

**URN: 22-192**

**Subject: Renewal of Public Space Protection Order NO.3- Dog Control**

**Report to: Environment Committee – 7<sup>th</sup> March 2023**  
**Council – 23<sup>rd</sup> March 2023**

**Report by: Paul Shucksmith – Environmental Protection and Waste Manager**  
**James Wilson – Head of Environment and Sustainability**

#### **SUBJECT MATTER**

**Public Protection Order No.3 was introduced in 2017 to update legal requirements on dog owners/walkers around dog control and removing waste after their dog has fouled. The Order was extended in 2020 and this extension is due to expire on 31<sup>st</sup> March 2023. This report seeks member approval to extend it by a further three years.**

#### **RECOMMENDATION**

- **That the Environment Committee recommends to Council to agree to the Order being extended by a further three years.**

### **1. Introduction**

- 1.1.** The Anti-Social Behaviour (Crime and Policing) Act 2014 provided local authorities with a range of powers to assist in tackling anti- social behaviour (ASB) within the community. One of these powers is the Public Space Protection Order (PSPO)
- 1.2.** PSPO'S are designed to replace and streamline a range of powers such Byelaws and other types of Orders which have historically been available to local authorities. They can be used to prevent or address behaviour carried out in the public space which have had, are having or could have a detrimental effect on other people in the locality.
- 1.3.** Councils may make a PSPO where there is an evidenced need and as part of its implementation must consult with the Police and appropriate community representation.
- 1.4.** PSPO's last for a duration of up to three years after which time they must be reviewed and renewed if they are still required

**1.5.** Currently the Council has three PSPO's. PSPO No.1 relates to alcohol related anti-social behaviour, PSPO No.2 relates to vehicle related anti-social behaviour and PSPO No.3 related to dog control.

## **2. Background To PSPO No.3**

**2.1.** In 2017 the Borough Council introduced Public Space Protection Order No.3. This PSPO covers the issue of dog control on publicly accessible land including putting legal requirements on dog walkers to clear up after their dog has fouled, designated areas where dogs are banned from and where dogs must be leashed and enabling authorised Council Officers to require a dog be leashed where it is causing a nuisance or danger. For an overview of Public Space Protection Orders and background to dog control in Great Yarmouth please see Appendix 1.

**2.2.** PSPO No.3 was reviewed in 2020 and following a public consultation was renewed. The extension to the PSPO is due to expire on 31<sup>st</sup> March 2023 and consequently it must review and consider whether its requirements are still appropriate and whether to extend for a further three years.

**2.3.** As part of this review a public consultation exercise has taken place with partner agencies, charities and other appropriate bodies invited to feed into this. The Police and Crime Commissioner for Norfolk and Norfolk Constabulary have also been invited to take part in the Consultation as they are statutory consultees.

## **3. Requirements of the PSPO**

**3.1.** PSPO No.3 updated existing byelaws bringing a variety of dog related control measures all under a single Order. A copy of the existing PSPO had been provided as Appendix 2. The following is an overview of the requirements:

- **Failing to pick up after a dog has fouled (Boroughwide).** It makes it an offence for a person in charge of a dog to fail to clear up after their dog(s) foul on publicly accessible land.
- **Dogs on lead by request (Boroughwide).** This allows authorised officers to direct an owner to leash their dog if it is considered to be out of control, causing alarm or distress or causing a nuisance. This covers all publicly accessible land the offence is not comply with the Officers direction.
- **Dogs on lead requirement (Select location).** Dogs are required to be leashed upon entering specific locations, in the interest of hygiene, preventing nuisance and/or promoting respect. Locations include Great Yarmouth Old and New



Cemetery, Caister Cemetery and select play areas where residents must walk through them to access their property.

- **Dog ban (Select locations).** In the interest of hygiene, safety and/or promoting respect dog are not permitted in Magdalen Lawn Cemetery and Gorleston Old Cemetery or fenced children's play areas, fitness areas, skate parks and multi-use games areas.
- **Seasonal controls (From 1<sup>st</sup> May to 31<sup>st</sup> September).** To minimise risk of issues between dogs and beach user's, dogs are banned during the tourist season on the beach at Great Yarmouth (between the two piers) and Gorleston (from the Harbour's mouth to The Ravine) plus a dogs on lead requirement on the adjacent section of promenade at the two location during the same period.

**3.2.** Anyone failing to comply with any of the requirements can be issues with a fixed penalty notice (currently set at £80 reduced to £60 if paid within ten days) or prosecuted with a maximum penalty of £1000.

**3.3.** Exemptions are in place for the requirement to clear after a dog has fouled and sites where dogs are banned for assistance dogs.

#### **4. Dog related complaints and enforcement**

**4.1.** The requirements of PSPO No. 3 are very much directed at preventing and addressing detrimental and unreasonable behaviour and providing the necessary powers to Officer's to deal with dogs which are causing a nuisance. It is felt it is proportionate without putting wholesale restrictions on dog walkers e.g., providing areas of the beach where dogs are banned from but also providing other areas where they can still be exercised

**4.2.** Since the implementation of the PSPO several successful prosecutions and other formal actions have been taken against persons breaching it. Anecdotal evidence from the Officers who enforce is that the PSPO has proven to be appropriate to the work they undertake. However, given that it is an emotive subject, complaints are still routinely received regarding dog control and fouling issues and as a result Officers do feel that these control measures are still required and that the PSPO should be renewed.

