

# Dog Warden Service

## Public Spaces Protection Order Consultation

### Survey Report

January 2024



# 1 Introduction and Methodology

Over recent years Shropshire Council's Dog Warden Service has seen increased reports of dog fouling and there have been growing calls from communities across Shropshire to take enforcement action against pet owners who allow their animals to foul pavements and public amenity spaces. An in-depth review of the Dog Warden Service was undertaken by Shropshire Council during the winter of 2022/23. The review highlighted the growing number of reports received by the service and concluded that action was required to address the issue.

The Anti-Social Behaviour, Crime and Policing Act 2014 introduced Public Spaces Protection Orders (PSPOs) which are intended to provide the means of preventing individuals or groups committing anti-social behaviour in a public space. Section 59 of the Act sets out the test which must be satisfied before a local authority make a PSPO, including where the behaviour is having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable.

PSPOs create a framework that either replaces or updates existing public space restrictions such as alcohol Designated Public Place Orders and Dog Control Orders and permits local authorities to introduce new regulations.

The power to make an Order rests with local authorities, in consultation with the police and other relevant bodies who may be affected. A local authority can make a PSPO in respect of any public space within its administrative boundary. 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.

A PSPO can be in force for any period up to a maximum of three years after which time the Local Authority must consider whether to put in place another PSPO. Appeals against a draft PSPO can be lodged by anyone who lives in, or regularly works in or visits the area in the High Court within six weeks of issue. Further appeal can be made when a PSPO is varied by the local authority.

The proposed PSPO relates to:

- **Allowing dog fouling in the public area.**
- **Failure to appropriately remove and dispose of dog waste if a dog has been allowed to foul.**
- **Dog exclusion from play areas, equipped and fenced sports areas:** Dogs are excluded from children's play areas, Multi-Use Games Areas (MUGAs) and tennis courts. For example, a children's play area that contains children's play equipment such as slides, swings, climbing frames and similar apparatus and that is enclosed on all sides by fences, gates, walls or other structures that mark the boundary of the play area. The clear boundaries of these areas make it easy for people to identify the extent of the area where dogs are not allowed.
- **Dogs on leads by direction:** This order gives authorised officers the power to ask for a dog to be put on a lead in situations where they are

not under the appropriate control of their owner or where they are causing damage or acting aggressively towards other dogs or park users.

- **Dogs on leads on the highway:** Dogs must be kept on a fixed lead (which includes a fixed extendable lead), of no more than 1 metre in length, when on or adjacent to the public highway, a footway, footpath or cycle track.

There is an exemption to any exclusion requirement for registered assistance dogs. Orders can be enforced by a police officer, a police community support officer, authorised council officers and employees of other delegated organisations. A breach of the PSPO can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a level 3 fine (max £1000) on prosecution.

In establishing a PSPO, appropriate signage must be displayed in accordance with the requirements of the Act on entry points to the public area and within the said area. To support the enforcement action a proactive public information campaign is also proposed by Shropshire Council. This would advise of health considerations, the impact of dog nuisance and the reasons for enforcement action. The campaign would aim to educate and encourage pet owners to act responsibly.

To understand concerns about the proposals prior to implementation Shropshire Council undertook a public consultation between 26 October 2023 and 21 December 2023. The views of a range of stakeholders and key partners were encouraged in addition to public responses, and respondents offered a range of response options including an online survey, email and letter. As well as being publicly available on the Shropshire Council Get Involved pages, the survey was also widely publicised through the Shropshire Council newsroom.

A total of 577 responses were submitted during the eight weeks that the survey was open. The feedback from these responses is set out within this report. The feedback will inform the policy recommendations to be presented to Cabinet for final approval of the PSPO in February 2024.

This report proceeds in the following sections:

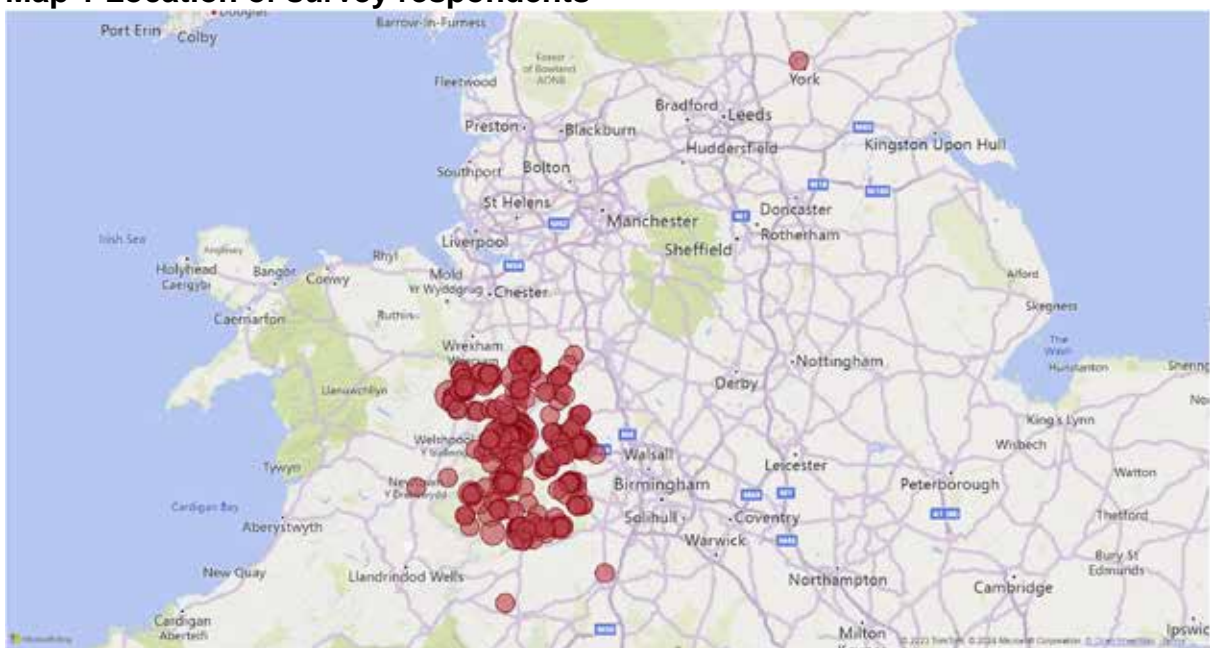
- Section 1 (this Introduction) provides a description of the survey background and methods.
- Section 2 outlines the profile of respondents taking part in the survey.
- Section 3 covers the overall survey feedback on the consultation.
- Section 4 details the views of survey respondents and other consultation respondents in response to the proposed PSPO.
- Section 5 provides a brief summary and conclusion of the report.

## 2 Profile of Respondents

561 respondents completed the online consultation survey and 16 provided written consultation responses. Demographic data was only collected through the survey, but this provides important information to help Shropshire Council understand the profile of respondents and whether any feedback has been missed from key groups or respondent types.

