

Appendix 2



PSPO CONSULTATION RE: BROUGHWIDE DOG FOULING PSPO

Consultation ran for 12 weeks between 16th November 2020 and 8th January 2021. It was publicised via The Sandwell Herald, local press, SMBCs website and via Social Media. The following consultees were also contacted individually:

West Midlands Police	Office of the Police & Crime Commissioner
West Midlands Fire Service	West Midlands Ambulance Service
SMBC Public Health	CENTRO
The Kennel Club	The Ramblers

The number of responses was low with 19 being received in total which may be associated with the current Covid 19 pandemic. Of these 16 were residents and 3 business /organisations including The Friends of Dartmouth Park, West Midlands Fire Service and The Kennel Club. The views of those who took the time to respond were overwhelmingly in favour of the proposals.

1. Are you in favour of the proposed PSPO?

Yes	100%	(19/19)
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Reasons given for these responses were as follows

<i>'I think it is disgusting that people can let their animals foul and owners do not take responsibility'</i>
<i>'Dog fouling creates mess and degrades the quality of the streets of Sandwell. There are cases of owners bagging faeces but then throwing them in the environment. This creates further mess'</i>
<i>'I walk my child to school every day and the amount of dog mess on Beeches Road and Heath Street is ridiculous. Children step in it and carry it into school'</i>
<i>'I have a dog and always clean up. I'm sick and tired of all the dog mess I have negotiate on the pavements when out walking'.</i>
<i>'We live on Standridge Park estate in Tipton and the pavements are a total disgrace due to dog mess, it is on every pavement and not just on the edge but right in the middle of where pedestrians including children have to walk! I walk with my 2 year old grandson nearly every day and have to watch every step we take and also there is a safe pathway to St. Martin's school which is covered in dog excrement! Totally disgusting and getting worse every day'.</i>
<i>'I am a dog owner and walk my dog daily and am appalled at how much dog mess is not picked up in the areas where I walk'</i>
<i>'Cleaner streets due to the order'</i>

'Raising awareness/helping people be motivated to clean up after their dog-mess makes it a much nicer environment and easier to walk on the pavements'.

'Because nobody wants dog faeces on their shoes!'

'Dog fouling is vile and a constant issue in this area - it's impossible to walk the children to school without having to warn them to watch out for dog mess (the alleyway between Sandringham Drive and Stuart Road is particularly riddled with dog poo and broken glass), and if it's trodden in it becomes walked into carpets in homes and schools (particularly concerning in primary where children routinely sit on said carpet or ends up on hands when taking shoes off and on. This year the amount left on the mainstream walkways seems to have increased as well. There's plenty of bins around, and in a residential area where dog walkers are unlikely to be far from their own homes, there's rarely any reason beyond laziness. It's an awkward one to address as a resident, though, in case offenders become confrontational, especially when out with the children'.

'Dog fouling is still a problem on the streets and in (Dartmouth) park'

'Multiple and consistent dog fouling in the area'

'Drinking and dog faeces in Wallface and Hill Top park'

'There is a need for those who fail to clean up after their dogs to be reminded as to how disgusting they make the area for local residents. Apart from the health issues involved'.

'I am a dog owner, but I think it is really important to clear up after your dog. However, unless you have more (and better) dog wardens this will be difficult to enforce'

'As a regular walker around Dartmouth Park and Sandwell Valley dog faeces is a huge problem, mainly from those who walk dogs off the leash. The dog is running free so it's impossible for the owners to see or control the dog they're walking. It should also be made law that dogs should always be on a leash in public spaces'.

'A responsible dog owner should have consideration for other pedestrians and users of public spaces. In addition, Emergency Services workers are forced to launder items of contaminated PPE at significant cost and logistical disruption - leading to potential unavailability of Emergency Resources'.

'We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect... including: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog faeces 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'.

2. Have you been subject to or witnessed any Anti-Social Behaviour as covered by these proposals?

Yes	68%	(13/19)
No	26%	(5/19)

No response	6%	(1/19)
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3. If yes, what is the nature of the ASB you have experienced?

