

# Public Spaces Protection Orders – Evidence Gathering Toolkit (Dog Related Anti-Social Behaviour)



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Cyngor Sir Gâr  
**Carmarthenshire**  
County Council



## Dog Fouling / Dog related Anti- Social Behaviour Tool Kit.

### Statement of Intention

Public Spaces Protection Orders (PSPO) were introduced under the Anti-Social Behaviour Crime and Policing Act 2014. Public Spaces Protection Orders are Intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing condition on the use of that area which apply to everyone.

### Current PSPO's (Dog Orders) within Carmarthenshire.

- Cleaning up after your dog
- Dogs on Lead by Direction
- Dog Exclusions from Enclosed Children's play area.

### Overview and Threshold

Public Spaces Protection Orders (PSPO's) are intended to deal with a nuisance or problem in a particular area that is detrimental to the quality of life for local people. They seek to impose conditions on the use of that area which apply to everyone. Local authorities have the power to make PSPO's but can be enforced by both the police and / or Local authority officers.

The Terms of the PSPO (restrictions and / or requirements) are set by the council. These can be blanket or site specific (restrictions and / or requirements) are set by the council. These restrictions or requirements can also be used to target against certain behaviours by certain groups at certain times. A PSPO can restrict access to public spaces (including certain types of highways) where that route is being used to commit anti-social behaviour.

The local authority can make the order if satisfied on reasonable grounds that: -

- Activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life on those in the locality Or.
- It is likely that the activities will be carried out in a public place within that area, and they will have that effect; AND
- The effect or likely effect of the activities is likely to be of a persistent or continuing nature; is or is likely to be such as to make those activities unreasonable and justifies the restrictions imposed by the notice.

The council can make a PSPO on any public spaces within its own area. The definition of public spaces 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, for example a shopping centre or park area.

### Procedure for initiating a Public Spaces Protection Order

The case for placing conditions of use on a public space must be balanced and evidence based. This includes placing additional restrictions on an area, whether it be already covered by a PSPO currently or not.

Environmental or anti-social behaviour issues should be investigated and resolved through normal case work and partnership process including referring to support agencies, warnings, mediation restorative justices or other legal interventions such as Community protection warnings / notices and fixed penalty notices. Most cases where a PSPO is considered will be discussed and progressed

through a tasking arrangement with relevant agencies and a range of interventions should be considered and used where appropriate to address the issue before a PSPO is progressed.

Where previous interventions have failed to address the problem and the case officer feels a PSPO is necessary and proportionate, s/he will discuss the proposal for consideration of a PSPO with partner agencies.

### Evidence Gathering.

The evidence will be gathered by the affected parties i.e. Town / community council / Sport Groups, the minimum period of the exercise will be an eight-week period, this will ensure that the evidence gathered shows that it's a continuing nature. The evidence gathering is the responsibility of the affected organisations / stakeholder. The authority will assist only by providing the means of recording the evidence in a consistent manner.

Once the evidence gathering process has been completed, the information will be reviewed by the core members of the project group.

- Officers from the Environmental Infrastructure division.
- Legal Services

Additional services will be invited to join discussions around the new requests for PSPO's depending on the type of land and proposed restrictions under consideration.

Examples include.

- Town and Community Councils
- Various Council services
- Private Landowners
- Neighbourhood Policing teams

The project group will evaluate the initial evidence available to support the case for a PSPO and take a view on whether to pursue the idea of a PSPO or look at other methods.

The project group will commission detailed analysis to enable them to determine if a PSPO is necessary and proportionate. Evidence to support a PSPO is likely to include some of the following although this is not exhaustive:

- Police crimes and incidents
- Reports to relevant council departments
- Diary sheets and / or witness incidents
- Photographs / CCTV Footage
- Other interventions used to address the problem.

The project group will apply a two-tier test to determine if a PSPO is justified:

1. Has the legal threshold for applying a PSPO has been met?
2. Are there other interventions that could be used to resolve the issues that haven't been tried?

If both parts of the test are satisfied, the case officer will discuss further and prepare a report for approval for committee / cabinet members.