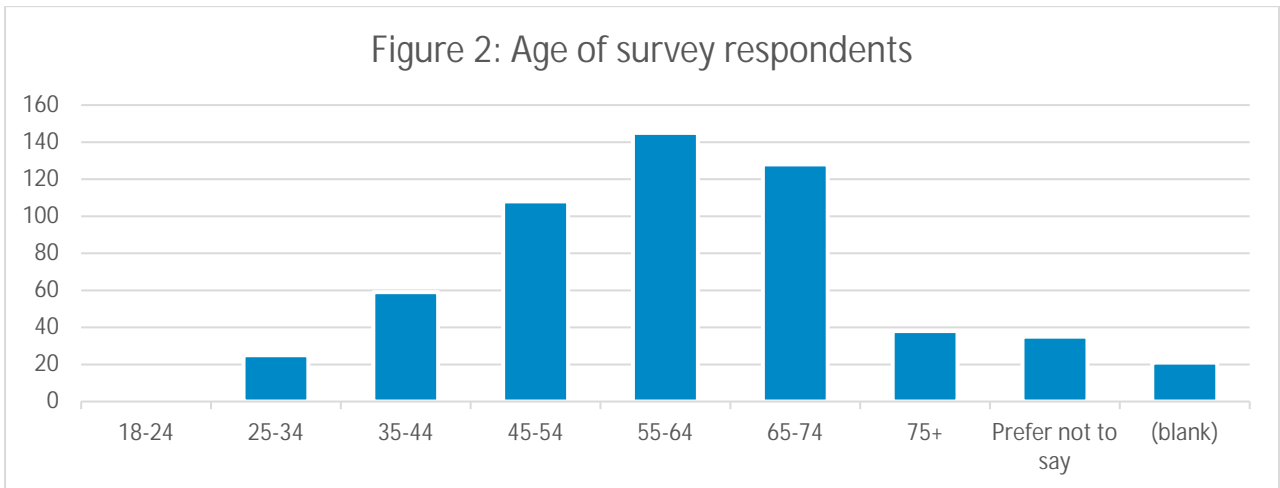
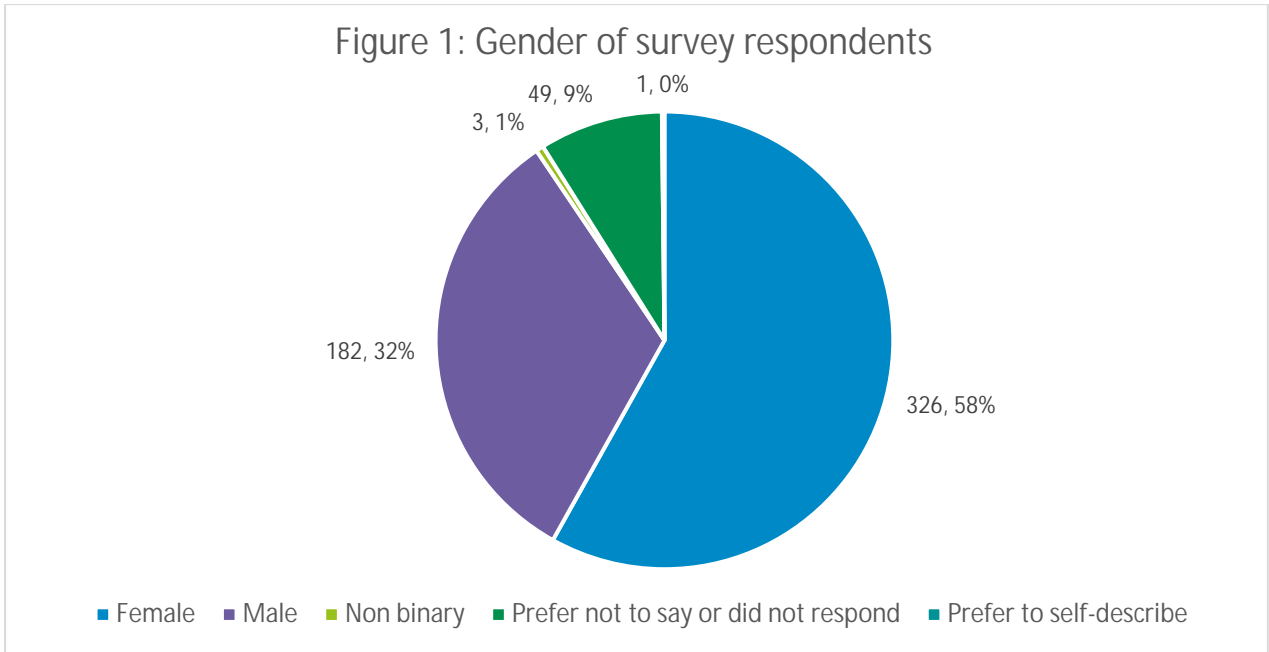
**Map 1** below illustrates the approximate location of survey responses (the approximate location is used to ensure any individual responses cannot be identified). The map, and closer analysis of the data, highlights that the responses to the consultation came from across Shropshire and beyond. All county settlements were represented in the responses with more responses from areas of higher population, as would be expected. Despite the proposals and consultation only relating to Shropshire Council administrative area, there were many responses from people living in the Telford & Wrekin area.

**Map 1 Location of survey respondents**



**Figure 1** displays that more women responded to the consultation (58%) compared to men (32%). This pattern is seen within most, but not all, types of consultation. Research suggests that women are more likely to respond when a consultation response is submitted on behalf of a household. 9% preferred not to provide a gender, 1% are non-binary and 0.2% prefer to self-describe.

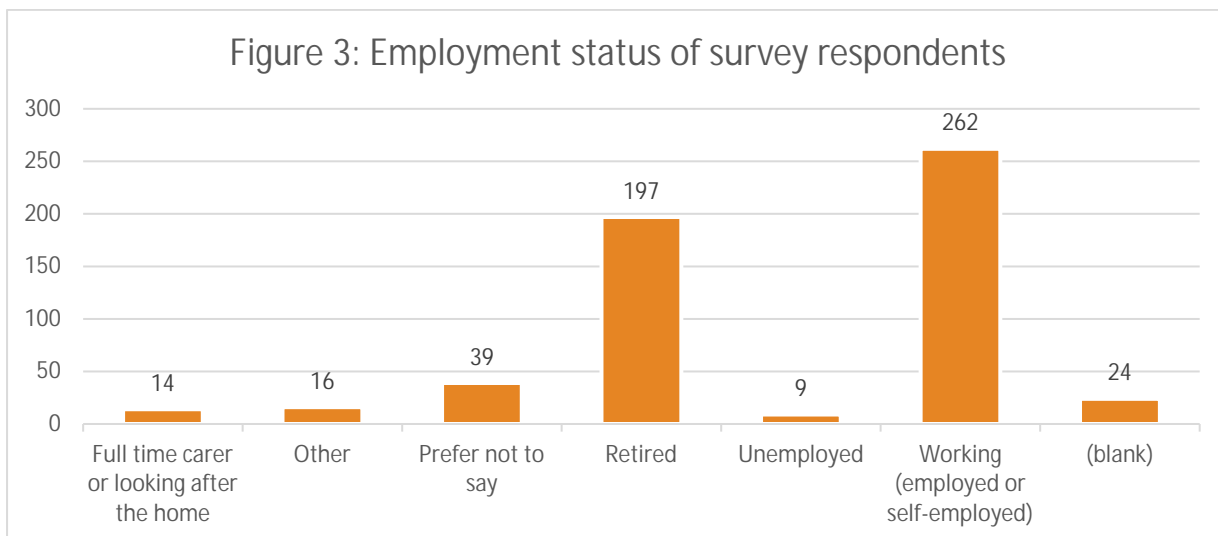
**Figure 2** illustrates the age group of survey responses and highlights that although there were few respondents under the age of 24 (2 respondents), there were more responses across the other age groups with the greatest response from those aged 55 to 64 (26%) followed by 65 to 74 year olds (23%).



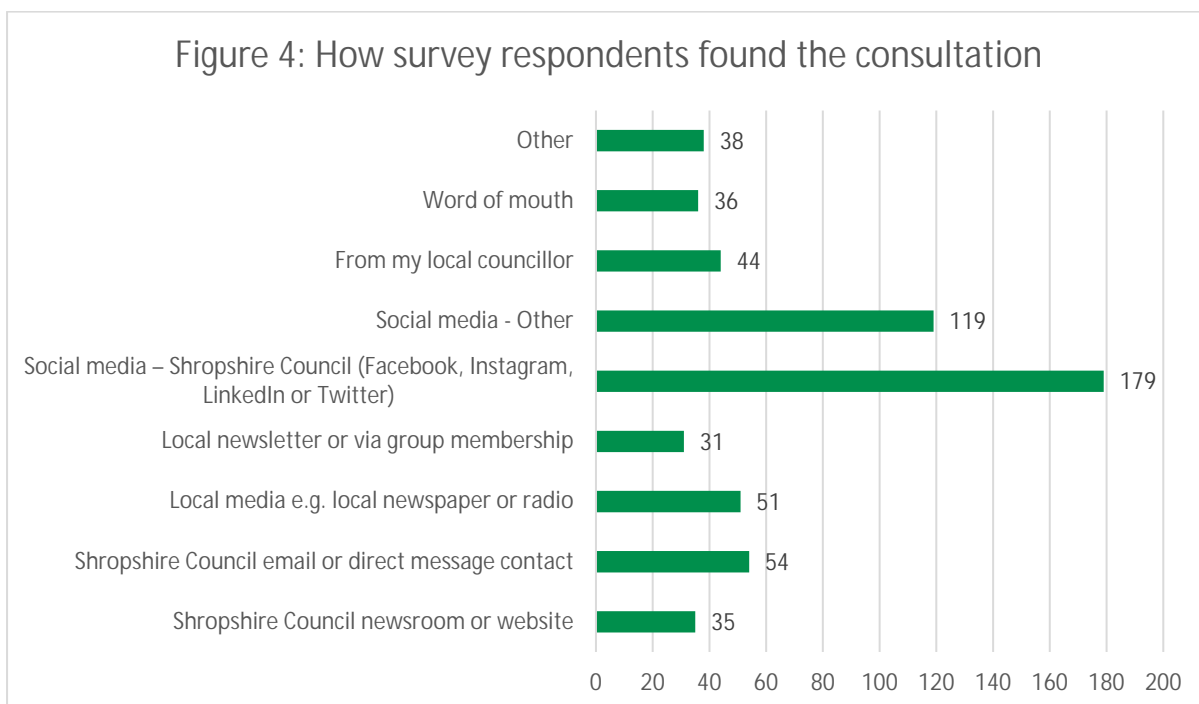
85% of survey respondents were White (British, Irish, Welsh), and 9% preferred not to say. This indicates that responses were very small from other ethnic groups. This will be noted and considered as part of Shropshire Council’s duties to assess any equality, social inclusion and health impacts.