Year	Prosecutions	FPN's	Cautions	CPW/Formal Warnings
2014	3	8	1	
2015	9	5	1	3
2016	10		1	1
2017	5			1
2018	5			
2019	3	5		
2020	4	3		
2021	Nil	Nil	Nil	Nil
2022		1	1	

**4.3.** You will note figures have reduced since covid mainly due to the fall in complaints and the Rangers, who enforce this legislation being tasked with a lot more project work and focusing on flytipping.

**4.4.** Complaints regarding dog fouling are the second highest type of complaint received by the Environmental Rangers. There does tend to be a seasonal trend with dog fouling with more complaints in the Winter months when nights are darker. Number of complaints over previous years are detail below:

Year	Number of dog fouling complaints
2019/20	130
2020/21	107
2021/22	128
April 2022-Dec 22	88

**4.5.** Dogs bans and dogs on lead requirements are very much preventative measures and complaints regarding breaches are minimal. Where complaints are received the Rangers take a very much educational approach patrolling the area and providing guidance to anyone not adhering to the requirements. In such cases persons thus far have then been found to become compliant either leashing their dog or leaving the ban area and there has been no reason to pursue any further action.

**4.6.** Since the introduction of PSPO No.3 there has been no complaints about the nature of its requirements or any legal challenge to its appropriateness.

## **5. Consultation**

**5.1.** For the implementation or renewal of a PSPO the Council are obliged to seek the views of the Police and relevant community representation. A formal public

consultation was commenced 24<sup>th</sup> October 2022 and was appropriately advertised as is required. Closing date for the consultation was 20<sup>th</sup> November 2022.

- 5.2. In total 82 consultation responses were received and in addition a letter of response was received from The Dogs Trust. Full consultation feedback can be found in Appendix 3 which also provides individual responses. Of the responses received 93% were from residents of the Borough and 3.5% from visitors. There was a single response from a business and two from Parish Councils.
- 5.3. 62.2% of the responses received were persons who identified themselves as being dog owners.
- 5.4. In relation to dog fouling all respondents felt that the Council should continue its requirements under the PSPO that dog walkers should clear up after their dog has fouled.
- 5.5. 81 out of the 82 respondents felt that the Council should continue its requirements under the PSPO that allow Officer to require a dog be leashed upon request where it is causing a nuisance
- 5.6. With regard to dogs on leash requirements the following responses were received that the locations stated should still have requirement on the land:

Location	Agree	Disagree
Caister, Great Yarmouth Old and New Cemeteries	92.7%	7.3%
Playgrounds (access to properties)	87.8%	12.2%

- 5.7. With regard to dog bans the following responses were received that the locations stated should still have dogs banned from them:

Location	Agree	Disagree
Magdalen Lawn and Gorleston Old Cemetery	70.3%	20.7%
Fenced play areas, skate parks, fitness areas and multi games areas	93.9%	6.1%

- 5.8. 85.3% of respondent's agreed that the current seasonal dogs ban on the beaches and dogs on lead requirements on the prom were appropriate and should continue
- 5.9. The Dogs Trust have provided a position statement on PSPO's generally. They are not against PSPO's as long as its take into account the needs and welfare of dogs. They

fully support the requirement to clear up after a dog has fouled and the ability for officers to require that a dog is leashed where it is a nuisance. They agree with dog bans and dogs on leash requirements where there is a clear need for them such as children's play areas. They feel where bans and leash requirements are implemented in other areas they should only be done so where there is adequate alternative provision locally for dog walkers to exercise their dog e.g., not banning dogs from the entire length of beaches.

## **6. Conclusions/Recommendations**

**6.1.** When the PSPO was introduced in 2017 consideration was given to the needs of dog walkers against the health, safety and welfare of the other users. The existing requirements in PSPO No.3 were introduced to prevent nuisance, for hygiene safety reasons and minimising risk between dogs and other users in certain areas. Dog bans and dogs on leash requirements were only implemented in areas where it was necessary to prevent unreasonable behaviour and/or where there were clear alternative areas for dogs to be exercised. With the majority of person's responding to the consultation identifying themselves as residents of the Borough and also as being dog owners those persons most affected by the PSPO would agree that the measures are appropriate and support the renewal of the PSPO in its current form. Based on this it is recommended that the Order is renewed for a further three years from 1<sup>ST</sup> April 2023.

**6.2.** Members are therefore recommended:

- To consider the feedback and comments received from the Public Consultation held around PSPO No.3
- That PSPO No.3 should be renewed for a further three years

## **7. Financial Implications**

**7.1.** There are no current direct financial implications identified

## **8. Legal Implications**

**8.1.** Section 72 of the 2014 Act requires that in deciding whether to extend a PSPO the Council must have regards to the rights of freedom of expression and freedom of assembly and association set out in articles 10 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms

**8.2.** Whilst acknowledging that the proposed Order could potentially infringe on an individual's human rights, including the right to respect for private life and potentially the right to freedom of assembly and association, it is considered that these qualified

rights may in the this instance be interfered within the interests of public safety , the prevention of crime and disorder and in accordance with the law.

