



Consultation Response

FROM THE RSPCA IN WALES

Consultation response: Caerphilly County Borough Council's Public Space Protection Order (PSPO) relating to dog control July 2021

RSPCA Cymru welcomes the opportunity to respond to Caerphilly Council's formal consultation on its proposals to amend a Public Space Protection Order (PSPO) - made under the Anti-Social Behaviour Crime and Policing Act 2014 - in relation to dog control.

THE COUNCIL IS PROPOSING THE CONTINUATION OF THE EXISTING RESTRICTIONS IN RELATION TO DOG CONTROL, NAMELY:

- EXCLUDING DOGS FROM ALL ENCLOSED CHILDREN'S PLAY AND MULTI-USE GAMES AREAS
- REQUIRING DOGS TO BE KEPT ON LEADS IN ENCLOSED MEMORIAL GARDENS
- REQUIRING DOG OWNERS TO REMOVE DOG FAECES IN PUBLIC PLACES
- REQUIRING DOG OWNERS TO CARRY AN APPROPRIATE RECEPTACLE FOR DEALING WITH THE WASTE THAT THEIR DOGS PRODUCE (THAT IS TO ALWAYS HAVE THE MEANS TO PICK UP THEIR DOG FAECES)
- REQUIRING DOG OWNERS TO PUT THEIR DOGS ON A LEAD WHEN DIRECTED TO DO SO BY AN AUTHORISED OFFICER ON ANY PUBLIC LAND WHERE THE DOG IS CONSIDERED TO BE OUT OF CONTROL OR CAUSING HARM OR DISTRESS TO PREVENT A NUISANCE

DO YOU AGREE OR DISAGREE WITH THE PROPOSAL TO CONTINUE EXISTING RESTRICTIONS?

Yes. The RSPCA is supportive of the local authority retaining provisions contained within its existing PSPO, and feel these are proportionate measures which encourage responsible dog ownership.

Dog owners have a responsibility to ensure their pet does not foul - so it is absolutely right that the local authority clearly requires owners to remove faeces in public places. RSPCA Cymru would also urge the Council to also look at educational or promotional schemes around responsible dog ownership in areas or hot spots where dog fouling is a regular issue.

We would also urge the local authority to ensure any authorised officer directing dog owners to take particular actions - for example requiring them to put their dog on a lead in certain situations - has the appropriate experience, knowledge and training to impose these conditions; and to ensure the welfare of the dog is not compromised. Officers should ensure any instruction to place dogs on a lead is supplemented with general advice that a dog should still be regularly exercised off the lead in other safe, appropriate situations.

The RSPCA particularly welcomes the ongoing requirement in Caerphilly to require all dog owners to carry an appropriate receptacle or bag to pick up dog faeces if their dog has defecated at any time on land listed within the Order. This promotes responsible dog ownership and compliance with dog fouling laws - and we believe will help foster more positive relationships between dog and non-dog owners in the local area.

Due to the comfort and support that owners can receive from their dog, we also welcome proposals to continue to allow dogs in memorial gardens on a lead. This will help owners who otherwise may have no choice but to leave their dog tied up outside the cemetery which is stressful for the dog and poses them at risk of theft. Furthermore, it avoids the risk of those attending memorial gardens leaving their dog in their car which would place them at risk of causing unnecessary suffering and potentially being charged with an offence under the Animal Welfare Act 2006 - especially during spells of warmer weather.

The RSPCA understands the value of local authorities ensuring that certain sections of open space may be dog-free, such as children's play areas and purpose built multi-use games areas - so are comfortable with the continued reference to dogs not being allowed in children's play areas within the PSPO.

THE COUNCIL IS PROPOSING AN AMENDMENT TO THE EXISTING RESTRICTIONS IN RELATION TO DOG CONTROL TO INCLUDE:

-THE EXCLUSION OF DOGS FROM ALL COUNCIL OWNED MARKED SPORTS/PLAYING PITCHES

DO YOU AGREE OR DISAGREE WITH THE PROPOSAL TO EXCLUDE DOGS FROM ALL COUNCIL OWNED MARKED SPORTS/PLAYING PITCHES?

No. We are concerned by the Council's plans to amend existing PSPO restrictions to exclude dogs from Council-owned marked sports and playing pitches.

Excluding responsible dog owners from allowing their dogs onto a marked sports playing pitch would be restrictive, especially if adequate space nearby was not available and would prohibit the dog from expressing normal behaviour, and may also prove confusing for dog owners as many of these pitches are seasonal with limited or no signage or fencing.

RSPCA Cymru believes that although dog faeces can be a nuisance to the people that use the sports pitches, they can, should and are easily removed by responsible dog owners; so imposing the restriction on all will punish the responsible dog owners and impose a negative view of dog ownership within the community. Additionally, we believe that the provisions that make it an offence for an owner not to pick up their dog's faeces and the need to carry an appropriate dog faeces receptacle go some way to mitigating the issues associated with areas such as marked sports pitches and therefore would urge local authorities to consider other means before adopting this disproportionate exclusion.

Such a provision has historically proved unpopular with dog-owners. In 2018, Cardiff Council reversed proposals to ban dogs from marked sports pitches following protests and objections from hundreds of local residents¹. The RSPCA was supportive of these objections as we felt that the ban was disproportionate and was detrimental to the welfare of hundreds, if not thousands, of dogs from the local area.

¹ RSPCA Cymru news - [RSPCA Cymru concern over plans for dog ban on capital's marked sport pitches](#), 5 October 2018

We urge Caerphilly Council to reconsider amending its PSPO, and thus not exclude dogs being walked on Council-owned marked sports and playing pitches. We fear these proposals risk demonise responsible owners and their pets, and could threaten dog welfare where someone doesn't have sufficient alternative walking spots near their home. The challenges this can pose was highlighted during recent coronavirus-related lockdown restrictions, where people were unable to travel further to walk their dogs and had to rely on walking spots near to their homes.