Three questions were included in recognition of the impact of this consultation on people with disabilities. Although assistance dogs are not covered by the proposed PSPO restrictions, the consultation was designed to consider this and any potential impacts. 81 of the survey respondents are unpaid carers, and 82 have a long-standing illness or disability. These numbers should mean that a range of people with different levels of mobility and caring status are represented in the survey sample. Only 1 survey respondent has an assistance dog. This may reflect the exclusion and suggests the exclusion is understood. More feedback relating to equalities and impact is covered later in the report.

**Figure 3** displays the employment status of survey respondents. There is a good mix of working and retired survey respondents.



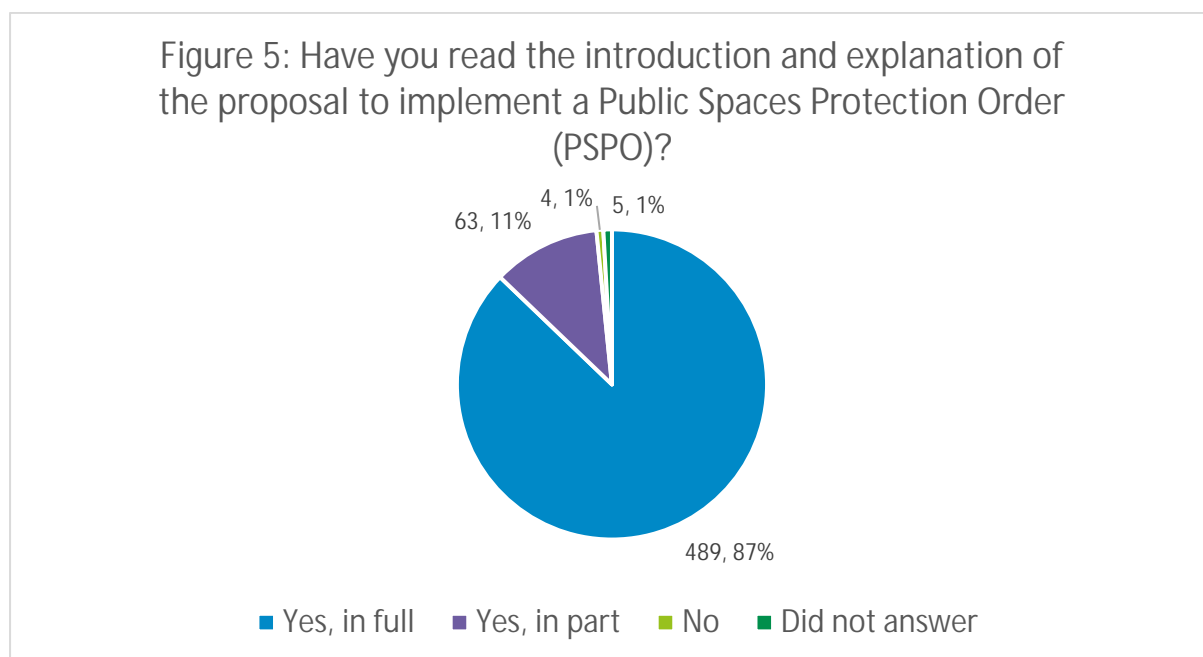
A question was included within the survey to find out how people had learned of the consultation. **Figure 4** displays the results. Social media was the way more people found the consultation compared to other communication channels. Under the other category 19 people had learned of the consultation through the 'Nextdoor' App. Some survey respondents had also learned about the consultation from local community groups or neighbours.



The next section of the report focuses on the survey respondents' views on the proposals set out for the PSPO.

### 3 Overall survey results and feedback

The 561 survey respondents, and 16 of the respondents who provided written responses, presented their views on the proposals set out within the consultation for the Public Spaces Protection Order. This section presents the responses to some overarching survey questions and the next section of the report brings the two sets of responses together to focus on the comments received. To check the basis for comments and feedback the survey respondents were asked if they had read the introduction and explanatory text before responding to the consultation. The results are shown in the **Figure 5** below. **98% of survey respondents had taken the time to read the supporting information in full or in part** (11% in part and 87% in full).

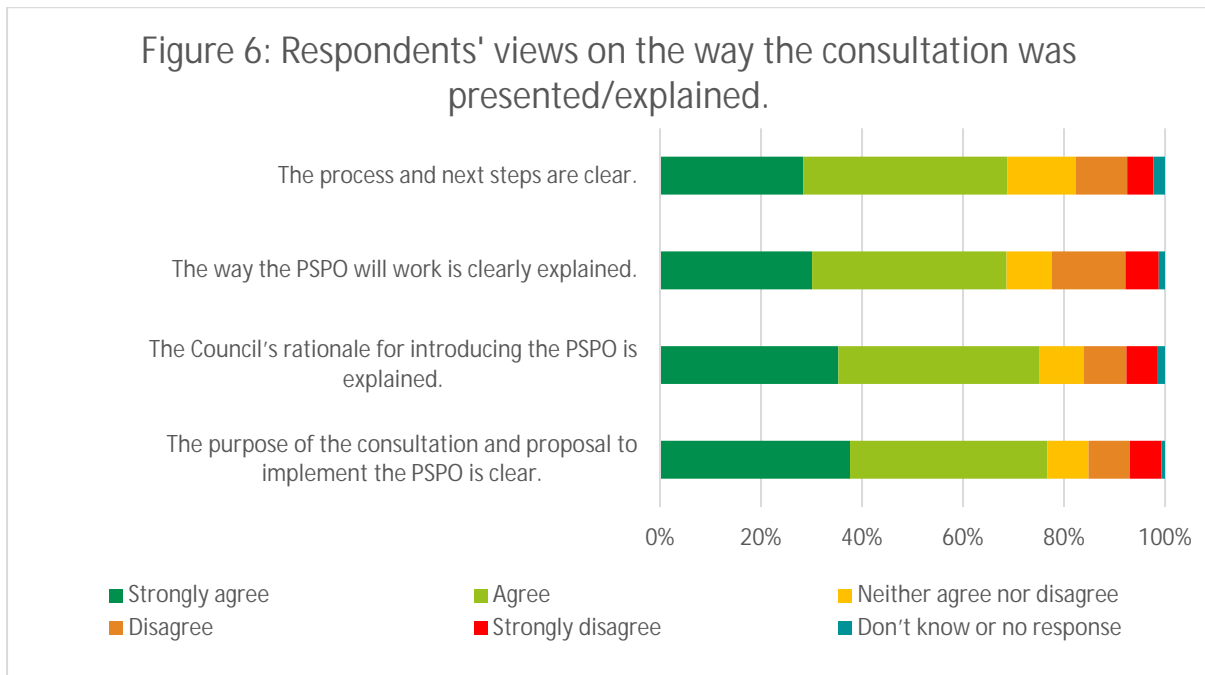


Survey respondents were then asked to provide a response against 4 statements:

- The purpose of the consultation and proposal to implement the PSPO is clear.
- The Council's rationale for introducing the PSPO is explained.
- The way the PSPO will work is clearly explained.
- The process and next steps are clear.

The results are shown in **Figure 6**. **Overall, the feedback about the way the proposals were presented was positive.** On average, 184 survey respondents strongly agreed with all the statements and an average of 221 agreed. 430 survey respondents strongly agreed or agreed that the purpose of the consultation and proposal was clear (81 disagreed/strongly disagreed). 421 felt the rationale was clearly explained (81 disagreed/strongly disagreed). 385 felt the way the PSPO will work was clearly explained but 119 disagreed/strongly disagreed. 386 agree that the process and next steps are clear but 86 disagree/strongly disagree. On average across all the statements 92 people disagree (16% of the survey respondents) and

this suggests they oppose the proposal, but this is explored in more detail in the following results.



