

## APPENDIX ITEM B - CARRS PARK DOG FOULING AND DOG CONTROL PUBLIC SPACES PROTECTION ORDER CONSULTATION SURVEY SUMMARY

### Consultation Headlines:

- The consultation ran from 29 June 2020 until 10 August 2020. The normal process would be to run such consultations for a 4-week period. Due to the pandemic situation, it was decided that the consultation would run for a 6-week period to allow longer for people to respond to the survey.
- 42 responses were received in relation to the consultation
- Overwhelmingly a high percentage of the respondents either agree or strongly agree with proposal for the Public Spaces Protection Order (PSPO) at the Park
- Of those that chose to respond to the question, all lived, worked or were part of a local group within CE.
- There is a good balance of postcode areas in relation to survey responses many of which were from the SK9 area, relevant to the Parks location.
- There is a good balance of Male/Female and age band respondents, however there did not appear to be any responses under the age of 35 unless they were in the “prefer not to say” category.
- The responses in general were low, however we do not have any statistics to compare this to when the original Dog Control Order was introduced in 2012. This could partly be due to lock down, but also that this order although being proposed as a “new order” did not change or amend anything that were in the 4 separate orders in relation to this area. The consultation was circulated to all local members, town and parish councils. In addition to this we also launched a press release and advertised on social media. Partner agencies and key departments within the authority were also informed and asked to circulate with their local groups and contacts. An example of the press release can be found via the below link:

[https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/media\\_hub/media\\_releases/council-seeks-to-extend-dog-fouling-and-gating-orders.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/media_hub/media_releases/council-seeks-to-extend-dog-fouling-and-gating-orders.aspx)

A summary of the survey results is tabled within this report. A further appendix attachment with all responses and open-ended comments/questions can be made available on request. Below is a table of some comments/questions that were raised within the open-ended elements of the survey.

**Summary of “open ended” questions and comments:**

I have supplied responses in green and an FAQ at the bottom of this report to add some context to the questions and comments which we will publish on our website as part of the survey results section once a decision has been made and published on the decision around this order:

Comment/suggestion/question	Tally	Response
More patrols/enforcement	10	<p><b>Patrols</b> Cheshire East council currently has 5 Community Enforcement Officers, one Senior Community Enforcement Officer and 2 externally contracted environmental enforcement officers who are authorised to prosecute those seen breaching our dog fouling and dog control PSPO. Police do also have these powers as do Police Community Support Officers, who can report members of public for breaches of this order so as the council can then issue a fine based on their witness statement. Our teams have regularly patrolled Carrs Park for breaches of this order.</p> <p><b>Enforcement</b> Since November 2017 (up until 31 July 2020) patrols have issued <b>78</b> Fixed Penalty Notices for breach of PSPO within the Wilmslow area. Although we cannot confirm that every Fixed Penalty Notice issued is in relation specifically to Carrs Park, it is highly likely that the majority of these are.</p>
Dogs must be on lead in all public spaces	4	The authority has tried to carefully balance decisions around dog control so as the vast majority of dog owners are able to exercise their dog off a lead in public as long as they are in control of their dog. To apply an order to ban this in all public areas would not be proportionate at this stage. We have recognised that it may however be appropriate to apply more restrictions in some of our parks and open areas where we have had increased reports of a lack of dog control. Carrs park already has conditions around dogs on lead in some areas of the park.
Enforcement should also include bagged foul left behind	2	The current PSPO does include this, this is included in a “failure to remove the faeces from the land forthwith”. Leaving your dog poo behind in a bag on the floor, in a tree, outside a building, by a bin or a gate is not removing it from the land. We have issued fines for this behaviour and will continue to do so.
More signage/campaigns/education	1	We have had several requests to review the signage at Carrs Park and it is our intention to do so once the new order is in place.
Higher fines	6	Currently, this is the highest rate fine we can apply in relation to failing to remove from land dog foul and also failing to control a dog. The fine levels were set by the home office as part of this legislation (under the ASB Crime and Policing Act 2014). We set the fine at its highest level which is £100 and have given no early payment reduced rate. There is no other legislation currently available to the authority that would allow us to make this fixed penalty notice any higher. However, for repeat offenders, or offenders who refused or fail to pay the fine, we will look to progress the matter to the magistrate’s court, whereby if found guilty an offender could receive a fine of up to £1000 and a criminal conviction.

Would like to condition in relation to number of dogs per owner reduced to less dogs	1	At this stage we do not have evidence to show that this is required, however we will continue to monitor the situation, and if this changes then we will review and look to potentially vary the order.
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**Of Note further FAQ responses:**

- Who is an “authorised person” in relation to who can issue fines for breach of PSPO?

An “authorised officer” is an officer who has been delegated and authorised powers by the council to issue fixed penalty notices for breach of our PSPO’s. Within Cheshire East authorised officers are:

- (i) Cheshire East Community Enforcement officers
- (ii) Environmental Enforcement Officers (externally procured company)
- (iii) Police Officers
- (iv) Police Community Support Officers

There are no other council officers, community group members of other body that have been authorised to use powers to police against this order.

All officers will be able to show you either their Cheshire East Council photo ID with a written authorisation on the back of their identification card and a phone number to contact if you wish to check this. A Police officer or Community Enforcement Officer will be able to show you similar as well.