<i>'People take their dogs to the grass outside my house and let their dogs defecate. For those who bag it up, they then proceed to throw the bag behind the green power box'</i>
<i>'I have seen people walking their Dogs, it fouling and wasn't picked up. I have spoken to them and told them to pick it up'.</i>
<i>'Frequently see people letting their dogs' foul pavements and alleyways but unfortunately do not think it is safe to tackle the problem because people are not very nice. Also my husband and I went for a walk 2 weeks ago and witnessed a car chase on Alexandra road which ended with a vehicle flying through the air and landing on its roof on the leisure centre, luckily the centre was closed due to lockdown but if there had been anyone in the way they wouldn't have had a chance. Tipton has gone downhill over the past 5 years, lived here all my life and it's the first time I really want to leave the area'.</i>
<i>'Dog faeces not picked up, particularly on pavements, and bags of dog poo left hanging in trees'</i>
<i>'Dog mess on Edinburgh Road and surrounding area. In the middle of the pavement'.</i>
<i>'I have seen dog poo on the streets where I live. Most dog walkers (not all) in parks pick it up but then the dog poo bins are full so they have to leave little plastic bags all-round the bin. Not sure plastic bags are the most eco-friendly way to deal with this'.</i>
<i>'Regular dog fouling along the street'</i>
<i>'I live almost opposite the Haysech gate that gives access to Haden Hill Park. Dog owners regularly allow their animals to defecate on the pavements of Haysech around my property. On some occasions I have had dogs defecate in my garden and on my driveway whilst the owners have looked on and walked away without clearing up the mess'.</i>
<i>'I have witnessed dog owners not picking up after their dogs. I have politely told them they should and handed them a bag and they picked it up'.</i>
<i>'Dog owners not in control allowing them to run free and not see the faecal matter the dog has left'.</i>

4. How has this behaviour affected you?

<i>'It creates mess outside my own. I have tried to clean it up, but the stench is so foul I cannot get near. It also looks untidy to anyone passing by'</i>
<i>'It's disgusting if you get it on your shoes. Plus its unnerving confronting people about it'.</i>
<i>'I have to watch each step I take for fear of stepping in the foul mess. Not confident in even going for a walk anymore for fear of witnessing car chases and God knows what else'.</i>

'Both my dog and myself have been at risk of stepping in the poo and I have felt angry at seeing this'

'Constantly having to look down to avoid stepping in mess/slipping'.

'Doesn't make you feel great about where you live'

'There is always dog mess in the street where I live'

'It is an awful sight to see this mess when I am outside in Haysech - or anywhere else for that matter. I do not enjoy cleaning up the mess that a dog owner should have done themselves'.

'It just gives dogs and their owners a bad name'.

'It's disgusting, unsightly, unhealthy and lack of disrespect'.

5. How often have you experienced problems with this type of behaviour and/or when does this type of behaviour usually occur?

Every Day	37%	(7/19)
Weekly	5%	(1/19)
Regularly	21%	(4/19)
Occasionally	5%	(1/19)
No response	32%	(6/19)

6. Do you have any other comments in relation to the proposal for this Boroughwide PSPO?

'People are getting away with it and there should be tighter rules'

'Fines should be stricter and I want to see cameras or patrols to catch the culprits'.

'Anything that can be done to improve the problems around Tipton must be done as soon as possible'.

'Dog owners who do not clean up after themselves cause health hazards for the community also people use dogs to intimidate people and get respect for having an aggressive dog. Both need to be controlled using PSPO'

'Any means of helping people understand and be motivated to clean up their mess would be good to look after the environment. In addition to enforcement (which is difficult, I've never seen anyone actually walk away, it's always afterwards), could we trial with Dog Waste bins in the Brandall area? Do articles in The Herald and on Social Media? (there were some good posters at Lightwoods park (Sherlock). More events like those at Warley Woods (Warley Woof) (where dog owners tend to clean up)'.

'I don't know what you could do instead of plastic bags. It's a shame there isn't such a thing as a litter tray for dogs! Then the dog could "go to the toilet" at home and owners could put it on their roses or out with household rubbish without the need for plastic bags. This is why cats are better than dogs'

'I've never seen a warden or a police officer in the local area'

'Urgent response required'

'There needs to be a more pro-active approach and more resources to deal with the disgusting behaviour of some dog owners. This should be in the wider pedestrian areas as well as Haden Hill Park itself'

'Once again, you need more dog wardens, they need to be more visible and they to do more than stroll ten yards and then go back to their van/car'.

