner is legal, necessary, proportionate and legitimate. In other words, they should not be using a sledgehammer to crack a nut."

We advise our supporters not to comply with any such requests and will continue to do so. Dog owners would have a strong case against any council employee that tried to assault them in this way and to breach their rights under the HRA.

3) We do not support the blanket imposition of PSPOs and draw attention to the Kennel Club's Report, 'Out of Order: The impact of access restrictions on dogs and their owners', which has been submitted to Parliament in recent days. You can download a copy at: www.thekennelclub.org.uk/kcdogreport.

4) We are appalled that local councils continue to target dogs and their owners, while having scant justification for doing so; yet seem unconcerned by the appalling conduct of litterbugs and fly tippers, who apparently get away with doing what they like, with

Cannot comment on national picture so not within scope.

<p>no repercussions from the councils. Persecuting one group in society, and encouraging public hatred against it, is illegal. If the council is spreading misinformation and lies in order to justify these proposals, it risks facing legal action in future.</p> <p>5) You are reminded that NO council is permitted, under UK law, to cause bad feeling and friction between different groups in society, for the purpose of excluding one particular group or encouraging hatred against members of that group. Please register our serious objections against your PSPO proposals against dogs and their owners, and provide clear information on exactly which areas of land would be affected, so we can inform our supporters.</p>	
<p>Gloucestershire Constabulary</p> <p>The Chief Constable has asked me to respond on her behalf to the proposed PSPO. I have no proposed amendments to it at this time and agree it is prudent that the existing powers are brought under the PSPO.</p> <p>I would welcome a review in a few months' time to determine if the scope of the PSPO should be broadened beyond simply absorbing the prohibitions that are currently in place.</p>	<p>Noted – no further action required.</p>

<p>Resident</p> <p><u>Public spaces protection order</u></p> <p>I have just retired after over 60 years from a country where respect for senior citizens is paramount in a culture based on the family unit. But also it is where discipline is difficult to impose and untidiness and noise is the norm. Yes, there are official reserve powers, but not very effective. At the same time however, a polite and reasoned request "not to do that" is usually complied with. Nigerians may be labelled corrupt, but they are polite and will respond to politeness. In this, I believe that there is a lesson to be learned.</p> <p>Over the years I have become increasingly concerned at the apparent need to make laws for the conduct of everything we do, to the point that even common sense no longer prevails. In the Army there were just Queen's Regulations - section 40, I believe.</p> <p>On the occasions I come here, I stand on my front door step to offer a silent prayer and ask what crime, by any chance, am I committing now? Yes! In fact I have become quite nervous. To achieve some peace of mind, particularly as a "new boy", it is necessary to erect a kind of personal comfort zone, perhaps guaranteed by a lawyer, (at a price of course), but then his advice by its very nature must be conditional. For example for those resuming residence here, the tax laws can only be described as a minefield, where even the experts enter into endless scenarios to arrive at "best of judgement" advice just to ensure that you are complying!</p> <p>What I am trying to say is that we want less legislation not more, and I applaud any initiative which aims at a combination of simplification with clear reasoning. By the same token we want to develop more collective respect and less police intervention. The police have enough on their plate with a reduced budget and this is likely to continue. During the correspondence about the Pittville Campus I pointed out that discipline is imposed on students by the Vice Chancellor, recourse to law enforcement powers arises only when matters are out of his/her control. In this way students are not only learning about their chosen vocation but importantly, that with leadership comes a respect for all members of our society and how we behave towards each other. So called anti-social behaviour like getting around the rules of the game or fudging expense accounts are not options in civilised society. I am of course referring to football managers and the antics at the Palace of Westminster!</p> <p>The recent USA elections remind us that there are huge and fundamental differences in our society which clearly are not being "settled" by legislation because there is a compelling need to better <u>understand</u> those differences. I think we are beginning to see this happen in the UK but more needs to be done. The action really starts in the home and at school. Too often these responsibilities are being handed over to faceless officialdom which, in spite of herculean efforts, is proving totally inadequate. I sometimes wonder if the Peckham Experiment of pre-war years was not the right approach to the problems of a changing society. Its basis was the maintenance of the family unit.</p>	<p>Noted – no further action required.</p>
<p>Kennel Club</p> <p>The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with</p>	

responsible owners. As part of its External Affairs activities the Kennel Club runs a dog owners group KC Dog with approximately 5,000 members, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Dog fouling - requirement to be in possession of means to pick up

Whilst the Kennel Club supports proactive efforts on behalf of local authorities to encourage responsible dog ownership and to ensure that those who are not picking up after their dogs are brought to book, this has to be fair and proportionate and we would not like to see responsible dog owners penalised unfairly.