- 8.3.** As required under section 72 of the 2014 Act the Council has carried out the necessary consultation and notification before deciding whether to extend and amend the PSPO or not. If the extension is agreed a notice will be published identifying that the Order has been extended.

**9. Risk Implications**

- 9.1.** Should the PSPO not be renewed its requirements would no longer be enforceable. Where a PSPO does expire any pre-existing Byelaws within the Borough would automatically become re-enacted. This would mean that there would be some dog control coverage including a requirement to clear up after a dog has fouled albeit there would not be the breadth of land that the requirement would cover within the Borough as there would be under the PSPO. However, it should be remembered that the reasons for originally introducing the PSPO was because these byelaws which were made at various times during 1980’s and 90’s were fragmented, inconsistent and did not cover many sites where controls measures were needed.

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	No
Section 151 Officer Consultation:	No
Existing Council Policies:	No
Financial Implications (including VAT and tax):	No
Legal Implications (including human rights):	Yes
Risk Implications:	No
Equality Issues/EQIA assessment:	No
Crime & Disorder:	Yes
Every Child Matters:	No

## Appendix 1



# Overview of Public Space Protection Orders

## What Are Public Space Protection Orders?

Public Space Protection Orders (PSPO's) were introduced as part of the reforms made under the Anti-social Behaviour, Crime and Policing Act 2014. They are designed to replace and streamline a range of powers such as byelaws and Dog Control Orders which have historically been available to local authorities to deal with anti-social behaviour.

PSPO's are designed to target a range of anti-social behaviour that adversely affects other people using the same public space including dog control. Historically Byelaws and more recently Dog Control Orders were made to cover a number of offences including dog fouling, banning dogs from sites and requiring dogs to be kept leashed.

In 2005 The Clean Neighbourhoods Act was enacted which included Dog Control Orders and as a result no new Byelaws relating to these offences could be made – although any existing Byelaws could still be enforced.

Unlike a Byelaw which had to be confirmed by the Secretary of State, Public Space Protection Orders can be made locally but consultation must be carried out with appropriate community representation. Unlike Dog Control Orders which could also be implemented by secondary authorities PSPO's can only be implemented by primary authorities. PSPO's last for duration of three years at which time they must be reviewed and renewed if they are still required.

## Background To Dog Control In the Borough

The Borough Council carried out an in-depth review of its dog control measures in 2016/17 and introduced PSPO No.3 following a public consultation and this PSPO was then renewed in 2019/20. Prior to this the last review of dog law within the

Borough took place in 1996 and most of the Byelaws regarding dogs pre-dated this. These Byelaws were made over a period of many years and as a result there was inconsistency between them, for example the maximum penalty taking a dog onto a site covered by a dog ban ranged from £50 through to £500 dependent on the location and when the Byelaw covering the site was made. As a review had not taken place for a number of years, many sites requiring some form of dog control on it were not covered and other sites had control measures no longer appropriate or needed.

## **Public Space Protection Order Types and Offences**

Public Space Protection Orders are designed to address a range of anti-social behaviour that affect people whilst in the public domain. The test for the local authority to make a PSPO is that it must be satisfied on reasonable grounds that two conditions are met:-

1. Activities carried out in the public place are having, have had or will have a detrimental effect on the quality of life of those in the locality

and

2. Activities are or are likely to be persistent, unreasonable and justify the restrictions imposed by the order

PSPO's can only apply to public place i.e any place to which the public, with or without payment, have access to as of right or by permission.

Specifically relating to dog control individual measures available to Local Authorities under PSPO's are the similar restrictions as what could previously be made as Dog Control Orders.

Theses are:-

- Failing to Remove Dog Faeces – Similar to the designation order made under The Dogs (Fouling of Land Act) 1996 which historically covered the Great Yarmouth Borough. An offence is committed where the person responsible for a dog fails to clear up forthwith after a dog has fouled on most public land and private land to which the public have access and is open to the air. Land types previously exempt from being designated under a designation order can be covered under a PSPO– including agricultural land, woodland, marshland,

moorland, common and heath land and roads with a speed limit of 50mph or above.

- Dogs on Lead Requirement – Makes it a requirement that when using a location with such an order on that all dogs must be kept leashed.
- Dogs on Lead Request – Enables authorised officers, on land which such an Order covers, to require that a dog is leashed and kept leashed. This is designed to be used where a dog is causing a nuisance or a hazard to itself or other users.
- Dog Bans – Bans dogs from entering a site covered by such an Order. This is most likely to be used in connection with children’s playgrounds.
- Specifying Maximum Number of Dogs – Puts a limit on how many dogs can be walked by one person on land covered by the Order. This was mainly introduced for inner city parks where professional dog walkers are more prevalent. DEFRA suggest that when considering such an Order expert advice is that the maximum number of dogs that a person can control is six.

Additionally as PSPO’s are more flexible than the previous Dog Control Orders a PSPO can also be used-

- To put in place other restrictions or requirements to prevent any other activity that is considered to have a detrimental effect on the quality of life of those in the area or locality, or is likely to have such an effect.

