



To: The Leader and Executive Councillor for Strategy and Transformation: Councillor Lewis Herbert

Report by: Wendy Young, Operations Manager (Community Engagement and Enforcement)

Relevant scrutiny committee: Strategy & Resources  
23/1/2017  
Scrutiny Committee

Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge East Chesterton King's Hedges Market Newnham Petersfield Queen Edith's Romsey Trumpington West Chesterton

## **PUBLIC SPACES PROTECTION ORDER**

### **Public Spaces Protection Order For Dog Control in Cambridge**

### **Not a Key Decision**

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## **1. Executive summary**

This report considers the statutory consultation exercise conducted by the Council during October and November 2016 in relation to the proposal to introduce a Public Spaces Protection Order ('PSPO') in respect of dog control (including dog fouling, dog exclusion and dogs on leads requirements) within Cambridge.

The purpose of this report is to inform the Executive Councillor of the results of the consultation, in summary form, and to highlight the main substantive issues that have been raised and how these have been taken into account, in formulating the next steps of the proposed PSPO.

## **2. Recommendations**

The Executive Councillor is recommended:

1. To note the contents of the report only
2. To undertake further consultation work for the proposals at the following sites:
  - Cherry Hinton Hall
  - Ravensworth Gardens
  - Mill Road Cemetery

3. To ask officers to provide a full report on the consultation responses and recommended PSPO at Strategy and Resources Committee in 2017.

### **3. Background**

- 3.1 PSPOs are designed to place controls on the use of public space and everyone within it. The orders have effect for up to three years and can be extended. Only local authorities can make PSPOs. 'Public place' means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

- 3.2 The Council can make a PSPO if satisfied on reasonable grounds that two conditions are met. The first condition is that:

- a. Activities carried out in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality; or,
- b. It is likely that activities will be carried out in a public place within that area and that they will have such an effect.

The second condition is that the effect or likely effect, of the activities:

- a. Is or is likely to be, of a persistent or continuing nature;
- b. Is, or is likely to be, such as to make the activities unreasonable; and,
- c. Justifies the restrictions imposed by the notice.

- 3.3 A PSPO is an order that identifies the public place and:

- a. Prohibits specified things being done in that public place;
- b. Requires specified things to be done by persons carrying on specified activities in that place; or
- c. Does both of those things.

- 3.4 The only prohibitions or requirements that may be imposed are ones that are reasonable to impose, in order to prevent or reduce the risk of the detrimental effect continuing, occurring or recurring.

- 3.5 Prohibitions can apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories.

- 3.6 The order can specify the times at which it applies and the circumstances in which it applies or does not apply.

- 3.7 Unless extended the order may not have effect for more than 3 years.

- 3.8 Breach of a PSPO, without reasonable excuse, is a criminal offence. The Police or a person authorised by the Council can issue fixed penalty notices. A person can also be prosecuted for breach of a PSPO and, on conviction; the Magistrates' Court can impose a fine not exceeding level 3 on the standard scale (currently £1000).
- 3.9 On 10 October, 2016, the Executive Councillor approved in principle the proposal to make a PSPO in respect of dog control (including dog fouling, dog exclusion and dogs on leads requirements) within Cambridge. Authorisation was given for the necessary statutory consultation to be carried out, prior to any decision being made on whether or not to make such a PSPO.

### **Summary of responders**

- 3.10 A total of 386 responses were received in response to the consultation, 92% of those responded lived in Cambridge and 50% were dog owners/walkers. Respondents to the consultation ranged in age from under 18 years to 65 years and over.
- 3.11 Written responses were also received from a number of groups and organisations including residents associations, Guidedogs for the Blind, Canine Generated Independence, The Kennel Club, RSPCA (Royal Society for Protection of Cruelty to Animals), Cambridgeshire County Council and Cambridgeshire Police and Crime Commissioner.

### **Dog fouling**

- 3.12 The PSPO proposal is to continue the requirement that on land, open to the air, to which the public are entitled or permitted to have access (with or without payment) across Cambridge, that if a dog defecates, at any time, the person who is in charge of the dog, at the time, must remove the faeces from the land immediately.
- 3.13 Responses to the consultation indicated high support for this power to continue and comments received indicated dog mess was a problem in a number of areas of the city; and questions were raised on how the offence was to be enforced.