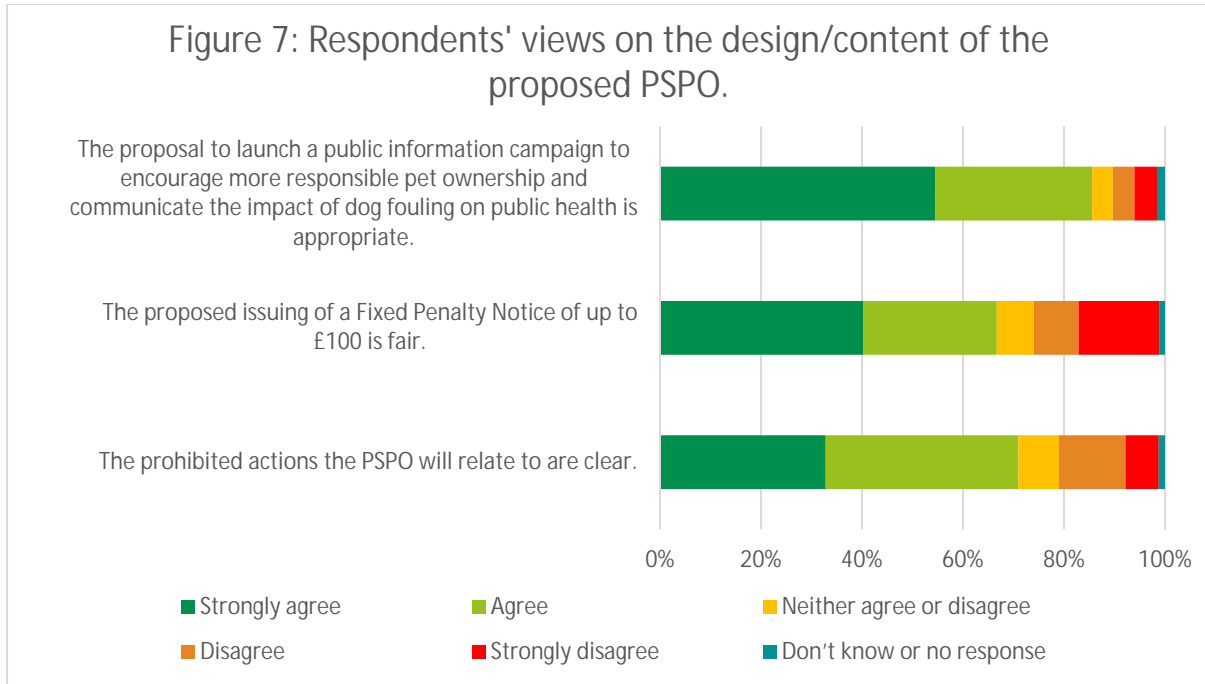
The question about the presentation of the proposals was followed within the survey by a question more focused on the design/content of the proposed Public Spaces Protection Order. Survey respondents were asked to provide a view on the following statements:

- The prohibited actions the PSPO will relate to are clear.
- The proposed issuing of a Fixed Penalty Notice of up to £100 is fair.
- The proposal to launch a public information campaign to encourage more responsible pet ownership and communicate the impact of dog fouling on public health is appropriate.

The results are presented in **Figure 7**. An average of 417 of the 561 survey respondents agree or strongly agree with all of the statements above and an average of 100 disagree or strongly disagree. **Overall, the response to the way the PSPO proposal has been designed/its content are very positive.** 398 people agree/strongly agree that the prohibited actions the PSPO will relate to are clear (111 disagree/strongly disagree). 374 respondents agree/strongly agree that the proposed issuing of a Fixed Penalty Notice of up to £100 is fair (140 disagree/strongly disagree) and 480 agree/strongly agree with the proposal to launch a public information campaign to encourage more responsible pet ownership and communicate the impact of dog fouling on public health is appropriate (49 disagree/strongly disagree). **The £100 Fixed Penalty Notice is the main area of concern with disagreement expressed by 25% of the survey respondents.**



Figure 7: Respondents' views on the design/content of the proposed PSPO.



Survey respondents were asked to add any comments to explain the response they had provided, particularly if they had disagreed with the statements provided. There were 291 comments, and these were considered and themed. The results of the analysis are shown in **Table 1** below.

**Table 1 Survey respondents' comments to explain views on the design/content of the PSPO**

Theme	Count	%
Unreasonable to fine if picking up after dogs	56	19
General agreement with the consultation proposals	49	17
How will the council enforce the PSPO? / unenforceable	38	13
Should focus on irresponsible owners	37	13
Impact negatively on where dogs can be walked	26	9
Fines should be higher than the £100 stated	19	7
The fine is too much / unfair for responsible dog owners	12	4
No need for PSPO / existing legislation is already in place	13	4
Will this cover working dogs / hunting dogs?	9	3
Need additional dog poo bins	9	3
Other comments	23	8
<b>Total</b>	<b>291</b>	<b>100</b>

Main themes within the feedback included comments that it would not be fair to impose a fine if the dog owner was picking up after their dog (19%), general agreement with the proposals (17%), questions about how the PSPO will be enforced (13%) and the suggestion that focus should be on irresponsible dog owners (13%). **4% felt the proposed Fixed Penalty Notice was too high and should be less than £100 and 7% felt it should be of a greater value. This feedback suggests it is probably about right.** 4% suggested there was no need for the

proposed PSPO because other legislation is available. Example comments are included below to better illustrate some of the feedback provided:

Example comments:

- *“Fine the dog owners who don't pick up dog excrement. However, you are prohibiting the exercising of dogs. Most dog owners are responsible. May be there should be more attention on cat owners and the neglectful behaviour that their cats can leave their excrement anyone causing medical issues for young children. I am sick and tired of removing cat excrement from my private property! Where is the legal process for this?”*
- *“The fixed penalty should be more.”*
- *“Working dogs must be considered, and where appropriate come under temporary exemptions. It is ridiculous to try and enforce urban rules on animals in a farming and hunting environment.”*
- *“Seems a waste of money when the council does not offer areas for dogs to be safe off lead owners have little option but to use playing fields for exercise. Number of people in Whitchurch has gone up dramatically, parks and fields for dog walking have decreased. Issue is not education but lack of alternatives.”*
- *“My concerns are that unless investment is put into the policing of these measures many of the morons who let their dogs foul the pavements will get away with it. I also think the fine is punitive, a day in court and an order on the owner and a fine of at least £2000. Let's publish the names of these imbeciles.”*
- *“Great idea, fed up of dogs fouling on country lanes and dogs not under control when taking our dog for a walk (on a lead).”*
- *“Why is this even worthy of council time? There is already legislation in place for dog fouling. I suggest the council focus resources on matters that need more urgent attention, such as saving money.”*
- *“I disagree with having to have a well-behaved dog on a fixed lead near a footpath or cycle path. Where else can one practise heel work away from traffic?”*
- *“Will there be an abundance of Responsible Officers watching dogs to see if their owner doesn't pick up? The proposal says there won't be any cost implication, so I don't see how this is possible. People can be fined currently for not picking up their dog's poo so if they are not seen and fined now, how will this improve in future?”*
- *“It appears that allowing a dog to foul will be an offence even when the dog waste is immediately picked up and disposed of. It isn't at all clear whether this applies everywhere or just in some locations, how this will be enforced, and how owners of dogs are expected to prevent their dogs from defecating anywhere in Shropshire (if it is to be illegal to allow this even when the waste is immediately picked up)? Many people rely heavily on their dogs for mental health and to combat loneliness. The proposals need to be much clearer, and reasonable having regard to people wishing to keep pets as well as keeping the streets clear.”*
- *“This will affect people with disabilities and having a support dog. There is not a register for support dogs (there is a register for dogs that have been supplied by certain organisations) The way that this is written will fall foul of the equality act.”*
- *“Totally agree but how will this be implemented- very challenging.”*

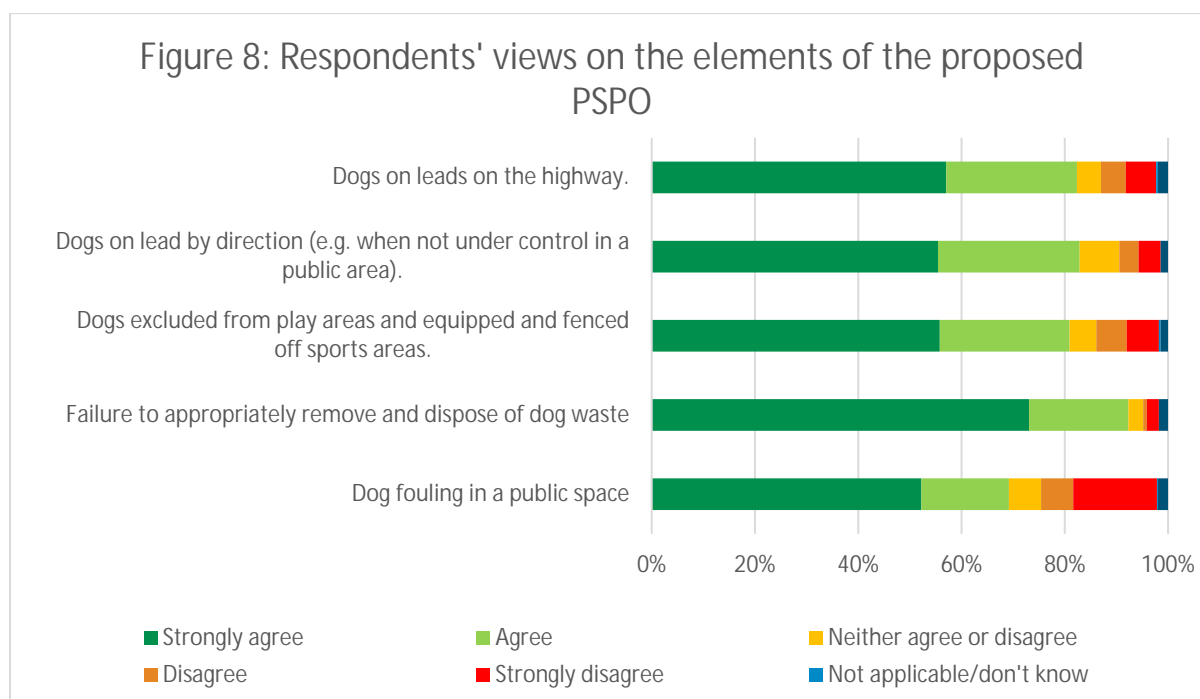
The next section of the report combines the survey responses and written responses to explore views in response to the consultation in more detail.