The Kennel Club has concerns over proposals to introduce an offence of not having the means to pick up. Responsible owners will usually have dog waste bags or other means

to clear up after their pets but we do have some concerns, for example if dog owners are approached at the end of a walk and have already used the bags that they have taken out for their own dog, or given a spare bag to someone who has run out, a behaviour that is encouraged by Green Dog Walker schemes.

Furthermore it is perfectly plausible that these proposals in certain circumstances would perversely incentivise dog walkers not to pick up after their dog. Should a dog walker on witnessing their dog fouling realise they are down to their final one or two poo bags (or other receptacle), they will be forced into a decision of whether to use the bag and risk being caught without means to pick up, or risk not picking up in order to retain a “means to pick up” should they be stopped later on their walk. It is perfectly reasonable to assume that a proportion of dog walkers would choose the second option if they thought this was the least likely route to being caught. Especially if the penalty for not picking up was the same as not having means to pick up. Local authorities may wish to consider introducing a clause which provides an exemption for dog walkers who have run out of bags, but can prove that they were in possession of and made use of bags (or other suitable receptacle) during their walk.

If such a measure is introduced it is essential that an effective communication campaign is launched in the local area to ensure that people are aware of the plans and have an excess supply of dog waste bags with them, so that it is the right people who are getting caught. Additionally, appropriate signage should be erected to inform those who are not familiar with the local rules are not unfairly caught out.

We are also concerned how easily local authorities could enforce this law when trying to define whether or not dog owners have ‘a means’ of picking up after the dogs, without risking the expense of legal challenge. In the absence of poo bags owners trying to flout the law could theoretically point to any number of items on their person that they intend to use, so we think that the most effective spot checks you can carry out are those that catch offenders in the act of not picking up, rather than second guessing behaviours on the basis of what they are or are not carrying with them.

Alternatively, to avoid a fine an irresponsible owner could simply tie one bag to his or

her dog's lead or collar but never actually use it.

Recently Cornwall council considered introducing a 'means to pick up' order but subsequently decided against it as they deemed it to be disproportionate and concluded that the requirement would be 'toothless', as it would be highly unlikely to be enforceable in a magistrates court. Please see the attached Cornwall Council report for more details.

Dog access

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

The Kennel Club can support reasonable "dogs on lead" orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, sites where livestock or sensitive wildlife may be present, or on pavements in proximity to cars and other road traffic.

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including "regular opportunities to walk and run", which in most cases will be off lead while still under control. This is a provision of the Code of Practice for the Welfare of Dogs, which accompanies the Animal Welfare Act 2006.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance a "dogs on lead" order for a picnic area is unlikely to be

necessary in mid-winter. We were pleased to see that Cheltenham Borough Council has opted to only exclude dogs from playing fields when they are in use.

The council should be aware that dog owners are required, under the Animal Welfare Act 2006, to provide for the welfare needs of their animals and this includes providing the necessary amount of exercise each day. Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

We welcome the inclusion of the “dog on lead by direction” provision, which should allow a more targeted approach to tackle the individuals who allow their dogs to run out of control. We would also recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can also help those people whose dogs run out of control due to them not having the ability to train a good recall.

Within schedule 1 we note the list of areas for which the dogs on lead order is proposed to apply for includes “A highways, footway or footpath maintainable at the public expense ... part of the gutter’. We wanted to ensure that that this would not apply to paths / roads etc which run through open spaces which themselves are not subject to any form of restriction.

Maximum number of dogs a person can walk

The Kennel Club feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that will often simply displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used and the location where the walking is taking place.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance, they cannot control that number of dogs.

We thus suggest that defined outcomes are used instead to influence people walking more than one dog, be that domestically or commercially, such as dogs always being under control, or not running up to people uninvited, on lead in certain areas etc.