This does mean that other dog control restrictions can be introduced which are outside of the usual prescribed measures such as bans or leash requirements. However, any other restrictions which are introduced must be reasonable and not arbitrary.

There are exemptions that should be considered when making a PSPO such as those people with disabilities who make use of trained assistance dogs. Guidance would suggest that anyone using any type of assistance dog is not subject to a Banning Order in respect of their assistance dog, and anyone other than a registered deaf person (whose disability will not prevent him or her from being aware of and removing dog foul) is exempt from any Dog Fouling Control Order. Additionally PSPO’s should not restrict the normal activities of working dogs.

Penalties for a breach of a PSPO IS a fine of up to £1000 upon prosecution or, as an option, a Fixed Penalty Notice can be offered – for Great Yarmouth this is currently set as £80 or reduced to £60 if paid within ten days.





## **THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 GREAT YARMOUTH BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER No.3**

1. This Order is made by Great Yarmouth Borough Council (“the Council”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and this order may be cited as the Great Yarmouth Borough Council Public Spaces Protection Order No.3
2. The Council is satisfied that:
  - (a) Activities being the fouling of land by dogs, failure to control dogs and/or the presence of dogs carried on in the restricted areas as described below in Article 5 and Schedules 1 and 2 have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the restricted areas and they will have such an effect.
  - (b) The effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature and is, or likely to be, such as to make the activities unreasonable and justifies the restrictions imposed by this Order.
  - (c) The restricted areas in respect of Articles 5(1) and 5(2) of this Order for the avoidance of doubt include but are not limited to all public highway including footway, verge and footpath, all public parks, pleasure grounds, sports grounds, recreation grounds, playing fields, cemeteries, beaches, foreshores, promenades and play areas where these are open to the public as of right or by virtue of express or implied permission.
3. Under section 67 of the Act it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a public spaces protection order, or to fail to comply with a requirement to which the person is subject under a public spaces protection order. A person does not commit an offence under S67 of the Act by failing to comply with a prohibition or requirement that the local authority did not have the power to include in the public spaces protection order.
4. This Order comes into force at midnight on 1<sup>st</sup> April 2017 for a period of 3 years unless extended under section 60 of the Act.



## **5. REQUIREMENTS AND PROHIBITIONS**

### **5(1) FOULING - FAILURE TO REMOVE DOG FAECES**

Subject to article 7 below if within the administrative area of the Council a dog defecates at any time on land 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 the person who is in charge of the dog at the time shall remove the faeces from the land forthwith.

### **5(2) DOGS ON LEADS BY ORDER**

A person in charge of a dog present on land within the administrative area of the Council 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 shall comply forthwith with a direction given to him by a Police Officer, Community Support Officer or an authorised Officer of the Council to put and keep the dog on a lead.

### **5(3) LEAD REQUIREMENTS**

A person in charge of a dog shall keep the dog leashed at all times, (or during the period specified in respect of that land in Schedule 1 if a period is stated), when present on any land detailed in Schedule 1 of this Order being land 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 which land is more specifically marked in blue on the plans attached to this Order.

### **5(4) EXCLUSION - DOG BAN**

Subject to article 7 below a person in charge of a dog shall not at any time (or during the period specified in respect of that land in Schedule 2 if a period is stated) take the dog onto, or permit the dog to enter or remain on, any land detailed in Schedule 2 of this Order being land 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 which land is more specifically marked in green on the plans attached to this Order (With the exception of the Council owned or managed fenced playareas, multi use games areas, skate parks and fitness areas. A list of these sites is available upon request from the Council and is also published on the Council's website).

## **6. OFFENCE**

A person failing to comply with a requirement or prohibition set out in articles 5(1),5(2),5(3) or 5(4) of this Order shall be guilty of an offence unless:-

- (a) he or she has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his or her failing to do so.



## **7. EXEMPTIONS**

Nothing in part articles 5(1) and 5(4) of this Order shall apply to a person who:-

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) is 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) has 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 registered charity and upon which he relies for assistance.

## **8. FOR THE PURPOSE OF THIS ORDER**

- 8(1) 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.
- 8(2) 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 to satisfy the requirement of article 5(1).
- 8(3) The Council does not consider 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 is a reasonable excuse for failing to remove the faeces as required by article 5(1).
- 8(4) For article 5(2) of this Order an "authorised Officer of the Council" means an employee, partnership agency or contractor of the Council who is authorised in writing by the Council for the purposes of giving directions under this Order.
- 8(5) In respect of article 5(2) of this Order a Police Officer, Community Support Officer or an authorised Officer of the council may only give a direction under this Order if in their opinion such restraint is reasonably necessary to prevent a nuisance or to prevent behaviour by the dog that is likely to cause annoyance or disturbance to any person, or to a bird or another animal.