## 4 Views on the proposed PSPO

The consultation survey included a question to seek views on each of the restrictions or elements of the proposed PSPO. Survey respondents were asked their views on the following features of the PSPO:

- Dog fouling in a public space.
- Failure to appropriately remove and dispose of dog waste.
- Dogs excluded from play areas and equipped and fenced off sports areas.
- Dogs on lead by direction (e.g. when not under control in a public area).
- Dogs on leads on the highway.

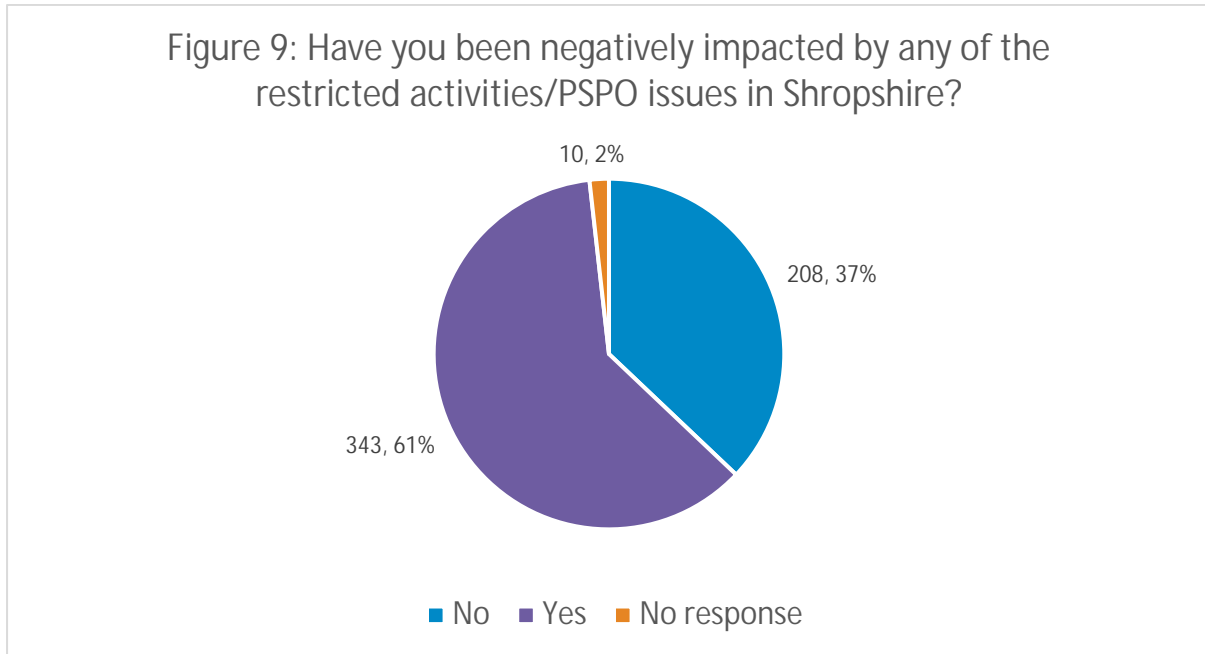
**Figure 8 below, displays the response and highlights that there is majority support for all 5 elements of the proposed PSPO (on average 457 survey respondents agree with every element and an average of 63 disagree (11%).**



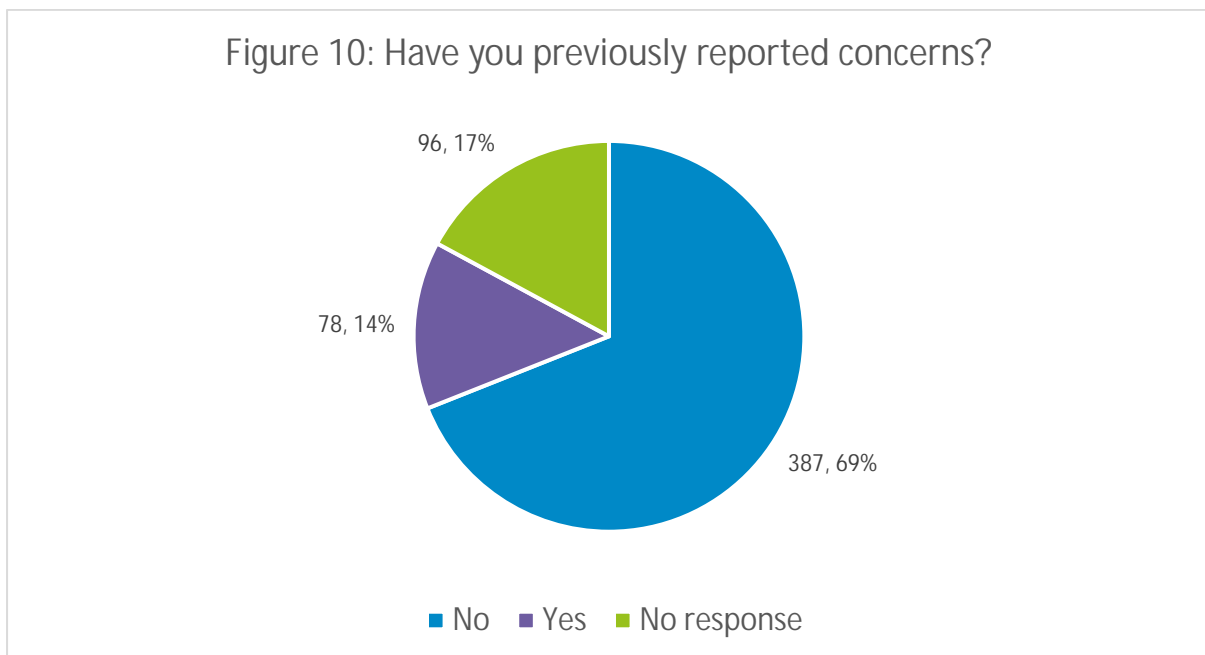
The element of the proposed PSPO with the most support is 'Dogs on lead by direction (e.g. when not under control in a public area)' 465 agree/strongly agree and 45 disagree/strongly disagree. This is followed closely by 'Dogs on leads on the highway' 462 agree/strongly agree and 60 disagree/strongly disagree. There are very few (only 17 respondents) who disagree/strongly disagree with the element 'Failure to appropriately remove and dispose of dog waste'.

Dog fouling in a public space faces more disagreement than any of the other elements of the proposed restrictions. 126 people disagree or strongly disagree (388 agree or strongly agree). 68 disagree or strongly disagree with dogs being excluded from play areas and equipped and fenced off sports areas (454 agree/strongly agree).

Linked to the 5 elements of the PSPO/ restricted activities, the survey included a question which read ‘Have you been negatively impacted by any of the activities/issues listed above, in Shropshire?’ **Figure 9 shows that 61% of the survey respondents have been impacted by the activities that are proposed for restriction under the PSPO.**



They were then asked ‘If yes, have you previously reported concerns?’ **Figure 10 shows that 14% of the survey respondents have reported concerns in the past.** Those who have reported concerns were asked to comment and explain more about their experiences. Each comment was read, themed and the results are shown in **Table 2.** There were 222 comments.



**Table 2 Survey respondents' experience of issues related to the PSPO**

Theme	Count	%
Amount of dog fouling / Not being cleaned up by owners	74	33
Dogs not being on leads/long leads causing nuisance or threat	42	19
Need to ensure enforcement /incident reporting/ follow up	27	12
Availability of dog poo bins / bags	15	7
Not reasonable to fine if owners clear up afterwards	14	6
Not reasonable to have dogs on leads / short leads at all times	13	6
Have witnessed / been involved in a dog attack	12	5
General agreement with the proposals	6	3
General disagreement with the proposals	6	3
Need to ensure there are sufficient places to exercise dogs	4	2
Other	9	4
<b>Total</b>	<b>222</b>	<b>100</b>

The top comment was related to dog waste in public places and failure of owners to clean up (33% of all comments). Other commonly mentioned concerns were dogs not on the lead and a failure to enforce or follow up on reported incidents. There were equal proportions of more general comments agreeing and disagreeing with the proposed PSPO. The example comments below illustrate the feedback received.