### **Dogs on leads by direction**

- 3.14 The PSPO proposal is that a person in charge of a dog must comply with a direction given to them by an authorised officer to put and keep the dog on a lead, in situations when dogs appear to be 'out of control' include the following situations:
- Where animals, or birds, or wildlife, are, or could be, threatened;

- Where the public, particularly children or vulnerable adults, are at threat, or feel threatened;
- Where dogs are posing a risk to the safety of pedestrians and/or cyclists and/or motorists;
- Where dogs are causing damage to public property, including trees and plants; and
- In case of emergency situations.

3.15 97% of respondents agreed that authorised officers should have the ability to use the power in given situations. The consensus of comments received was that that this power should only be used when proportionate to the situation; and that officers should use careful judgement in applying this order when a dog displayed genuine behaviour and could cause harm to people or other dogs.

### **Dogs on leads**

3.16 In reviewing the transition from the existing dog control orders, the PSPO proposal is to retain dogs on leads for some play areas and cemeteries and to remove restrictions for others. A list of the sites affected by each of these proposals is included in appendix A. Land subject to the proposed PSPO will continue to have signs using the words “dogs on leads area”; or words and/or symbols having a similar meaning displayed.

3.17 In retaining current restrictions, 88% of responders agreed with the play areas where dogs were to be kept on leads at all times, and 81% agreed with the requirements to keep dogs on leads at Histon Road and Newmarket Road cemetery.

3.18 In removing restrictions, the majority of responders, 54%, replied that existing dogs on leads requirements at children’s play areas should remain in place.

3.19 A specific question was asked about the requirement for dogs to be on leads at Mill Road Cemetery, with 59% of respondents supporting dogs to be on leads at all times in this area.

### **Dog exclusion areas**

3.20 In reviewing the transition from the existing dog control orders, the PSPO proposal is to retain dog exclusion areas for some play areas, paddling pools, tennis courts and bowling greens and to remove restrictions for others. A list of the sites affected by each of these proposals is included in appendix A. Land subject to this order will continue to have signs using the words “dog exclusion area” or words and/or symbols having a similar meaning displayed.

- 3.21 In retaining current restrictions, 85% of responders agreed with the bowling greens, 87% with paddling pools, 88% with tennis courts as the areas where dogs were to be excluded at all times, and 83% agreed with the requirements to exclude dogs from the play areas set out in the consultation.
- 3.22 In removing existing restrictions, only 41% agreed with the proposals. A number of the sites, where restrictions were proposed to be removed, are no longer fenced or not easily accessible. A list of these sites is included in appendix B

### **Ravensworth Gardens green area**

- 3.23 For the green area at Ravensworth Gardens, the PSPO proposal is to require dogs to be on leads at all times; or for dogs to be excluded.
- 3.24 30% of respondents agreed that dogs should be excluded from the green area at all times, and 65% agreed that dogs should be on leads at all times. When asked to state their preference for a dog exclusion area, dogs on leads restriction, or neither, the results were 21% for dog exclusion area, 47% for dogs on leads area, 25% for neither and 8% set out other ideas. The ideas suggested include marking a dedicated dog exercise area, CCTV cameras and timed dogs on leads / dog exclusion areas.
- 3.25 A number of residents and South Petersfield Residents Association wrote to support the proposal for a dog exclusion area at Ravensworth Gardens.

### **Cherry Hinton Hall**

- 3.26 For the pond area at Cherry Hinton Hall, PSPO proposal is to require dogs to be on leads at all times.
- 3.27 The results of the consultation show that 60% of responses agreed with the proposal, though a number of comments were made about the geographical area that had been identified in the consultation.

### **Cherry Hinton Lakes**

- 3.28 For the area of Cherry Hinton Lakes, the PSPO proposal is to require dogs to be on leads at all times. The results of the consultation show that 51% of responses agreed with the proposal.

### **Exceptions**

- 3.29 It was proposed that some exceptions were included within the order, in line with those that are already in place for the dog control orders. The proposed exceptions are set out in the draft order of Appendix A.
- 3.30 These were proposed to ensure that the restrictions placed on dog owners / handlers are reasonable and take into account conditions where it is not possible to comply.
- 3.31 87% of respondents agreed with the proposed exceptions; however a number of responses set out suggested changes to the exceptions that should be considered and had not previously formed part of the dog control orders.