Conclusion

Although the number of responses were low, those who did respond overwhelmingly supported this PSPO as part of a suit of measures to combat dog fouling which is continuing to cause across the Borough. The comments from the Kennel Club regarding utilising this PSPO as part of a suit of measures to support responsible dog ownership are important along with the need for discretion in relation to assistance dogs and disability. The full Kennel Club response is attached as appendix 2.

Appendix 1
Consultation Methods

SMBC Website

Sandwell Metropolitan Borough Council

The council proposes to make

The Borough Council of Sandwell Boroughwide PSPO in relation to Consumption of Dog Fouling

(Public Spaces Protection Order) 2020

Which has the following effect:

1. It an offence for a person in charge of a dog to fail to pick up the dog's faeces forthwith should it defecate whilst in their control.
- 1.2 A person found in breach of the order shall be liable on summary conviction to a maximum penalty of level 3 on the standard scale or a fixed Penalty notice not exceeding £100.
- 1.3 Once the order comes into effect it will last for a for a duration of Three Years.

Full details can be examined including the plans referenced in this notice on the council's website at www.sandwell.gov.uk/consultation

Any objections to the Orders stating the grounds on which they are made must be received either online at www.sandwell.gov.uk/consultation, or in writing to ASB Team Manager, Neighbourhood Services, Sandwell MBC, Operations & Development Centre, Direct 2 Industrial Park, Roway Lane, Oldbury, West Midlands B69 3ES by 8th January 2021. Any representations received by the Council may be imparted to third parties.

Sandwell Herald - December 2020 p11

Spot the signs of modern slavery
Modern slavery and human trafficking are a gross violation of people's human rights and dignity. The council, police and many partner organisations are working together to tackle these vile crimes and rescue victims. Modern slavery often occurs behind closed doors and can include forced labour, child trafficking and criminal or sexual exploitation. Signs that someone could be a victim of modern slavery:
- Appears scared, withdrawn or distrustful
- Shows no confidence
- Has unexplained injuries
- Lives and works in the same place
- Has limited contact with family or the outside world
- Doesn't know their home or work address
- Is forced or intimidated to work, with low or no pay
In an emergency, call 999. In a non-emergency, call the police on 101, report online at www.west-midlands.police.uk or call the Modern Slavery Helpline 08000 123 700.

MODERN SLAVERY IS CLOSER THAN YOU THINK

Top tips to protect you and your home
LOCK UP LIGHTS ON
Dark winter evenings can provide perfect cover for burglars.
Criminals can easily spot an open window, see valuables through open curtains or blinds or try their luck with an unlocked door.
If you're not at home, try to make your house look as occupied as possible – Lock Up Lights On. If at home, always lock your front door from the inside.
Don't leave your house and vehicle keys in the lock or on a side table in view of a window.
If you are out, remember to keep your bag closed and close to you, and keep your phone out of sight.
Mark property with your postcode and house number.
Check your car is locked – don't assume your vehicle is secure, always check doors are locked before you walk away.
Don't leave valuables in your glove box or shopping on display.
Every year, vehicles are stolen from driveways and outside homes on frosty mornings when owners leave them to warm up with the key in the ignition. Never do this. Stay with your vehicle. Your insurance may not pay out.
Sign up to West Midlands Police's free WWHOW alert service at www.wmwhow.co.uk to get a 50% discount off a DNA property marking kit.
Lock away garden tools and make sure outside sheds, tool chests and garages are securely locked.
Go to www.west-midlands.police.uk/campaigns/darker-nights for more advice.

SEE SOMETHING DO SOMETHING
SAFEGUARDING IS EVERYONE'S BUSINESS
We want to listen!
Has your care been affected by Covid-19?
Has your mental health been affected?
Are you a carer?
Contact Leanne to share your feedback
07901 114140
Safeguarding_SSAB@sandwell.gov.uk

The Express & Star 14th December 2020

Chance to have say over laws

Residents are being urged to have their say on how to deal with nuisance drinking and dog mess.

Sandwell Council plans to renew two borough-wide public space protection orders (PSPOs) that help tackle nuisance drinking in public places and dog owners not picking up after their pets.

The orders allow authorised officers to issue fixed penalty notices to anyone not following the rules.

Councillor Maria Crompton, deputy leader, said: “We know nuisance drinking and dog mess are important issues for our communities and the PSPO orders have been helpful in allowing us to deal with this.