## **9. PENALTY**

A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

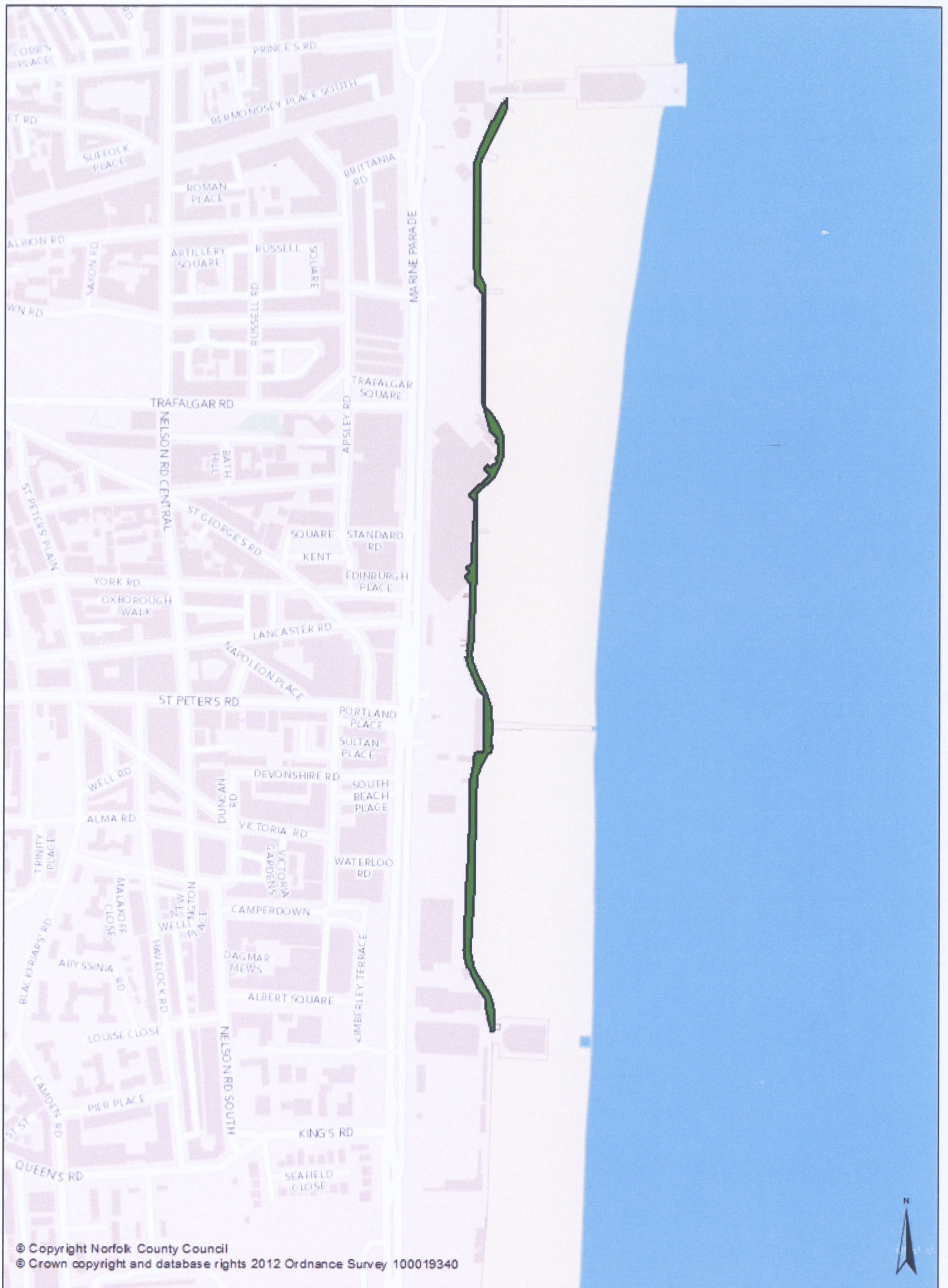
# GREAT YARMOUTH BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER No.3

## SCHEDULE 1

### LAND TO WHICH THE DOGS ON LEAD REQUIREMENT SHALL APPLY

- Promenade adjacent to the beach between Wellington Pier and Britannia Pier, Great Yarmouth - To operate from 1<sup>st</sup> May to 30<sup>th</sup> September each year
- Great Yarmouth (New) Cemetery North, Kitchener Road, Great Yarmouth
- Great Yarmouth (Old) Cemetery South, Kitchener Road, Great Yarmouth
- Great Yarmouth (Caister) Cemetery, Ormesby Road, Caister on Sea
- Promenade adjacent to the beach between the breakwater and Ravine, Gorleston - To operate from 1<sup>st</sup> May to 30<sup>th</sup> September each year
- Elder Green Playarea, Elder Green, Gorleston
- Hertford Way Playarea, Hertford Way, Gorleston
- Pine Green Playarea, Pine Green, Gorleston
- Clarendon Close (North) Playarea, Clarendon Close, Great Yarmouth
- Clarendon Close (South) Playarea, Clarendon Close, Great Yarmouth
- Dorset Close Playarea, Dorset Close, Great Yarmouth
- Howard Street South Playarea, Howard Street South, Great Yarmouth
- King Street Multi Use Games Area (MUGA), King Street, Great Yarmouth
- Sidney Close Playarea, Sidney Close, Great Yarmouth