### **Next steps**

- 3.32 Following a careful consideration of the consultation responses officers are recommending the following steps:
1. Undertake further consultation work for the proposals at Cherry Hinton Hall, Ravensworth Gardens and Mill Road Cemetery, including but not limited to:
    - Liaison with residents, parochial committee and friends of groups;
    - Focus groups; and
    - Officer questionnaires
  2. Review the exceptions listed in line with advice from expert agencies and officers, both internal and external.
  3. In light of the above, to revise the proposed PSPO to enhance clarity and certainty.
- 3.33. In setting out this background, the Executive Councillor is asked specifically to note, that the proposed PSPO is not put forward as a means of unduly restricting the exercising or recreation of dogs across the city. The reason for putting forward the PSPO is to address the detrimental effect on the quality of life of those in the locality caused by the irresponsible behaviour of a small minority of dog owners; and to set out a clear standard to which all dog owners are required to adhere.

## **4. Implications**

### **(a) Financial Implications**

The Council has already incurred the cost of carrying out the consultation. If the PSPO is made, in accordance with Anti-social Behaviour, Crime and Policing Act 2014, the Council must 'cause to be erected on or adjacent to the land in relation to which the public spaces protection order has been

made such notice or notices as it considers sufficient to draw the attention of any member of the public using that land to –

- (i) the fact that a public spaces protection order has been made; and
- (ii) and the effect of that order being made.

The signage required will cost approximately £9.60 each plus delivery charge of £15. Approximately the total cost is in the region of £3000 which will be met from within existing departmental cost centres.

Dog Fouling and Dogs on Leads by direction are city-wide offences and therefore advisory warning signs will be placed in hotspot areas. Dog exclusion and dogs on leads areas will have advisory signs placed at entrances to the designated areas under these orders.

The issuing of Fixed Penalty Notices will generate additional income, which can offset the cost of signage in future years if considered appropriate.

#### **(b) Staffing Implications**

There are no additional staffing implications as officers are already equipped to deal with dog fouling and nuisances.

#### **(c) Equality and Poverty Implications**

An Equality Impact Assessment (EQIA) has been completed; please see attached Appendix C.

The impact on residents, visitors and businesses is expected to be positive, as these proposals should continue to act as a deterrent to irresponsible dog ownership. Exemptions for those with disabilities have been fully considered and included in the consultation. There is no adverse impact on any other Protected Groups from its adoption.

#### **(d) Environmental Implications**

There will continue to be a positive effect on local environmental quality with the enforcement of a PSPO for Dog Control and the continued enforcement against dog fouling.

#### **(e) Procurement**

Costs for the purchase of signage are estimated to be in the region of £3000 and fall below the threshold of £10,000 within the corporate procurement procedures. Therefore best value will be demonstrated by obtaining at least one written quotation.

## **(f) Consultation and communication**

The Council has carried out an extensive consultation, which included the necessary consultation required by statute. The consultation was carried out at a stage when the proposal was at a sufficiently formative stage and with an open mind as to what the responses may be. The Council believes this is amply demonstrated by the proposed alterations made to the terms of the PSPO, resulting from the consultation and the recommended further specific consultation over the proposals for Cherry Hinton Hall, Ravensworth Gardens and Mill Road Cemetery.

The Council is required to consult with the Chief Officer of Police the Police and Crime Commissioner, the local policing body and whatever community representatives the Council thought appropriate to consult. The Council is also required to consult with the owner or occupier of land within the restricted area (to the extent that this was reasonably practicable).

It was recognised that the proposed PSPO could be of interest to many sections of the community, including the public and special interest groups. Accordingly, the Council has consulted widely. The list of consultees (those consulted separately to the main public consultation) is at Appendix E. The consultation included:

- Making the survey available on the Council's website (Appendix D)
- Letters sent out to statutory consultees and to any individual, organisation or business on request.
- Local newspaper ran a press release from the Council informing people of the consultation and giving links and addresses for responses.
- Notifying all residents groups and friends of groups of the consultation.

## **(g) Community Safety**

The introduction of a PSPO for dog control will continue to have a positive effect on community safety, reducing the risks associated with Toxocariasis<sup>1</sup> and nuisance dogs

## **(h) Human Rights**

In deciding whether to make a PSPO and, if so, what it should include, the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights.

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<sup>1</sup> Toxocariasis is a rare infection caused by roundworm parasites. Its spread from animals to humans through contact with infected faeces and infection may cause disease that involves the liver, heart, lung, muscle, eye, and brain.