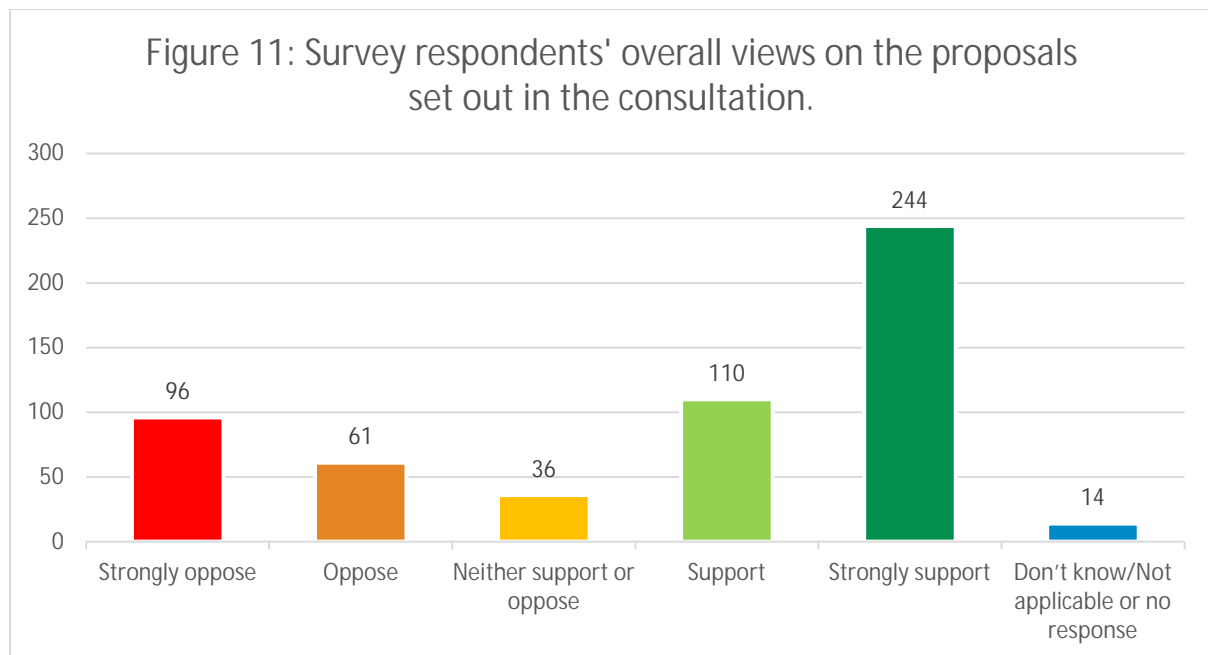
**Example comments:**

- *“As someone who was a regular runner in Shropshire, I have come across many dogs who have behaved badly/inappropriately near me. I have not been bitten but certainly nipped by a dog and I find dogs running up to me quite worrying. I often have found the owners to be aggressive in their attitude when I ask them to control their dogs.”*
- *“Dogs routinely off the lead and not under control on the highway and public paths limits my ability to freely exercise my right to use these areas as a pedestrian. I have been threatened by dogs off the lead on public footpaths around Pontesbury, Minsterley and surrounding areas. It is proportionate and reasonable for people to keep their dogs on short leads in shared public areas, so that everyone not just dog owners can enjoy fresh air and exercise. Last time I visited the quarry I came home with dog faeces on my shoe, having only walked on the footpaths not even through the grass. Dogs foul all over the paths in Pontesbury, particularly in the former council estate near the school....The number of dogs has vastly increased, and the level of control exercised by owners seems to have decreased proportionately.”*
- *“People’s definitions of a dogs under control is variable! Having got spaniels that like to run!”*
- *“Yes, aggressive dogs off the lead and harassing my dog (and me) on the lead with the owner taking no action. Dog owners not clearing up after their dog. Dog owners running with their dog off lead - the owner does not always recognise when their dog is defecating.”*
- *“Raised the issue about dogs fouling on the footpath and on my drive and the council did nothing about it. I offered to allow a poo bin to be put up on my boundary and it was rejected. I have had dog mess thrown over my hedge or pushed into my hedge by dog walkers. There are not enough dog waste bins in high traffic areas.”*
- *“Dog fouling pavements. Lack of bins to dispose of dog poo.”*
- *“To whom do I direct concerns and what us the point in doing this. Dog poo (not cleared up) is a significant problem and I encounter this every single day. Do I report every single day?”*

- “Dog poo in my garden, in the playing area for children on public footpaths and bridleways.”
- “You can’t stop a dog fouling. Clean up yes, fine for the fouling, no.”
- “I think I have raised the issue of providing bags at point of nuisance first rather than a fine.”
- “A pointless token, a poorly written PSPO with no information on how you are going to police it.”
- “Sorry but what’s the point trying to report. To date no one ever called me back about being knocked over - there is no one to enforce this behaviour set! How this will be implemented and “policed” is vague and won’t stick as there just aren’t resources to do it.”

The comments include concerns that failure to clean up should be the focus rather than the act of dog fouling and concerns that the PSPO will be difficult to enforce. Top issues experienced relate to the presence of dog waste in public areas and dogs off the lead.

All survey respondents were asked their overall view on the consultation proposals. **Figure 11** displays the results. **Overall, 63% of survey respondents support the proposals set out in the consultation and 28% oppose. More survey respondents selected ‘strongly support’ than any other category.**



To understand why there may be opposition to the proposed PSPO, survey respondents were asked to describe how the proposals would likely impact them, as an individual or a community/business. **Table 3** displays the feedback. There were 378 comments, and each was considered and themed. **A top theme within the comments (40% of all comments) was that the proposed PSPO could lead to an improved environment (e.g. cleaner or safer).** There were a few concerns from people who wondered if the proposals would result in fewer places to exercise their dogs and whether they would be fined because they couldn’t prevent their dog/s from defecating.

**Table 3 Views on the likely impact of the proposed PSPO**

Theme	Count	%
Improved / cleaner and safer environment	150	40
Will reduce / restrict where I can exercise my dog	51	13
Impact on mental and physical health	4	1
Concern over the potential fines / can't control dog defecating	43	11
Concern over the need for dogs to be on leads / short leads	22	6
Waste of council resources / concern over enforcement of PSPO	21	6
General positive impact	27	7
General negative impact	19	5
No impact	22	6
Other	19	5
<b>Total</b>	<b>378</b>	<b>100</b>

Example comments include:

#### Support for the proposals

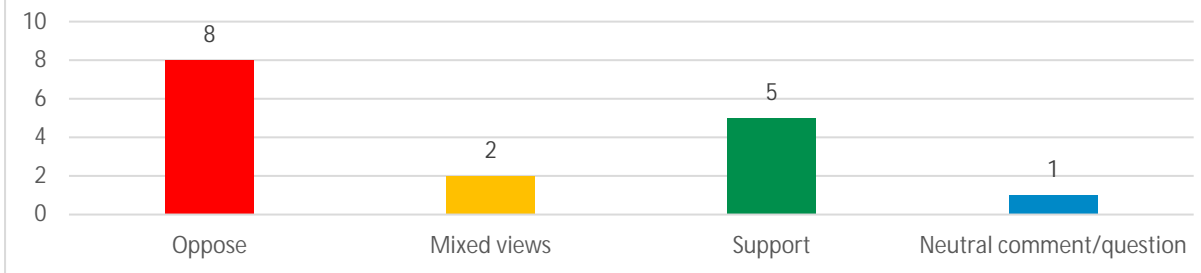
- *“Cleaner footpaths in Alveley.”*
- *“Greatly improve my environment if the proposed restrictions are properly enforced.”*
- *“Have a very positive impact, reducing concerns when walking our dog and hygiene on our roads and pathways.”*
- *“Able to take my grandchildren for walks to parks and public places without stepping in dog poo.”*
- *“If these proposals were implemented and enforced, it would make our communities safer (no dog mess left lying, no loose dogs upsetting people and other animals) but also would encourage dog owners to show respect to their community.”*

#### Concerns about the proposals

- *“A law that appears to be anti-dog could have a negative impact on businesses in Ludlow which markets itself on being dog friendly.”*
- *“As a responsible dog owner. Not being able to walk family dogs and children at same time.”*
- *“I disagree with dogs being excluded from public play areas. For responsible dog owners who have families this becomes extremely restrictive how do you take children and dog to the park and then not be able to accompany the children. Most dog owners are responsible what should happen is fining if non responsible dog owners.”*
- *“Looks like responsible dog owners may have less areas to exercise dogs off lead locally. This will mean more car journeys to other areas outside of town with negative environmental impact (emissions) and traffic.”*
- *“As a responsible dog owner who cleans up after my dog, I’m appalled by these proposals as my main source of relaxation and exercise is to walk my dog in the beautiful Shropshire countryside.”*
- *“Veterinary surgeon, these proposals could affect us business wise, with a reduction in dogs, or us needing to euthanise dogs due to the impracticality of not having a space for the dogs to toilet and it be collected. The 1 metre lead length is too short.”*

Some of the concerns above were reflected in the written responses to the consultation. **There were 16 written responses. 8 opposed the proposals, 2 had mixed views, 5 were in support** (many of these were from town and parish councils) and 1 was a more neutral comment/question. The summary of the written responses is shown in **Figure 12**.