For example, an experienced dog walker may be able to keep a large number of dogs under control during a walk, whereas an inexperienced private dog owner may struggle to keep a single dog under control. Equally the size and training of the dogs are key factors; this is why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses “dogs on lead by direction” orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don’t have control of the dogs they are walking.

A further limitation of a maximum number of dogs per person is that that it does not stop people with multiple dogs walking together at a given time, while not exceeding the maximum number of dogs per person. Limits can also encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns.

If a maximum number of dogs is being considered due to issues arising from commercial dog walkers, we instead suggest councils look at accreditation schemes that have worked very successfully in places like the East Lothian council area. These can be far more effective than numerical limits, as they can promote wanted good practice, rather than just curb the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners. The Kennel Club is currently developing a national Code of Practice for Commercial Dog Walking for launch in 2017, alongside a national accreditation and training scheme that councils can work with us to apply and

promote in their areas.

Assistance dogs

We note the exemptions for registered blind people and persons with a disability affecting their mobility, manual dexterity or ability to lift, carry or move everyday objects who rely upon a dog trained by a prescribed charity for assistance, from both the dog exclusion and dog fouling orders. We would like to check that deaf people who rely on hearing dogs are also to be included in the exemption from dog exclusion orders.

Indeed there are in total seven charities training registered assistance dogs in the UK that we submit should be included. We would suggest that to find out more information about the range of assistance dogs now legally recognised under disability legislation in the UK that need to be accommodated, go to www.assistancedogs.org.uk.

Additionally we request the local authority gives serious consideration to whether those who rely on assistance dogs and registered blind people should be exempted from dog on lead orders by default. This would appear to be appropriate within the legal framework for the introduction of a PSPO, with respect to both the legal test as outlined in sections 59(2) and (3), and how an Order can be framed under section 59(6) of the Anti-social Behaviour, Crime and Policing Act (ASBCPA).

It is also a view quite passionately shared by Dr Paul Jarman, who has been a guide dog owner for 30 years. He drafted a submission to Parliament during the drafting of the ASBCPA, which outlines a number of very good reasons why such exemptions should be included, which is appended to this document. The National Dog Warden Association also shares this position; again this is appended to this document.

We would add that such a move would appear to be very much aligned with legal requirements under the Public Sector Equality Duty.

<p>Appropriate signage</p> <p>It is important to note that in relation to PSPOs the “The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014” require local authorities to – “cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to - (i) the fact that the order has been made, extended or varied (as the case may be); and (ii) the effect of that order being made, extended or varied (as the case may be).”</p> <p>With relation to dog access restrictions such as a “Dogs Exclusion Order” or “Dog on Lead Order”, on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, “You are entering [type of area]” and “You are leaving [type of area]” on the reverse of the sign.</p> <p>With specific regard to the proposed “means to clear up measure” this type of law will be unfamiliar to dog walkers and prominent signage explaining the exact requirements expected of dog walkers, not all of whom will be local residents, should be erected in any area where the measure is to be enacted.</p>	
<p>Resident</p> <p>I strongly object to the proposed changes to the PSPO in Cheltenham. Restrictions of only 4 dogs is draconian. It takes no account of the size of dogs or training. 4 small dogs would hardly be difficult for one adult to handle and what if someone had a litter of puppies to exercise together...are you denying a family of dogs to exercise together? It goes against all the advice of good dog ownership and animal welfare to have proper exercise.</p> <p>You wouldn't stop a mother taking out her children regardless of numbers so why discriminate against dog owners?</p>	<p>Already addressed above (page 1)</p>
<p>I have read the paperwork in respect of this order and have two comments.</p>	<p>Disposal of waste not within scope for PSPO.</p>