## 5. Background papers

These background papers were used in the preparation of this report:

- Anti-social Behaviour, Crime and Policing Act 2014:  
<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted/data.htm>
- DEFRA Dealing Practitioner's Manual on dealing with irresponsible dog ownership:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/373429/dog-ownership-practitioners-manual-201411.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownership-practitioners-manual-201411.pdf)
- The Anti-Social Behaviour, Crime and Policing Act 2014 Statutory guidance for frontline professionals:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/352562/ASB\\_Guidance\\_v8\\_July2014\\_final\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf)
- Report to Strategy and Resources Committee Proposed Public Spaces Protection Orders For Dog Control in Cambridge;
- Minutes for Strategy & Resources Scrutiny Committee on 10<sup>th</sup> December 2016 and;
- Consultation responses

## 6. Appendices

Draft Orders Appendix A  
Proposed locations for Orders Appendix B  
EQIA Appendix C  
Consultation Survey Appendix D  
List of consultees Appendix E

## 7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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## **ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 SECTION 59**

### **PUBLIC SPACES PROTECTION ORDER 2017**

Cambridge City Council (in this Order called “the Council”) hereby makes the following order:

This Order comes into force on the 23 January 2017 for a period of 3 years

#### **General provisions:**

1. This Order applies to the all land within the Council’s administrative area, which is open to the air (which includes land that is covered but open to the air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).
2. A person who fails to comply with any obligation imposed by this order is guilty of a criminal offence by virtue of section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

#### **Obligations on persons with dogs:**

##### **3. Fouling**

If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land immediately unless:

- They have reasonable excuse for failing to do so; or
- The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

##### **4. Leads by order**

A person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead unless:

- They have reasonable excuse for failing to do so; or
- The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

##### **5. Leads**

A person in charge of a dog on land detailed in Schedule 1 below must keep the dog on a lead at all times unless

- They have reasonable excuse for failing to do so; or
- The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

## **6. Exclusion**

A person in charge of a dog on land detailed in Schedule 2 below must not take it into or keep it in this land at all times unless

- They have reasonable excuse for failing to do so; or
- The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

## **7. Exemptions**

Nothing in section 3 of this order shall apply to a person who:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- Has a disability which affects the person's mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which the person relies for assistance.

Nothing in section 6 of this order shall apply to a person who:

- Is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which the person relies for assistance; or
- Has disability which affects the person's mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which the person relies for assistance.

### **For the purpose of this order:**

- A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces
- "An authorised officer of the Authority" means an employee, partnership agency or contractor of Cambridge City Council who is authorised in writing by Cambridge City Council for the purposes of giving directions under the Order.
- For the purposes of the Order, a "disability" means a condition that qualifies as a disability for the purposes of the Equality Act 2010.
- Each of the following is a "Prescribed Charity" –
  - Dogs for the Disabled (registered charity number 700454)
  - Support Dogs (registered charity number 1088281)
  - Canine Partners for Independence (registered charity number 803680)

Dated.....

## Schedule 1

### Dogs on leads areas:

- Cemeteries
  - Newmarket Road Cemetery – the whole of the cemetery
  - Histon Road Cemetery – the whole of the cemetery
- Abbey Pool play area (Access Land)
- Coldhams Lane play area (Access Land)
- Cambridge Lakes
- Cherry Hinton Hall – *area by pond / stream*
- Ditton Fields – *the whole of the park*
- Kings Hedges Recreation Ground (Pulley) – *the part of the park that contains the children's play equipment, but excluding the fenced area that contains the paddling pool*
- Molewood Close – *the whole of the park*
- Ravensworth Gardens – *Green area (upper area)*
- Velos Walk – *the whole of the park*

## Schedule 2

### Dog exclusion areas

- Fenced bowling greens at the following locations:
  - Alexandra Gardens
  - Christs Pieces
  - Coleridge Recreation Ground
  - Lammas Land
  - Nightingale Avenue
  - Trumpington Recreation Ground
- Fenced tennis courts at the following locations:
  - Cherry Hinton Hall
  - Christs Pieces
  - Coleridge Recreation Ground
  - Jesus Green (Access Land)
  - Lammas Land
  - Nightingale Avenue
  - Trumpington Recreation Ground
- Outdoor paddling pools at the following locations:
  - Abbey Pool Paddling Pool (Access Land)
  - Cherry Hinton Hall
  - Coleridge Paddling Pool
  - Lammas Land
  - Sheep's Green Learner Pool
- Fenced children's play areas at the following locations:
  - Aberdeen Avenue
  - Ainsdale
  - Alexandra Gardens
  - Arbury Court
  - Atkins Close
  - Bateson Road
  - Beales Way
  - Brooks Road
  - Cherry Hinton Hall
  - Cherry Hinton Recreation Ground

