

CYNGOR SIR POWYS COUNTY COUNCIL

**County Council
22nd February 2018**

REPORT AUTHOR: County Councillor Jonathan Wilkinson, Portfolio Holder for Housing and Countryside Services

SUBJECT: Question from County Councillor Pete Roberts

The failure of a minority of dog owners to control and clean up after their animals has become an increasing problem across the County. Would the portfolio holder consider introducing a control order similar to that employed by Rhondda Cynon Taff to tackle the problem on council owned land and recreation areas?

Response

Powys County Council currently has powers under the Powys County Council (Dog Fouling) Order 1998 to serve Fixed Penalty Notices on dog owners who allow their dogs to foul on designated land and fail to clean up. Designated land is widely defined and includes highways with a maximum speed of 40 miles per hour or less, publicly owned land where the public have access within the settlement boundaries of towns and villages, and publicly and privately owned playing fields, parks, playgrounds, car parks and cemeteries. The Order remains in force despite the introduction of The Clean Neighbourhoods and Environment Act 2005 and the Anti-social Behaviour, Crime and Policing Act 2014.

Public Spaces Protection Orders are designed to stop individuals or groups committing anti-social behaviour in a public space. Councils issue a Public Spaces Protection Order (PSPO) after consultation with the Police, Police and Crime Commissioner and other relevant bodies.

Local authorities need to be satisfied that a PSPO is the most appropriate response to the anti- social behaviour of concern having considered other tools available to tackling the problem. Collating information about the nature and impact of the anti-social behaviour subject to the PSPO would form the core elements of the evidence-gathering and consultation process to determine whether the requirements under section 59 of the Anti-social Behaviour and Policing Act 2014 had been fulfilled. The evidence would need to be considered before authorities can determine whether or not it is appropriate and proportionate to introduce a PSPO.

Members of the public who witness incidents of dog fouling are encouraged to report the matter to tls.helpdesk@powys.gov.uk