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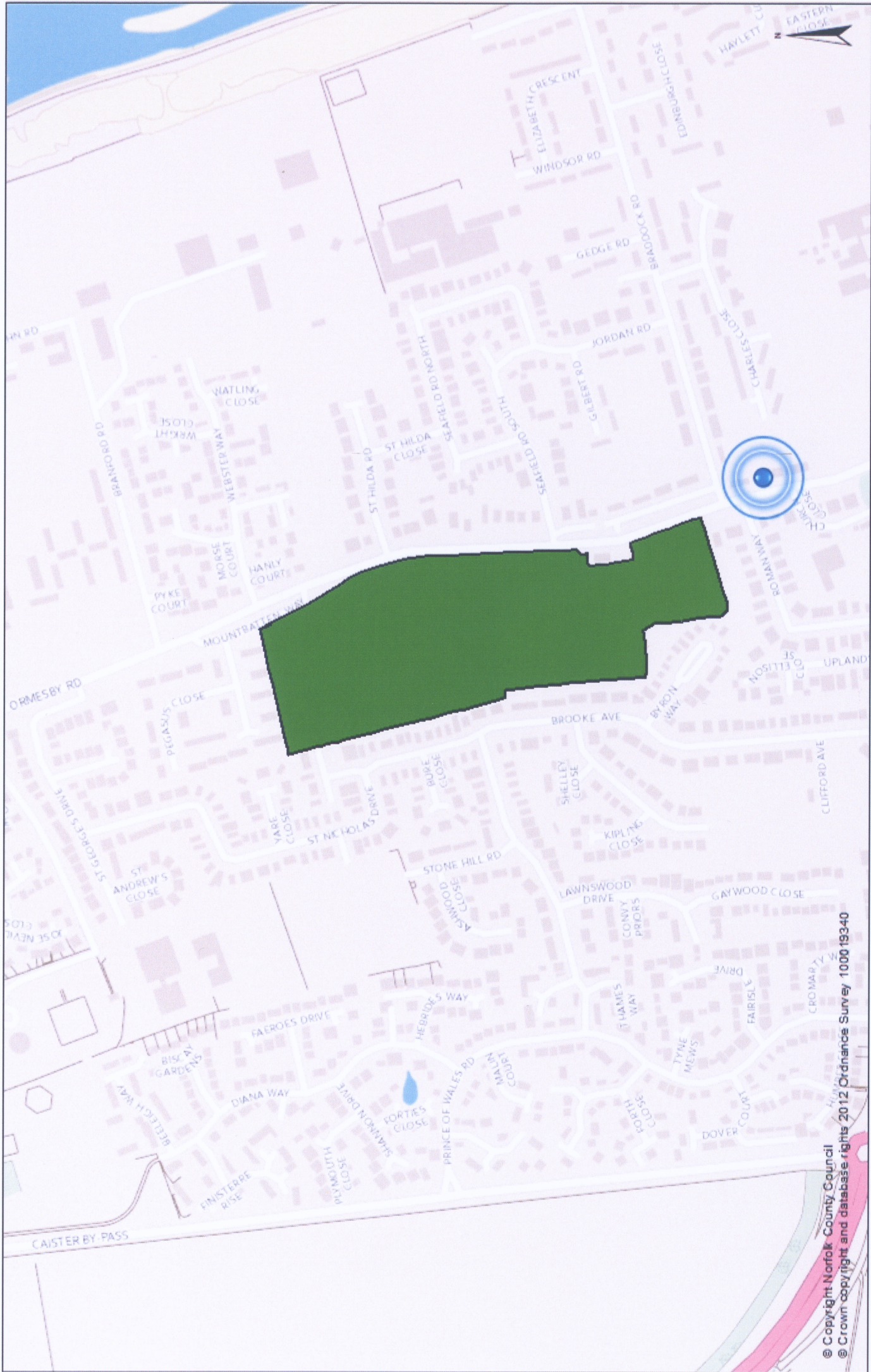






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Dogs on Lead Requirement - Great Yarmouth (Caister) Cemetery