- Chesterton Recreation Ground
- Chestnut Grove
- Christs Pieces
- Coleridge Recreation Ground
- Discovery Way
- Dudley Road
- Edgecombe Flats
- Flower Street
- Green End Road
- Gunhild Way/Close
- Hampden Gardens
- Histon Road
- Humphreys Road
- Jesus Green (Access Land)
- Kathleen Elliot Way
- Kingfisher Way
- Neptune Close
- Nightingale Avenue
- Nuns Way
- Pearl Close
- Petersfield
- Peverel Road
- Ramsden Square
- Ravensworth Gardens (1)
- Ravensworth Gardens (2)
- Ravensworth Gardens (Upper Green)
- Reilly Way
- River Lane
- Robert May Close
- Romsey Recreation Ground
- Scotland Road
- Sleaford Street/Ainsworth Street
- St Albans Recreation Ground
- St Barnabas Court
- St Matthews Recreation Ground
- St Thomas's Square
- Stourbridge Common (Access Land)
- The Bath House (Gwydir Street\_
- Thorpe Way/Fison Road
- Trumpington Recreation Ground
- Whytford Close

## Appendix B: Proposed locations of Orders

Location	Area	Restriction	Introduction date	Proposal	Comments
Abbey Pool Paddling Pool (Access Land)	Outdoor paddling pool	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Abbey Pool Paddling Pool (Access Land)	Children's play area	Dog on leads area	July 2013	Keep as a dogs on leads area	Has right of way through the park
Aberdeen Avenue	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ainsdale	The whole of the park	Dog on leads area	July 2013	Create a dog exclusion area	Park now fully enclosed
Alexandra Gardens	Fenced bowling green	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Alexandra Gardens	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Arbury Court	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Arbury Court	The whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	
Ashbury Close	The whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Atkins Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Barnwell Road	Fenced bowling greens	Dog exclusion area	July 2013	Remove dog exclusion restriction	
Barnwell Road	Fenced tennis courts	Dog exclusion area	July 2013	Remove dog exclusion restriction	
Bateson Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Beales Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Brooks Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Brooks Road	The whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	
Cambridge Lakes	The whole area	None	None	Consider dog on leads restriction	
Cherry Hinton Hall	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Cherry Hinton Hall	Pond / stream area	None	None	Create a dogs on lead area	
Chesterton Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Chestnut Grove	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Christs Pieces	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coldhams Lane play area (Access Land)	Play area	Dog on leads area	July 2013	Keep as a dogs on leads area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Coleridge Recreation Ground	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Paddling Pool	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Recreation Ground	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Coleridge Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Discovery Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	Subject to consultation with land owners
Ditton Fields	The whole of the park	Dog on leads area	July 2013	Keep as a dog on leads area	
Dudley Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Dundee Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Edgecombe Flats	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ekin Road	Fenced children's play areas	Dog exclusion area	July 2013	Remove dogs exclusion restriction	
Flower Street	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
George Nuttall Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Great Eastern Street	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads restriction	
Green End Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Green End Road	the whole of the park, excluding the fenced area	Dog on leads area	July 2013	Remove dogs on leads restriction	



Location	Area	Restriction	Introduction date	Proposal	Comments
Gunhild Way/Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Hampden Gardens	Fenced children's play area	None	None	Add as a dog exclusion area	
Histon Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Histon Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Keep as a dogs on leads area	
Humphreys Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Jesus Green (Access Land)	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Jesus Green (Access Land)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kathleen Elliot Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kingfisher Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Kings Hedges Recreation Ground	The part of the park that contains the children's play equipment	Dog on leads area	July 2013	Keep as a dog on leads area	
Kings Hedges Recreation Ground	Outdoor paddling pools	Dog exclusion area	July 2013	Remove dogs exclusion restriction	Area no longer fenced off
Lammas Land	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Lammas Land	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Lammas Land	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Lammas Land	the part of the park that contains the children's play equipment, but excluding the unfenced area that contains the paddling pool	Dog on leads area	July 2013	Remove dogs on leads restriction	
Mill Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Remove dogs on leads area	Currently suspended
Molewood Close	the whole of the park	Dog on leads area	July 2013	Keep as a dogs on leads area	
Neptune Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Newmarket Road Cemetery	the whole of the cemetery	Dog on leads area	July 2013	Keep as a dogs on leads area	
Nightingale Avenue	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dogs on leads area	
Nightingale Avenue	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Nightingale Avenue	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Nuns Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Pearl Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Petersfield	Fenced children's play areas	Dog exclusion area	July 2013	Keep	
Peverel Road	Children's play area	None	None	Add a dog exclusion area	
Ramsden Square	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ravensworth Gardens (1)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Ravensworth Gardens (2)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Ravensworth Gardens	Green area (upper area)	None	None	Add a dog exclusion or dogs on leads restriction	
Reilly Way	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
River Lane	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Robert May Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Romsey Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Scotland Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Sheep's Green Learner Pool	Outdoor paddling pools	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Shelly Road	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
Shenstone House	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
Sleaford Street/Ainsworth Street	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Albans Recreation Ground	Fenced children's play areas	None	None	Add a dog exclusion area	
St Barnabas Court	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Matthews Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
St Thomas's Square	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