Figure 12: Overall views expressed within written consultation feedback



Although some responses included a suggestion that respondents were happy for their comments to be made public, names have not been attributed to responses because that permission was not clear in all responses and consideration must be given to confidentiality. Officers have considered each of the written responses separately, but extracts are used below to share the main messages from those submissions.

#### Support for the proposals (with concerns/comments)

- *“Please add the council’s support to the Consultation. Thank you.”*
- *“[removed for confidentiality] Town Council has resolved to support the introduction of the new Dog Fouling and Stray Dogs: Public Space Protection Order. They wished to comment that enforcement would be key to the success of the Order.”*
- *“I strongly support Shropshire Council’s efforts to clamp down on cleaning up dog fouling. But the current proposals need a lot of improvement. In particular, the plan to fine dog walkers if their dog defecates in a public place are draconian and unworkable. I am concerned that the council is creating grey areas where people will be uncertain about the rules.... The following factors will need to be considered: - The cost of negotiating with landowners and leaseholders of land not owned by Shropshire Council to include their land within the PSPO. - The costs of signage across the county, including whether the cost of signs on land not owned by Shropshire Council will be rechargeable to others, which might be town and parish councils, leaseholders, charities, businesses and landowners.- The costs of staffing to oversee the introduction of the PSPO, dealing with complaints and queries, and of processing fixed penalty notices and court actions. - The anticipated income from fixed penalty notices.... I strongly support the principle of the proposed Public Space Protection Order. It needed greater scrutiny before going to cabinet and consultation.”*
- *“Strongly support.... I am concerned by the difficulty of implementing these proposals. How do you propose that a member of the public identifies an irresponsible owner? Or reports the dog fouling incident? How will you implement these proposals? How will fines be imposed and by whom?”*

#### Concerns about the proposals

- *“I have some concerns about this proposal and questions. How can you possibly police this? Similar policies in regards to dogs have historically failed. Any money earmarked to be spent on this would be a waste of money. Would it not be better to spend money on education and providing dog parks which are safe and able to cater for all dogs and their guardians.”*
- *“This is not a rule that should be implemented to working or hunting dogs...”*
- *“I wholeheartedly OBJECT to the proposal to keep dogs on leads. While it may be a safety necessity when dogs are on pavements, amongst traffic and pedestrianised Town*



centres. However, in fields, large parks and open spaces such as Brynhafod and Brogyntyn well behaved and obedient dogs should exercise freely. Dogs who do not have opportunities to run freely....become frustrated and trigger stacked, as has been seen in many dogs purchased during lockdown, who did not have freedom to interact, socialise and develop their dog characteristics and pack etiquette correctly. I have direct experience of this having worked with dogs for 20 years, as well as being an animal therapist. Furthermore, putting a lead on a dog will not solve the fouling issue. They will still defecate when they need to. But Owners fall into 2 camps. Those who pick up and those who won't. Leads will not miraculously encourage bad owners to pick up unfortunately."

- "I do however object to "if a dog has been allowed to foul" as many dogs, even ones effectively toilet trained, need to go when they need to go!.... Greater clarity required and signage on where dogs are allowed would also help stop any confusion for all users..... To support the enforcement action a proactive public information campaign will be launched, advising of health considerations, the impact of dog nuisance and the reasons for enforcement action. The campaign will aim to educate and encourage pet owners to act responsibly. I find this insulting as the majority of pet owners are responsible and act accordingly; those that aren't are unlikely to pay any notice to this or any other PSPO. Where are the proposals to promote other people's responsible behaviour towards animals? We are often met by aggression and socially unacceptable behaviour which has restricted where we feel able to walk our dogs, even on the lead.....I am also concerned that unless "Allowing dog fouling in the public area" is removed, or amended, from the PSPO then responsible owners and walkers may be penalised. Dogs and their owners seem to be discriminated against. We pay our Council Tax, yet these areas are potentially likely to become areas that we and our dogs we are excluded from, leaving us with no areas to exercise our dogs. When will the responsibility be shared between everyone equally?"
- "I am a dog owner and I walk my dog across the Shropshire countryside and in the towns of Much Wenlock, Church Stretton, Ludlow, Bishops Castle, Pontesbury and Shrewsbury. I hardly ever see dog faeces or meet an inconsiderate dog owner and in the countryside away from the tourist areas.....I am concerned that this proposal is disproportionate and a solution looking for a problem rather than having identified a problem. A Public Space Protection Order (PSPO) is a punitive and restrictive measure and therefore Section 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 rightly applies a check and balance such that the authority must have regard to articles 10 and 11 of the Human Rights Act 1998. In this context the applicable restriction is that any restriction must be 'necessary in a democratic society'. There is also the misuse of the Equality Act....that restrictions and measures would be imposed on one group (dog owners) for an illusory benefit on another group (vulnerable people). This is a misuse of the Equalities Act which was never intended to be the legislative trigger for a more restrictive and less free society....In the case where there might be actual evidence of persistent dog fouling then a PSPO is a proportionate response but for that location only, and until such time as the problem has been resolved by other means....The restrictions are clearly not a proportionate response to the small number of unstated enquiries to the Dog Warden. Furthermore, they place a considerable limit on the long-established common-law freedom of the vast majority of dog owners who are very well behaved and have their dogs under control enjoy."
- "One can't tell a dog where to poo and, surely it is satisfactory enough, if dog owners pick up the poo in bags that they always carry with them....We know some people don't do this. Well, the council should apprehend them, not impose more stringent measures on law-abiding people."
- "I am writing on [details removed for confidentiality] behalf for some reassurance that any new rules would specifically exclude working dogs, and therefore not have any impact on gun dogs, sheep dogs or packs of hounds, for example. We note that the proposal

*specifically excludes assistance dogs but there is no reference to working dogs. It is possible that the Government's guidance in relation to PSPOs has been taken into consideration and therefore working dogs are not the intended target of this proposal, however, we would appreciate some clarification so that we can offer reassurance to our Shropshire-based members."*

Some of the written consultation responses are very comprehensive and too long to include in this report in full, but as much as possible the extracts are used to emphasise key points.

The survey included a question to ask, 'Do you have any suggestions or alternative proposals to the ones set out within the consultation?' The results are shown in **Table 4** below. There were 313 comments from the 561 survey respondents. **A top theme within the comments (also clear within some of the written consultation comments) was a concern that the PSPO couldn't be enforced due to lack of resources or was difficult to enforce. Another top theme was a request to remove the restriction about dog fouling** (with the explanation that dogs cannot be prevented from defecating and the issue is more about cleaning up afterwards). Another common theme was ensuring there are an adequate number of dog poo bins and making bags available.

**Table 4 Comments when asked for suggestions or alternative proposals to the ones set out within the consultation.**

Theme	Count	%
Need to ensure enforcement / ability to resource	46	15
Remove the fines for dog fouling if picked up / not reasonable	45	14
More dog poo bins / bags available	33	11
Proposals not required / existing legislation / waste of council resources	32	10
General positive comments / support the proposals	30	10
General negative comments / unreasonable / need clarification	22	7
No comment / No	18	6
Agree with issuing of fines. Fines / deterrent needs to be greater	19	6
Training and education / communication	18	6
Dedicated areas for exercising dogs	16	5
Other	34	11
<b>Total</b>	<b>313</b>	<b>100</b>

Example comments:

- *"Yes - find a way to actually enact current provisions for offenders who do not pick up after their dogs!"*
- *"Mandatory dog licensing and DNA testing (matched with dog poo)."*
- *"Raise the fine or reward people for reporting the "act" providing they have sufficient evidence (photo, name etc.) when doing so."*
- *"Happy to implement the picking up of waste and imposing fines for dog owners that don't. Also, happy to see the implementation of no dogs in children's play parks. I do not support the banning of dogs in public parks and playing fields."*
- *"Better enforcement of current dog fouling regulations. Separate regulations to exclude dogs from play areas and to keep dogs under control."*

- *“Be clearer about the fact that the PSPO will cover all footpaths including those in rural areas.”*
- *“Communications campaign, some controls are sensible to keep children safe but not as restrictive to dog owners.”*
- *“Make dog bins more numerous. People are put off carrying dog waste long distances. I know where all my bins are and some of them are a VERY long way away when I’m carrying a poo bag.”*
- *Perhaps it is worth, in certain areas, for example the Lyth Hill to fence off an area that is gated and designated as a “dog toilet”. I am not knowledgeable but have used such a facility in a park in Glasgow.”*
- *“It must include public footpaths on farmland. Dogs should be kept on a lead while on farmland. Dog faeces should be cleaned up on farmland the same as on a pavement.”*
- *“Yes, that the definition of ‘footpath’ be clarified to exclude rural rights of way, or to specify urban geographic areas.”*
- *“I am fully supportive of fines for irresponsible dog owners, as I too do not appreciate dog foul being left in spaces for the public. However, as a responsible dog owner, I find this an aggressive and unfair proposal with no incentive for responsible pet ownership.”*
- *“Yes, work with the public for safe and correct dog ownership. What’s to say these new ‘rules’ will work and will be implemented?”*

When considering suggestions and alternative proposals, it is important to note that the Dogs Trust provided a very robust response to the consultation with balanced comments on every element of the proposed PSPO, including suggestions for slight amendments. Suggestions included some reconsideration of the way exclusion zones are used and careful consideration of how the ‘dogs on a lead’ restrictions are worded and presented. The thorough and considered response from an organisation with expertise in this field is very welcomed and will be considered as part of the next stages of work, prior to presentation of final proposals for decision.