Police officers do not issue fines on the spot but have the power to police against the order. If they witness anyone committing this offence, they have the power to request details and report the individual to us for breach. The Council will then issue the Fixed Penalty Notice off the back of a statement from the police authority.



### Can someone refuse to give details/give false details?

Refusing to give details to an authorised officer is a criminal offence and anyone committing this offence will be reported for officer obstruction offences. If an individual refuses to give details then the police may be contacted who will also attend the scene and use their powers to assist with the situation, this could in extreme circumstances also involve power of arrest.






If on issue of a fixed penalty notice it becomes apparent that false details have been given then again, offenders will be pursued for obstruction offences alongside the original offence that was committed.

## **The Carrs Park, Wilmslow Dog Fouling and Dog Control Public Space Protection Order Consultation results Summary**

**1. How strongly do you agree or disagree with Part 1 of the order as outlined above which focuses on clearing up dog foul and disposing of it correctly? Please select one option only**

			Response Percent	Response Total
1	Strongly agree		97.62%	41
2	Tend to agree		2.38%	1
3	Neither agree or disagree		0.00%	0
4	Tend to disagree		0.00%	0
5	Strongly disagree		0.00%	0
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0

**2. How strongly do you agree or disagree with Part 2 of the order as outlined above which focuses on maximum number of dogs per owner visiting the park? Please select one option only**

			Response Percent	Response Total
1	Strongly agree		80.95%	34
2	Tend to agree		9.52%	4
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		4.76%	2
6	Unsure/Don't know		2.38%	1
			answered	42
			skipped	0

**3. How strongly do you agree or disagree with Part 3 of the order as outlined above which focuses on dogs on lead by direction in certain areas of the park? Please select one option only**

			Response Percent	Response Total
1	Strongly agree		92.86%	39
2	Tend to agree		2.38%	1
3	Neither agree or disagree		0.00%	0
4	Tend to disagree		2.38%	1
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0



**4. How strongly do you agree or disagree with Part 4 of the order as outlined above which focuses on dogs on lead by direction in certain areas of the park? Please select one option only**

			Response Percent	Response Total
1	Strongly agree		92.86%	39
2	Tend to agree		2.38%	1
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0




**5. How strongly do you agree or disagree with the potential outcomes for those in breach of this public spaces protection order as outlined above? Please select one option only**

			Response Percent	Response Total
1	Strongly agree		88.10%	37
2	Tend to agree		7.14%	3

**5. How strongly do you agree or disagree with the potential outcomes for those in breach of this public spaces protection order as outlined above? Please select one option only**

			Response Percent	Response Total
3	Neither agree or disagree		2.38%	1
4	Tend to disagree		0.00%	0
5	Strongly disagree		2.38%	1
6	Unsure/Don't know		0.00%	0
			answered	42
			skipped	0

**6. Which of the following applies to you? Please select all that apply**

			Response Percent	Response Total
1	Resident of Cheshire East		100.00%	39
2	I work in Cheshire East		7.69%	3
3	I am a local CEC/Parish Councillor		0.00%	0
4	I am a member of a local community group (please state which group below)		5.13%	2








**8. What is your gender identity? Please select one option only**

			Response Percent	Response Total
1	Male		57.50%	23

**8. What is your gender identity? Please select one option only**

			Response Percent	Response Total
2	Female		40.00%	16
3	Prefer not to say		2.50%	1
4	Prefer to self describe (please write in the box below):		0.00%	0
			answered	40
			skipped	2

**9. What age group do you belong to? Please select one option only**




			Response Percent	Response Total
1	16-24		0.00%	0
2	25-34		0.00%	0
3	35-44		10.00%	4
4	45-54		30.00%	12
5	55-64		15.00%	6
6	65-74		17.50%	7
7	75-84		10.00%	4
8	85 and over		2.50%	1
9	Prefer not to say		15.00%	6
			answered	40
			skipped	2

**10. What is your ethnic origin? Please write in below**





			Response Percent	Response Total
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**10. What is your ethnic origin? Please write in below**

			Response Percent	Response Total
1	White British / English / Welsh / Scottish / Northern Irish / Irish		84.21%	32
2	Any other White background		2.63%	1
3	Mixed: White and Black Caribbean / African / Asian		0.00%	0
4	Asian / Asian British		0.00%	0
5	Black African / Caribbean / Black British		0.00%	0
6	Prefer not to say		13.16%	5
7	Prefer to self describe (please write in the box below):		0.00%	0
			answered	38
			skipped	4

**11. Which of the following best describes your religious belief / faith? Please select one option only**

			Response Percent	Response Total
1	Buddhist		0.00%	0
2	Christian		38.46%	15
3	Hindu		0.00%	0
4	Jewish		0.00%	0
5	Muslim		0.00%	0
6	Sikh		0.00%	0
7	None		41.03%	16
8	Prefer not to say		15.38%	6
9	Prefer to self describe (please write in the box below):		5.13%	2
			answered	39
			skipped	3

**12. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This includes problems related to old age. Please select one option only**

			<b>Response Percent</b>	<b>Response Total</b>
1	Yes		5.26%	2
2	No		86.84%	33
3	Prefer not to say		7.89%	3
			answered	38
			skipped	4