Location	Area	Restriction	Introduction date	Proposal	Comments
Stourbridge Common (Access Land)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Tenby Close	the whole of the park	Dog on leads area	July 2013	Remove dogs on leads area	
The Bath House (Gwydir Street)	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Thorpe Way play	The whole of the park, excluding the fenced area that contains children's play equipment.	Dog on leads area	July 2013	Remove dogs on leads area	
Thorpe Way/Fison Road	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced bowling greens	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced tennis courts	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Trumpington Recreation Ground	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	
Velos Walk	the whole of the park	Dog on leads area	July 2013	Keep as a dog on leads area	
Whytford Close	Fenced children's play areas	Dog exclusion area	July 2013	Keep as a dog exclusion area	

## Appendix C - Cambridge City Council Equality Impact Assessment



Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.

The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email [suzanne.goff@cambridge.gov.uk](mailto:suzanne.goff@cambridge.gov.uk) or from any member of the Joint Equalities Group.

### 1. Title of strategy, policy, plan, project, contract or major change to your service:

Proposed Public Spaces Protection Orders For Dog Control in Cambridge

### 2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

Dog control orders were made by Cambridge City Council in July 2013 and created offences of:

- Failing to remove dog faeces;
- Not keeping a dog on a lead in designated areas;
- Not putting, and keeping, a dog on a lead when directed to do so by an authorised officer; and
- Permitting a dog to enter land from which dogs are excluded

The introduction of Dog Control Orders created transparency and consistency within the City Council boundary and gave authorised officers the ability to issue fixed penalty notices for offences that were previously not enforced.

Where a dog control order is currently in force, it will continue to be valid for a period of three years following commencement of the Anti-social, Crime and Policing Act 2014. At this point it then is to be treated as a PSPO (with effect from October 2017). Guidance has identified that there is not the need to wait for this to happen and local authorities can decide to review the need for orders ahead of the transition.

Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 gives the Council new powers to make public spaces protection orders (PSPOs). These orders are intended to deal with a nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of the area. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.

**2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?**

The Council can make a public spaces protection order if satisfied on reasonable grounds that two conditions are met. The first condition is that:

- c. Activities carried on in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality; or,
- d. It is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect or likely effect, of the activities:

- d. Is or is likely to be, of a persistent or continuing nature;
- e. Is, or is likely to be, such as to make the activities unreasonable; and,
- f. Justifies the restrictions imposed by the notice.

**3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)**

- ☒ Residents
- ☒ Visitors
- ☐ Staff

A specific client group or groups (please state):

**4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)**

- ☐ New
- ☐ Revised
- ☒ Existing

**5. Responsible directorate and service**

Directorate: Environment

Service: Streets and Open Spaces Operations

**6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?**

☐ No

☒ Yes (please give details):

All council officers and external agencies who are involved with dog control and responsibility gathering can be involved with dog control, including but not limited to Cambridgeshire Police, Wood Green Animal Shelter, RSPCA and local dog welfare organisations.

**7. Potential impact**

Please list and explain how this strategy, policy, plan, project, contract or major change to your service could **positively** or **negatively** affect individuals from the following equalities groups.

When answering this question, please think about:

- The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Cambridge, service users, staff or partner organisations).
- Complaints information.
- Performance information.
- Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).
- Inspection results.
- Comparisons with other organisations.
- The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).
- The relevant premises involved.
- Your communications.
- National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).

**(a) Age** (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

Data for this characteristic is not held.

**(b) Disability** (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

Currently the dog control orders for clearing up dog faeces and dog exclusion areas do not apply to all people.