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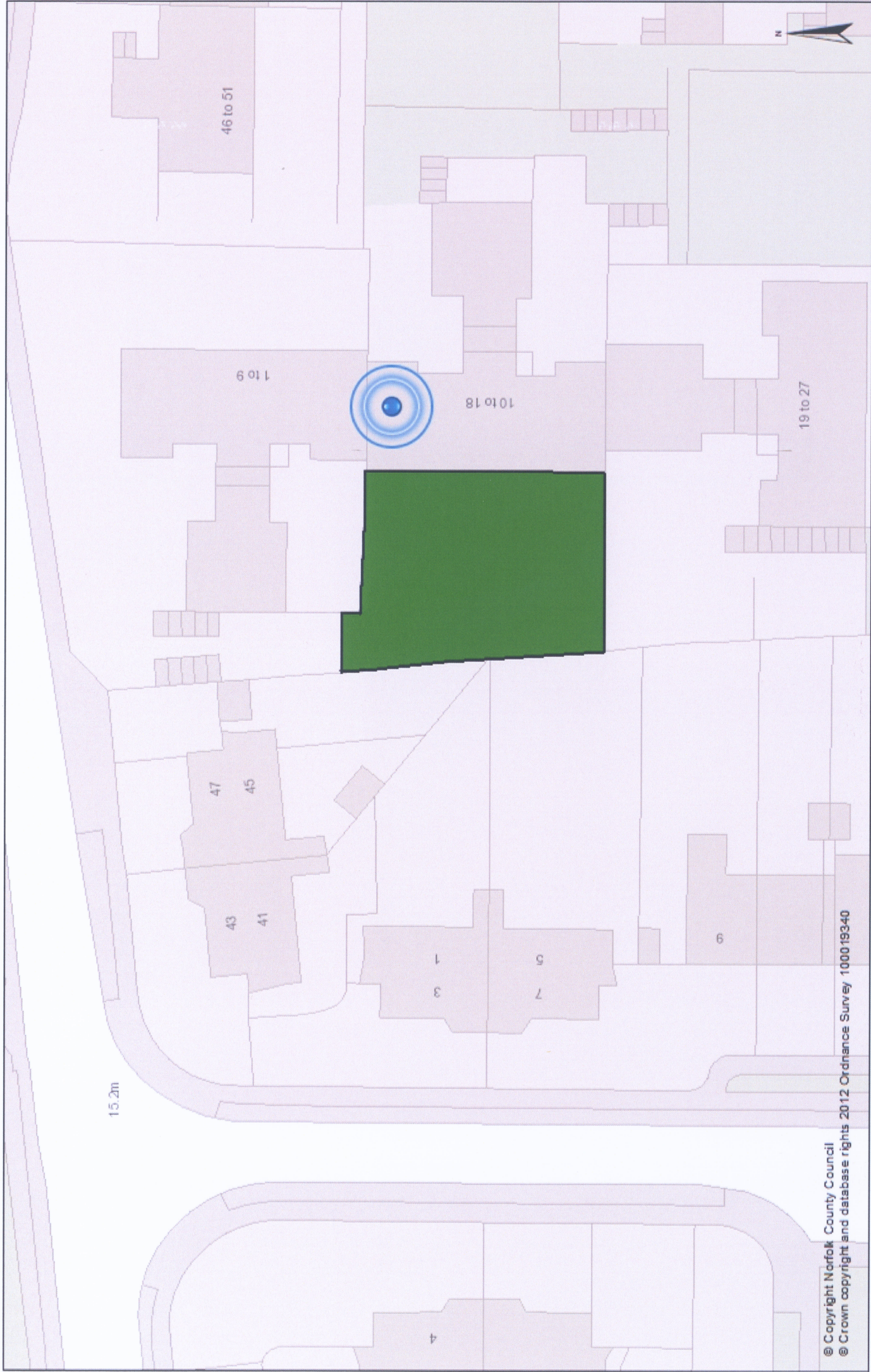
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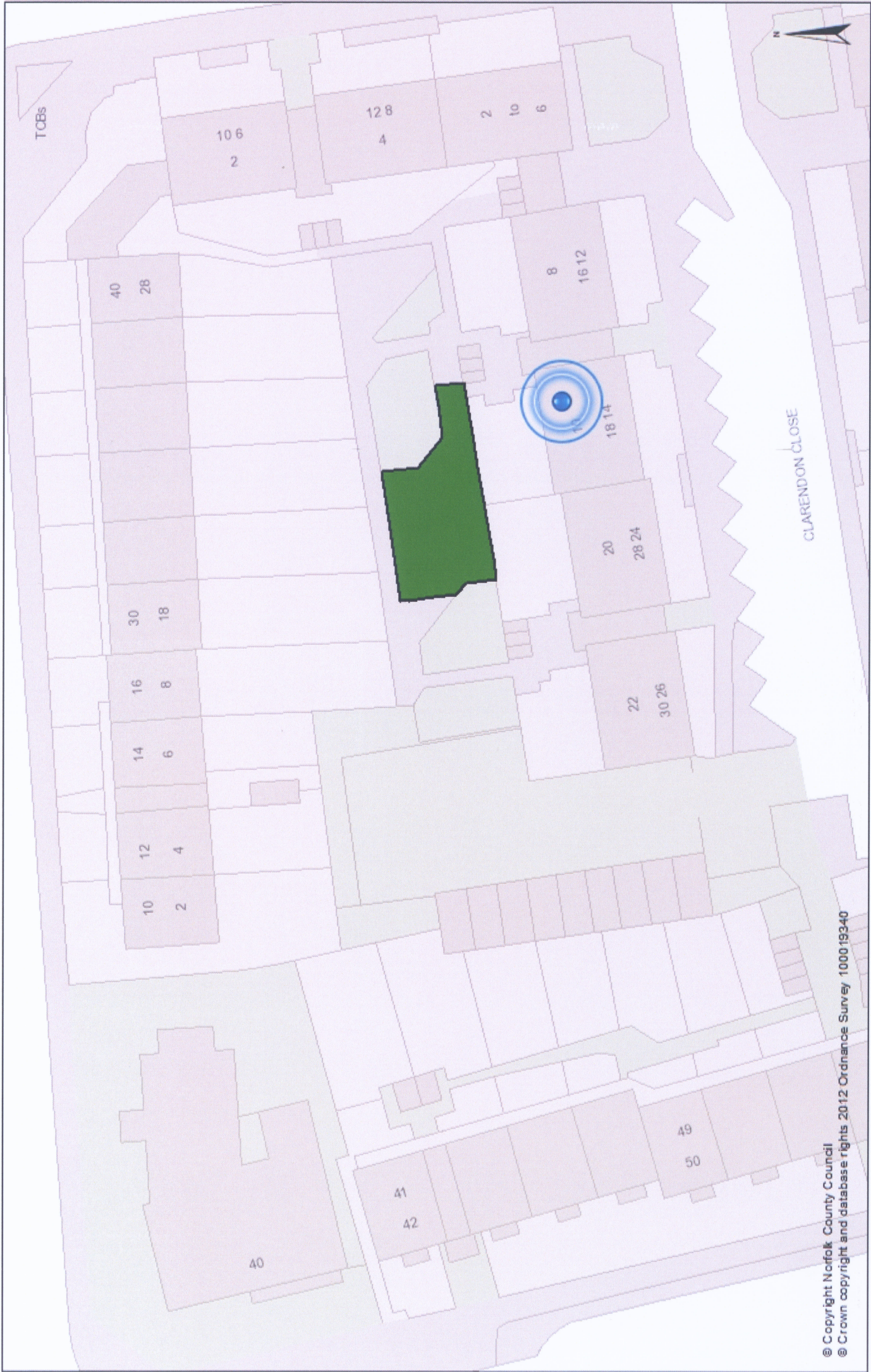