“I’d encourage anyone who has an interest in how we tackle these important issues to send us their thoughts as part of the consultation.”

Residents can have their say by visiting the www.sandwell.gov.uk/consultation website up until January 8.

Sandwell Social Media

15th December Twitter

Sandwell Council @sandwellcouncil
 We're planning to renew two Sandwell-wide public space protection orders (PSPOs).
 These two PSPOs help us tackle nuisance drinking in public places and dog owners not picking up after their pets.
 To comment on our future plans for enforcement, have your say by 8 January.
pic.twitter.com/LXYGdGJ8Ng

Reach a bigger audience
 Get more engagements by promoting this Tweet!

Impressions	4,071
Total engagements	178
Detail expands	76
Media engagements	65
Likes	12
Retweets	11
Profile clicks	11
Replies	2
Link clicks	1

23rd December Twitter

Sandwell Council @sandwellcouncil
 We're planning to renew two Sandwell-wide public space protection orders.
 These two PSPOs help us tackle nuisance drinking in public places and dog owners not picking up after their pets.
 Have your say by 8 January on our future plans for enforcement at
http://www.sandwell.gov.uk/consultation
pic.twitter.com/8N2YPINTRL

Impressions	3,926
Total engagements	140
Media engagements	58
Detail expands	39
Link clicks	23
Profile clicks	9
Likes	7
Replies	2
Retweets	2

7th January Twitter



Sandwell Council @sandwellcouncil
Our consultation on public space protection orders (PSPOs) that help us tackle nuisance drinking and dog mess ends tomorrow (Friday).
We're planning to renew these two PSPOs and there's still time to fill in the survey and have your say.
<http://www.sandwell.gov.uk/consultation>
pic.twitter.com/yuSadttLZa

Impressions	1,982
Total engagements	51
Media engagements	20
Detail expands	13
Link clicks	11
Likes	3
Retweets	2
Profile clicks	2

E-newsletter sent 14 December (sent to 15,529 subscribers)



Nuisance drinking and dog mess
Have your say on how we deal with nuisance drinking and dog mess in our public space protection orders (PSPOs) consultation by 8 January 2021.
Go to www.sandwell.gov.uk/consultation

DOG WASTE ONLY

Appendix 2

Kennel Club Response to Sandwell Metropolitan Borough Council Public Spaces Protection Order Consultation

Submitted on 16 December 2020 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

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 responsible owners. As part of its External Affairs activities, the Kennel Club runs KC Dog, 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.

Response to proposed measures

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 further 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 faeces 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.

Assistance Dogs

When introducing a dog control PSPO, local authorities should consider the potential negative impacts on vulnerable groups and their requirements under the Equality Act 2010. The most obvious potential adverse impact is upon those who rely on assistance dogs and registered blind people, who may either be unable to comply with conditions contained within the Order, or the effect of the Order would be to exclude them from accessing public spaces. Appropriate exemptions from dog fouling and dog exclusion Orders should be included in PSPOs for registered blind people and those who rely on assistance dogs. Though the council should recognise that many disabled people enjoy the company of a pet dog (i.e. not acting as an assistance dog) and this also needs to be considered.

However, we would suggest further consideration of any wording contained within the Order with regards to assistance dogs, particularly with reference to 'prescribed charity'. While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not. A number of reputable assistance dog providers are members of Assistance Dogs UK. This umbrella group currently has eight member organisations, which can be viewed here: <http://www.assistedogs.org.uk/>. It is important to note that the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations and may change during the currency of the PSPO. It also does not provide for owner trained assistance dogs.

We would therefore encourage the Council to allow for some flexibility when considering when adopting the definitions of assistance dogs used by Mole Valley District Council, which can be found here:

https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

or that of Northumberland County Council:

'(4) The term 'assistance Dog' shall mean a dog which has been trained to assist a person with a disability'

(5) The expression 'disability' shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation.

Appropriate signage

It is important to note that in relation to PSPOs, The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 makes it a legal requirement for 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)'

Regarding dog access restrictions such as Dogs on Lead Orders, on-site signage should clearly state where such restrictions begin and end. This can be achieved with signs that say on one side for example, 'You are Entering (Type of Area) and 'You are Leaving (Type of area) on the reverse.

While all dog walkers should be aware of their requirement to pick up after their dog, signage must be erected for the PSPO to be compliant with the legislation.

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