Dog fouling is not required to be cleared by people who are:

- a. Registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b. Have a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

Dog exclusion areas are not required to be complied with by people who are:

- a. Registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b. Are deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c. Have disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance

It is proposed that the same exemptions are created within the PSPO to ensure that the restrictions placed on dog owners / handlers are reasonable and take into account conditions where it is not possible to comply.

### **(c) Gender**

Data for this characteristic is not held..

### **(d) Pregnancy and maternity**

Data for this characteristic is not held.

### **(e) Transgender** (including gender re-assignment)

Data for this characteristic is not held.

### **(f) Marriage and Civil Partnership**

Data for this characteristic is not held.

### **(g) Race or Ethnicity**

Data for this characteristic is not held.



**(h) Religion or Belief**

Data for this characteristic is not held.

**(i) Sexual Orientation**

Data for this characteristic is not held.

**(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):**

Data for offences of dog control does not hold records of any of the above characteristics, so it is not possible to quantify / consider how specific groups might or might not be affected in Cambridge.

All enforcement action is undertaken in accordance with the council's [Corporate Enforcement Policy](#).

Currently the option for dealing with dog control is fixed penalty notices, which offers individuals and businesses the opportunity to pay a monetary fine, and in turn discharge their liability to prosecution (they will not end up with a criminal record). The continuation of fines at the same level, including an early repayment amount continues to offer a lower threshold that individuals and businesses can also take advantage of, reducing financial impacts.

The council does not offer payment by instalments or payment plans. Payment for fixed penalties can only be accepted for the full amount. However in cases of extreme financial difficulties, officers have discretion to be able to extend the lower threshold payment period (subject to legal restrictions), and will work together with those issued fixed penalties to avoid prosecution where possible.

**8. If you have any additional comments please add them here**

All communication by the Streets and Open Spaces Operations team is undertaken in accordance with the [Service Standards](#) which details what customers can expect of us.

Usage and payment of FPNS will be monitored and the EqIA kept under review as required.

## 9. Conclusions and Next Steps

- If you have not identified any negative impacts, please sign off this form.
- If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must complete question 8 to explain why that is the case.
- If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.

Email [suzanne.goff@cambridge.gov.uk](mailto:suzanne.goff@cambridge.gov.uk)

## 10. Sign off

Name and job title of assessment lead officer: Wendy Young, Operations Manager (Community Engagement and Enforcement)

Names and job titles of other assessment team members and people consulted:

Date of completion: 8 August 2016

Date of next review of the assessment:

## Appendix E List of consultees

Organisation	Method of consultation
PCC	Formal Letter
Local Police	Formal Letter
County Council	Email
<b>Other organisations</b>	
Arbury Road Veterinary Surgery	Letter
Blue Cross	Letter
Cambridge Veterinary Group	Letter
Clarendon Street Veterinary Surgery	Letter
Creature Comforts	Letter
Dapper Dog Grooming	Letter
Grumpy's	Letter
Guide Dogs	Letter
Just for Pets	Letter
Pets At Home	Letter
Poochie Parlour	Letter
RSPCA	Letter
Vets4Pets Cambridge	Letter
Wood Green Animal Shelter	Letter
Abbey People	Email
Accordia Community and Resident's Association (ACRA)	Email
Applecourt Residents' Association	Email
Arbury Road East RA (ARERA)	Email
Ascham Road Residents' Association	Email
Babraham Road Action Group	Email
Barton Close Residents' Association	Email
Bateman Street & Bateman Mews Residents Association	Email
BENERA (Bentley and Newton Road Residents' Association)	Email
Benson Area Residents' Association	Email
Birdwood Area Residents' Association	Email
Bishops Court Residents' Company Ltd	Email
Blinco Grove Residents' Association	Email
Bradmore & Petersfield Residents Association	Email
Brooklands Avenue Area Residents' Association	Email
Brookside Residents Association	Email
BRUNK (Brunswick and North Kite)	Email
Brunswick & North Kite Residents Association	Email
Bulstrode Gardens Residents Association	Email
Cam Sight	Email
Cambridge Deaf Association	Email
Cambridge Online	Email
Cambridge Valley Forum	Email