Once consent has been given to proceed the project group will then draw up draft conditions and a communication and consultation plan.

### Consultation.

It is a statutory requirement for the council to consult with partners and other affected parties before making a PSPO. The consultation process will be coordinated by the case officer and supported by the project group. They will ensure that community representatives, relevant community groups, residents, elected members and other stakeholders are consulted as appropriate. Consultation will predominately be done through an on-line survey but any residents and community groups in the affected areas can receive a paper copy of the survey if necessary.

Consultation responses will be considered by the project group and legal team to assess:

- Whether to proceed with the PSPO in the light of responses
- Whether to amend the draft conditions in light of responses

The project group's recommendation will be shared with the senior leadership team. If they agree with the decision made, the group's recommendation will be shared with the council's cabinet members for their consideration and approval.

### Legal Process

Council legal team will be informed and consulted at necessary stages throughout the process to ensure government guidance and legislation is followed accordingly.

### Publication

PSPO must be published in accordance with government statutory regulations. The case officer will oversee the publication of the PSPO and work with the project group and the council's communications team to ensure it is published: -

- On CCC Corporate web page
- In local press
- Via social media
- On signage, erected in the necessary area.

### Enforcement

Enforcing a Public Spaces Protection Order (PSPO) typically involves the following steps:-

**Designation** – The local authority identifies specific areas where a PSPO is needed to address anti-social behaviour or other issues affecting public spaces.

**Consultation** – Authorities consult with the community, stakeholders, and relevant agencies to gather and assess the need for a PSPO.

**Drafting** – The PSPO is drafted, specifying prohibited activities or conditions within a designated area. This could include dog controls or other behaviours causing harm.

**Approval** – The PSPO is formally approved by the local authority, and public notice is given to inform residents and users of the affected area.

**Implementation** – Signs displaying the PSPO regulations are installed in the designated area, and information campaigns may be conducted to raise awareness.

Enforcement – Enforcement is carried out by authorised officers, such as designated local authority officers. They may issue warnings, fixed penalty notices (FPN's) or take legal against those violating the PSPO. Patrols will be undertaken based on intelligence provided by stakeholders / partners of breaches of the PSPO.

Review – Periodic reviews to assess the effectiveness of the PSPO, adjustment may be made based on the changing circumstances or community needs.

### Undertaking the evidence gathering to support a PSPO application.

The following step-by-step guide has been developed to assist any persons or groups within a community wishing to gather evidence of dog related anti-social behaviour including tackling dog fouling problems in a specific area.

#### Aim

The aim of the surveys is for local communities / sports associations to record how bad the problem of dog fouling / dog related anti-social behaviour is in a particular area. The collection of this data is important to form as evidence to support any additional Public Spaces Protection Orders that are required. The collection of evidence will be made by the complainant / asset holder, CCC will provide advice only the process of gathering the evidence.

#### How

identify who will take part/volunteers to carry out the surveys and recording of the evidence found.

register your interest with us by emailing: [Prideinyourpatch@cararthenshire.gov.uk](mailto:Prideinyourpatch@cararthenshire.gov.uk) at least two weeks in advance of your proposed start date.

The purpose of registering your interest is to ensure that we can meet the needs of your survey. This should include the following information:

nominated person as a point of contact and their details (address, phone number and email)

proposed start and finish dates (Minimum of four weeks)

locations to be targeted (street names, parks, open spaces etc.)

Await confirmation that we can support your survey, acknowledgment will be sent within five working days.

Once you receive confirmation to commence the survey / audit.