<p>Firstly, shouldn't it be made clear that receptacles used for clearing dog waste should be disposed of properly in designated waste bins and not left where they can inconvenience other users. So they shouldn't be thrown into undergrowth or left hanging from walls and fences and the like.</p> <p>Secondly, there are no penalties that I can see for abusers who act in these anti social ways. ASBOs don't cut it.</p> <p>Some householders allow their hedges to grow over footpaths sometimes taking up half the width. This is a nuisance to pedestrians. Can this be considered anti social too and subject to the same order?</p>	<p>FPN fees are set but not appropriate to list this in Order.</p> <p>Not within scope for PSPO.</p>
<p>St Paul's Road Area residents' association and St Paul's NCG</p> <p>Prohibition of alcohol consumption</p> <p>The feeling at St Paul's NCG meetings has been that the existing order has not been as effective as it might be in dealing with street drinking and anti-social behaviour due to the requirement of a request to stop drinking to come from a police constable. Following ongoing cuts to policing budgets there has been a significant reduction in the police presence in our community. For these reasons, we support in principle the extension of powers to other authorised persons. However, we would like more clarification as to who would be an authorised person. Frequently anti-social drinking takes place outside 'office hours'. Are there plans to increase the presence of 'authorised persons' at evenings and weekends to make up for the absence of police officers?</p> <p>Local residents have also requested a more simple, pictographic signage for the prohibition of alcohol consumption areas (like in Stroud). As many of the original signs now seem to have disappeared, and need replacing, this could be an opportunity to change the signage.</p> <p>Schedule 1: PROHIBITION OF ALCOHOL CONSUMPTION DESIGNATED AREAS Parks /</p>	<p>Noted.</p> <p>Yet to be decided but will be CBC officers.</p> <p>Signage will be reviewed.</p>

<p>Gardens / Open Spaces / Play Areas: (grassed or paved)</p> <p>Since the previous order was drafted, other open spaces have been created. These include St Paul’s Walk, in between Hudson Street and Manser Street, and the open spaces on the former Midwinter site, including the link between the Honeybourne Line and Elmfield playing field. These spaces are valued by the people who use them and who live nearby, and deserve the same level of protection as the other spaces specified. They are close to the other spaces specified in the draft order, and it would be anomalous to exclude them.</p> <p>Agg Gardners playing field is not listed. It is of course, part of Pittville Park, and therefore you may not feel it needs specifying separately. It is however listed separately in the “Obligations on persons with dogs designated areas: Dogs on leads when directed & Walking more than 4 dogs” pages 15-19. For consistency, you may wish to specify it, or for clarity specify (for example) Pittville Park (all parts including Agg Gardners playing field, land to the west of Tommy Taylors Lane, Prince of Wales Stadium grassed Areas and Practice Field, Recreation Centre Grounds, Marle Hill Annexe Golf Course and Lakeside Walk, Pittville Lawn, Pump Room Grounds etc) much as they are in the draft dog control orders.</p> <p>Dog Control Orders</p> <p>As above, please can newly created green spaces in St Paul’s Walk and the former Midwinter allotment site development be included in the designated areas for “Dogs on leads when directed & Walking more than 4 dogs”.</p> <p>Dogs on an extended lead can be a greater hazard on cycle routes than a dog off the lead. They can also be a nuisance on pavements especially the narrow ones we have in St Paul’s. The order does not specify any lead length. Dogs on designated cycle routes (such as the Honeybourne) and pavements should be on a short (non-extended) leash.</p>	<p>No current evidence to satisfy the evidential threshold in relation to this area. Will monitor and vary Order is necessary.</p> <p>Included in extent of Pittville Park.</p> <p>Not within scope of PSPO.</p>
<p>The Friends of Hatherley Park</p> <ul style="list-style-type: none"> • dogs should be on leads in the vicinity of the junior childrens' play equipment 	<p>Hatherley Park already included in Order.</p>

- dogs should be on leads until they and owner reach the grassed area in the park. At both entrances, there is a fenced driveway style path and if owners are still locking car door etc, they have no idea where their dog is, or what mess it's leaving . Also children are frightened of lone dogs bounding down the paths.
- dog must not enter the lake or pond
- walking a group of more than three dogs by one person should be stopped

Resident

P. S. P. (Chellukavu) Order 2016

The order will only be effective if it is enforced, not just in the town centre but in surrounding streets, as is often the case with a large student population the problems start with preloading at house parties, with many properties not having gardens the residents spill out into the streets we have had alcohol free zone signs for a number of years but no one takes any notice, and I personally have never seen any enforcement, there is also a problem with the lower high street with a number of people sitting on the seats outside coppers, my friend who lives just around the corner said

Noted – no further action required.

Something needs to be done about
it, because it is intimidating when
you are on you own or for families
with children