Cherry Hinton & Rathmore Road Residents' Association	Email
Christs Pieces Residents Association	Email
Clerk Maxwell Road Residents' Association	Email
Concerned Residents Of North West Cambridge (CRONC)	Email
Corfe Close Residents Association (CCRA)	Email
Covent Garden Residents' Association	Email
CREW	Email
Darwin & Akeman St (DEARA)	Email
Disability Cambridgeshire	Email
Dogs for Disabled	Email
East Mill Road Action Group EMRAG	Email
Empty Common Allotment Society	Email
Evening Court RA	Email
Federation of Cambridge Residents' Associations	Email
Fen Estates and Nuffield Road RA (FENRA)	Email
Fen Road Steering Group	Email
Fenners Lawn Residents' Association	Email
Friends of Bramblefields	Email
Friends of Cherry Hinton Hall	Email
Friends of Coldhams Common	Email
Friends of Histon Road Cemetery	Email
Friends of Histon Road Rec	Email
Friends of Midsummer Common	Email
Friends of Mill Road Cemetery	Email
Friends of Nightingale Rec	Email
Friends of Stourbridge Common	Email
Gazeley Lane Residents' Association	Email
Glisson Road/Tenison Road Area Residents' Association	Email
Gough Way Residents Association	Email
Grantchester Road Residents' Association	Email
Greenlands' Residents Association	Email
Greville Road RA	Email
Guest Road Residents' Association	Email
Gurney Way (& Atherton Close) Residents Association	Email
Hanover & Princess Court Residents' Association	Email
Hearing Dogs for Deaf People	Email
Hedgerley Close RA	Email
Highsett Flats Resident's Association	Email
Highsett Houses Residents' Society	Email
Highworth Avenue CB	Email
Hills Road Residents' Association	Email
Histon Road Residents' Association	Email
Hurst Park Estate Residents'	Email

Association (HPERA)	
Iceni Homes (Hundred Houses) Tenants' Association	Email
Jesus Green Association	Email
King Street Neighbourhood Association	Email
Lifecraft	Email
Local Access Forum	Email
Madingley Road Group	Email
Marion Close & Sherlock Road Association	Email
Millington Road & Millington Lane Residents' Association	Email
Mill Road Community Improvements Group	Email
Mill Road Society	Email
Millington Road & Millington Lane Residents' Association	Email
Milton Road RA (MRRA)	Email
Mitchams Corner Residents' & Traders' Association (MCRTA)	Email
Mulberry Close (Leys Road, Cambridge) Residents' Society Ltd	Email
NAFRA 19 Acre Field Residents' Association	Email
Newnham Croft Conservation Group	Email
Newnham Croft Residents' Association	Email
Newtown Residents' Association	Email
North Newnham Residents Association	Email
North Newtown Residents' Association	Email
Norwich Street Residents' Association	Email
Old Chesterton Residents Association	Email
Oxford Road Residents' Association	Email
Mitchams Corner Residents' & Traders' Association (MCRTA)	Email
Mulberry Close (Leys Road, Cambridge) Residents' Society Ltd	Email
NAFRA 19 Acre Field Residents' Association	Email
Newnham Croft Conservation Group	Email
Newnham Croft Residents' Association	Email
Newtown Residents' Association	Email
North Newnham Residents Association	Email
North Newtown Residents' Association	Email
Norwich Street Residents' Association	Email
Old Chesterton Residents Association	Email
Oxford Road Residents' Association	Email
Parishes Committee Mill Road Cemetery	Email

Park Street Residents' Association	Email
Petersfield Area Community Trust (PACT)	Email
Petersfield Mansions Residents' Association	Email
Pinehurst South Resident's Association	Email
Radcliffe Court Residents' Association	Email
Ravensworth Gardens Residents Association Limited	Email
Residents' Association of Old Newnham	Email
Richmond Fellowship	Email
Richmond Road Residents' Association	Email
Riverside Area Residents Association	Email
Romsey Action	Email
Rustat Neighbourhood Association	Email
Sandy Lane Residents' Association	Email
Shelly Gardens Leaseholder's Association	Email
Sherlock Close RA	Email
Southacre Latham Road and Chaucer Road RA (SOLACHRA)	Email
St Andrews Road RA	Email
Storeys Way Residents' Association	Email
Support Dogs	Email
Tavistock Road & Stratfield Close Residents' Association	Email
The Friends of Stourbridge Common	Email
Three Trees Residents' Association	Email
Trumpington Residents Association	Email
Victoria Park Residents Working Group	Email
West Cambridge Preservation Society	Email
Whitehill Residents Association	Email
Windsor Road Residents Association (WIRE)	Email