- Surveys should only be conducted on land that the public have access too.
- The area should be free of all dog faeces prior to the survey (blank Canvas)
- Audits should be undertaken on a weekly basis (keep to the same specific day of the week),
- A record must be kept of date / time of survey / location and the amount found on the form.
- Dog fouling should be removed within 12hrs following the survey (to avoid duplicate recordings).
- For Sports Pitches pre match inspections can be used as a record of incidents, Carmarthenshire County Council has devised an electronic form ([Epicollect5 - Dog Fouling at Sports Pitches Carmarthenshire](#)) that can be used to record dog fouling incidents during pre-inspections of pitches during match days and training evenings, alternatively for the

organisations that are unable to access the electronic forms, hard copy audit forms can be used see ***Appendix 1 PSPO Evidence form & Appendix 2 PSPO Summary form.***

- For aggressive dog incidents, these incidents should be reported to Dyfed Powys Police, however a record should be kept of the number of incidents that involve aggressive dogs at a particular area.
- Organisations / sports groups will need to consider alternative arrangements for dog owners to have access to areas of land to exercise their dogs of lead for welfare reasons.

### Example record Template.

Survey Date

Survey Time

Location details

Survey Number

Surveyors' details

Club / Organisations details

Survey conducted prior too – Training Session / Match Game / Grounds Maintenance work (Applies to sports pitches only)

Number of bagged dog fouling found.

Number of loose dog fouling found.

Other Animal Faeces found (Other than dog).

Photos of incidents of dog fouling at the time of the survey.

Comments

### For Aggressive Dog Incidents.

Date of Incident

Time of Incident

Location of Incident

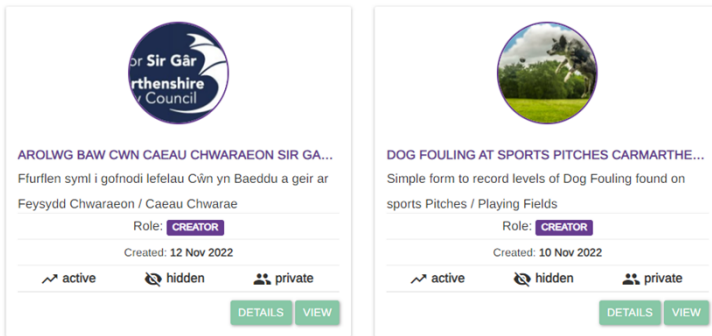
Number of dogs involved in incident.

Police Incident Number

Comments

Once the audit is completed the council will review and analyse the data collected.

### **Screenshot of Electronic Evidence Gathering report.**



Day to day enforcement activities of dog related anti-social behaviour.

To assist the enforcement team in undertaking targeted enforcement activities, the council would urge stakeholders affected by dog related anti-social behaviour to gather as much intelligence as possible, times and frequency of incidents any details of the dog and owner and report them directly to the authority on [Report dog fouling - Your details - Section 1 - My Account \(gov.wales\)](#)

The information provided will assist the enforcement team to identify the local hotspot areas and arrange for targeted enforcement activities to take place.





**Appendix 2 :- Evidence Gathering Summary**

**To be completed by group organiser or nominated person**

**PSPO Evidence gathering Total Sheet Type of incidents: i.e. Dog Fouling / Aggressive dogs. Form 2**

<b>Week 1</b>	<b>Date:</b>	<b>Week 2</b>	<b>Date:</b>
<b>Location Name</b>	<b>Total</b>	<b>Location Name</b>	<b>Total</b>

<b>Week 3</b>	<b>Date:</b>	<b>Week 4</b>	<b>Date:</b>
<b>Location Name</b>	<b>Total</b>	<b>Location Name</b>	<b>Total</b>

Week 1 grand total	
Week 2 grand total	
Week 3 grand total	
Week 4 grand total	

Total Incidents	
Form completed by	
Date	

**PSPO Evidence gathering Total Sheet Type of incidents: i.e. Dog Fouling / Aggressive dogs. Form 2**

<b>Week 5</b>	<b>Date:</b>	<b>Week 6</b>	<b>Date:</b>
<b>Location Name</b>	<b>Total</b>	<b>Location Name</b>	<b>Total</b>

<b>Week 7</b>	<b>Date:</b>	<b>Week 8</b>	<b>Date:</b>
<b>Location Name</b>	<b>Total</b>	<b>Location Name</b>	<b>Total</b>

Week 5 grand total	
Week 6 grand total	
Week 7 grand total	
Week 8 grand total	

Total Incidents	
Form completed by	
Date	