



Northumberland County Council

Notice of Consultation:

Proposal to extend the duration of
a Public Spaces Protection Order for the control of dogs
Anti-social Behaviour, Crime and Policing Act 2014, Part 4

WHEREAS:

- 1 **Northumberland County Council** (*the Council*), in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (*the 2014 Act*) made the **Northumberland County Council (Dog Control) Public Spaces Protection Order** (*the PSPO*) on 30th January 2020.
- 2 Under the provisions of section 60(1) of the 2014 Act and Article 6(1) of the PSPO, the PSPO was scheduled to remain in effect for a period of 3 years from the date that it came into force until 30th January 2023.
- 3 The Council now considers that the period for which the PSPO has effect should now be extended because it is satisfied on reasonable grounds that doing so is necessary to prevent the occurrence or recurrence after that time of the activities identified in the PSPO.

TAKE NOTICE that:

- 4 In accordance with its powers under section 60(2) and (3) of the 2014 Act, the Council **proposes to extend** the period for which the PSPO shall remain in effect by a further 3 years until **30th January 2026**.
- 5 The PSPO will continue to have the same effects, these effects being:
 - (a) **The fouling of land by dogs**

It is an offence for a person in charge of a dog which defecates on any land which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side to fail to remove the faeces from the land forthwith.
 - (b) **The exclusion of dogs from land**

It is an offence for any person in charge of a dog to take or allow that dog into any area from which it is excluded, namely:

 - (i) All enclosed children's play areas within the administrative county of Northumberland at any time;
 - (ii) The area of beach at Newbiggin-by-the-Sea as shown hatched black on a plan annexed to the PSPO at any time from 01 May to 30 September inclusive; and

- (iii) The area of beach at Blyth as shown hatched black on a plan annexed to the PSPO at any time from 01 May to 30 September inclusive.

(c) **Dogs on leads**

It is an offence for any person in charge of a dog to fail to keep that dog on a lead of not more than 1.5 metres in length at all times on any land which:

- (i) Is used as a memorial, burial ground, cemetery or garden of remembrance together with any forecourt, terrace, yard or walkway providing access, and together with adjoining verges, landscaped areas and gardens; and
- (ii) Is a designated carriageway (A or B classified roads) together with the adjoining footpaths and verges of such carriageways.

(d) **Dogs on leads by direction**

- (i) It is an offence for any person in charge of a dog to fail to put and keep that dog on a lead of not more than 1.5 metres in length when directed to do so by an authorised officer or agent of the Council or by a police officer in respect of any land which is open to the air and to which the public are entitled or permitted to have access to (with or without payment) including any land which is covered but which is open to the air on at least one side; and
- (ii) Any such direction may only be given if restraint of the dog is necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which the PSPO applies or the worrying of any animal or bird.

(e) **Confirmation of identity of offenders**

It is an offence for a person in charge of a dog and who appears to be in breach of any provision of the PSPO to:

- (i) Fail to confirm their full name, address and date of birth when asked to do so by an authorised officer of the Council or by a Police officer; or
- (ii) Knowingly make any misstatement to the officer requesting such information.

(f) **Breaches of the PSPO**

- (i) Any person found guilty of an offence of failing to comply with the terms of the PSPO will be liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).
- (ii) Alternatively, an opportunity to discharge liability to conviction may be offered by an authorised officer by allowing payment of a fixed penalty of £100 (reduced to £80 if paid within 7 days).

(g) **Exceptions**

The provisions of the PSPO will not apply:

- (i) To a person in control of a dog who has a reasonable excuse for failing to comply with the terms of the PSPO;
- (ii) To circumstances where the owner, occupier or other person or authority having control of the land in question has consented (generally or specifically) to the activities which would otherwise be a breach of the PSPO; or
- (iii) To a person who has a disability and is in charge of an assistance dog, insofar as the circumstances relate to the fouling of land by dogs or the exclusion of dogs from land

CONSULTATION

6 Before extending the PSPO, the Council must carry out the necessary consultation in accordance with the provisions of section 72(3) of the 2014 Act and this Notice is given as part of that consultation procedure.

7 The full text of the PSPO together with the maps showing the extent of the exclusion areas referred to in paragraphs 5(b)(ii) and (iii) above will be available for public inspection until **Friday 9th December 2022** during office hours at:

Northumberland County Council
County Hall
Morpeth
NE61 2EF

and on the Council's website at:

<https://www.northumberland.gov.uk/getattachment/Protection/Animals/Notice-of-Consultation-Dog-Control-Public-Spaces-P/PSPO-2020-sealed-and-dated-30-01-20.pdf.aspx?lang=en-GB>

8 Any representations or comments on the terms of the proposed PSPO may be sent to:

Stephen Hall
Senior Animal Welfare & Environmental Enforcement Officer
Northumberland County Council
Housing & Public Protection Service
Stakeford Depot
East View
Choppington
NE62 5TR

or by email to: dogcontrolconsultation@northumberland.gov.uk

so that they are received by no later than **Friday 9th December 2022**.

- 9 The Council will consider all representations and comments received before deciding whether or not to extend the PSPO.

Dated this 21st day of October 2022

Housing & Public Protection Service
Northumberland County Council
County Hall
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