A few of the 16 written consultation responses (see extracts above) touched on equality, social inclusion and health (a needs assessment was shared as part of the consultation). A specific question was included within the survey; it read ‘Shropshire Council has undertaken an Equality, Social Inclusion and Health Impact Assessment (ESHIA) and will be updating this after the consultation. If you have any comments on diversity, equality or social impact that you would like use to consider please describe them below.’ There were 97 comments, and these are summarised in **Table 5**.

**Table 5 Comments on diversity, equality or social impact**

Theme	Count	%
Impact on dog owners’ mental health / ability to exercise	23	24
Nothing / Not applicable / Not needed	22	23
Need to consider mobility of elderly and disabled dog owners	13	14
Positive impact for the wider community	9	9
Impact on dogs’ health / ability to exercise	7	7
Don’t agree with the fine / too much	4	4
Waste of council money / resources	4	4
Other	14	15
<b>Total</b>	<b>96</b>	<b>100</b>

It had been anticipated that the issue of assistance dogs may feature in this section (this was briefly mentioned with comments also referring to older dog owners). **The top theme within comments when asked about diversity, equality and social impact were the impact on dog owners' mental health and ability to exercise.** 14% of comments referred to the needs of elderly and disabled dog owners.

Example comments are shown below:

- *“Dog nuisance is worse for people using walking aids, those with poor balance, and those who are blind or partially sighted.”*
- *“There is no register for all support animals. You will contravene the equality act.”*
- *“It's not impossible for people with assistance dogs to pick up after them, I'm not in favour of a blanket exclusion for assistance dogs.”*
- *“As a mobility scooter user, dog fouling on public footpaths and pavements is a hazard and difficult to remove from wheels for someone with restricted mobility.”*
- *“I have some concern over elderly dog owners who may be less able to deal with fouling because physical impairment.”*
- *“I suppose banning dogs from playgrounds would be awkward for parents to supervise their children.”*
- *“Social Impact: In order to make a PSPO the behaviour has to be having or likely to have a detrimental effect on the quality of lives of those in the locality persistent in nature and unreasonable. Does this apply to dogs on leads on highways?”*
- *“The dog walking community is very supportive of each other and can be a lifeline in rural areas so don't make it so hard for us to responsibly socialise with each other and our dogs.”*
- *“A lot of people don't get to meet or socialise due to anxiety/depression, etc. Taking their dogs to public fields is sometimes the only interaction with people they get. I have made some good friends from this.”*
- *“Clearly there is significant, growing evidence of the positive health benefits of outdoor exercise, walking in particularly for an aging population, and the mental health benefits of freedom to access the countryside - many residents chose to do this with their animal companions.”*
- *“I believe this is discriminatory to middle class responsible people, particularly pensioners, who rely on their dogs for companionship, exercise and safety in their homes, by proposing to impose draconian laws. It is also speciesism at its most ludicrous, victimising all dogs, who are the innocent victims yet again. The social impact on many of us, in not being allowed to take our dogs out with us as a matter of course, as we currently do, as they are welcome in local pubs and shops, will be huge and very restricting.”*
- *“There's a lack of dog poo bins in rural areas, even for popular walking routes. I believe this unfairly impacts those of us in rural areas over those in urban areas.”*
- *“In this proposal the council is prejudicing dog owners this is not equality.”*
- *“Equal rights for cat and dog owners because you only focus on dog owners.”*

The comments highlight that there were some very diverse comments on the issue of equality, and this extended to questions over why dog owners were faced with restrictions versus cat owners.

The last question within the survey was an open comment box for any further comments. There were 163 comments made and these are summarised in **Table 6** with example comments to illustrate the themes shown below.

**Table 6 Other comments**

Theme	No	%
Need to ensure enforcement / resources to enforce	37	23
Scheme will not work / Waste of public money and resources	28	17
Need additional dog poo bins / availability of bags	19	12
Availability of places to exercise dogs	16	10
Additional training and information for owners	11	7
General agreement on the proposals	18	11
General disagreement on the proposals	11	7
Other	23	14
<b>Total</b>	<b>163</b>	<b>100</b>

**Example comments:**

- *“How will this be policed?”*
- *“Do not outsource the role of enforcement to contractors who would be rewarded on evidencing enforcement. Direct employment and ‘least enforcement’ principles are important if this is implemented.”*
- *“I think a public information campaign with radio discussions and talks in schools to young people would help. Lots more signage. And above all ENFORCEMENT of fines.”*
- *“I strongly hope that the proposed Public Spaces Protection Order is successful and does not become bogged down for years.”*
- *“More people will take their dogs to shelters, as they can't walk them what they need, if dogs can't be let loose to socialise and play.”*
- *“This is a rural area, farming and hunting are part of the area and provide much employment. Consideration MUST be given to this community.”*
- *“Shropshire Council need to focus on better things to spend our money and time! Ban irresponsible owners but don't penalise the majority who are mindful.”*
- *“The proposal suggests a 1-meter dog lead for dogs by highways. The shortest leads I own are 1.25 meters and 1.7 meters in length. This proposal is unreasonable.”*
- *“Businesses are wooing dog owners to come into pubs/restaurants/shops with their dogs. A climate is being created where dog owners assume that everyone loves their dog and they are welcome everywhere off the lead. It would be good to get clear messaging from the council that dogs have to be kept under control and not everyone loves dogs.”*
- *“Please clarify the proposal around fouling. Is it no longer allowed anywhere even if cleaned up? If so, that's not going to work. Might want to give it some more thought!”*
- *“More poo bins, to prevent people just throwing bagged poo in hedges and these need to be emptied regularly.”*

Overall, many of the same themes featured in the open comment section of the survey as highlighted elsewhere within survey comments and referred to within the 16 written consultation responses. The overall themes from the feedback and key findings are summarised within the next, and last, section of this report.

## 5 Summary and Conclusions

The public consultation on the proposed Public Spaces Protection Order (PSPO) for dog fouling and control in Shropshire ran from 26 October 2023 to 21 December 2023 and gathered views from a range of stakeholders and key partners, as well as the general public. The PSPO is intended to address the issues of dog fouling and nuisance in public spaces, which have been reported to the Dog Warden Service as having a detrimental effect on the quality of life of those in the locality. The PSPO would create a framework to replace or update existing public space restrictions and enable the enforcement of the following prohibited actions:

- Allowing dog fouling in the public area.
- Failure to appropriately remove and dispose of dog waste if a dog has been allowed to foul.
- Dog exclusion from play areas, equipped and fenced sports areas.
- Dogs on leads by direction.
- Dogs on leads on the highway.

The consultation survey was completed by 577 respondents (561 survey respondents and 16 written responses were received). The survey results showed that there was majority support for all five elements of the proposed PSPO, with the highest level of agreement for dogs on lead by direction and dogs on leads on the highway.

63% of survey respondents supported the overall proposals, while 28% opposed them. The main reasons for support were the perceived benefits of a cleaner and safer environment, the reduction of dog nuisance and threat, and the promotion of responsible pet ownership. The main reasons for opposition were the concerns about the impact on dog owners' mental and physical health, the availability of places to exercise dogs, the fairness and enforceability of the fines, and the need to focus on irresponsible owners rather than all dog owners.

The written responses were more mixed, with eight opposing the proposals, two having mixed views, five supporting them, and one being neutral. The written responses raised similar issues as the survey comments, but also highlighted some specific concerns about the definition and scope of the PSPO, the impact on working and hunting dogs, the potential or perceived contravention of the Equality Act and the Human Rights Act, and the need for more clarity on the proposals.

The feedback from the consultation will inform the policy recommendations to be presented to Cabinet for final approval of the PSPO in February 2024. The feedback will also be used to update the Equality, Social Inclusion and Health Impact Assessment (ESHIA) and to consider any suggestions or alternative proposals that have been put forward by respondents. The Dog Warden Service will also review the communication and enforcement strategies for the PSPO, considering the views and experiences of the stakeholders and the public.

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