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Dogs on Lead Requirement - Pine Green

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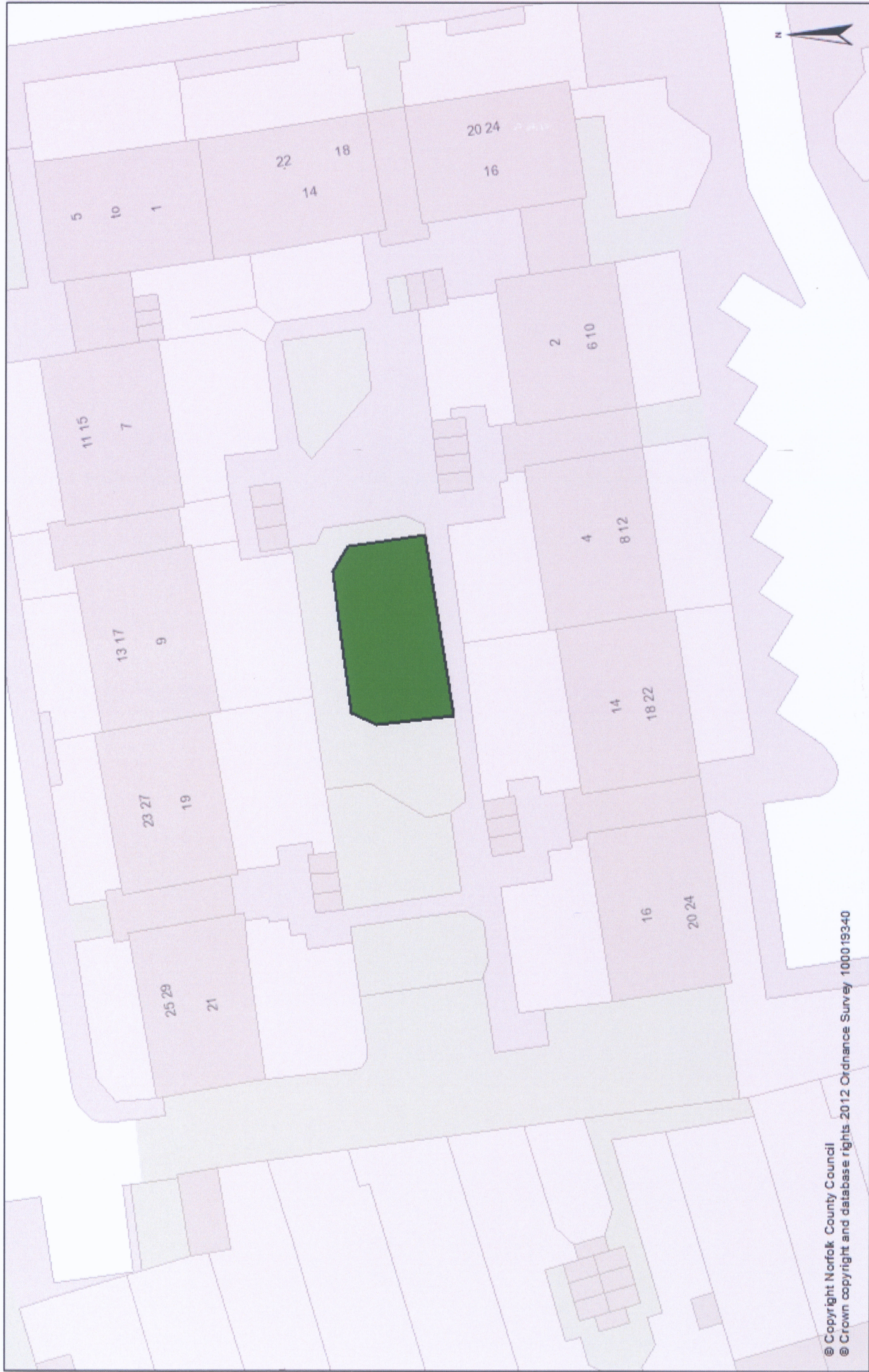


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Dogs on Lead Requirement - Clarendon Close North

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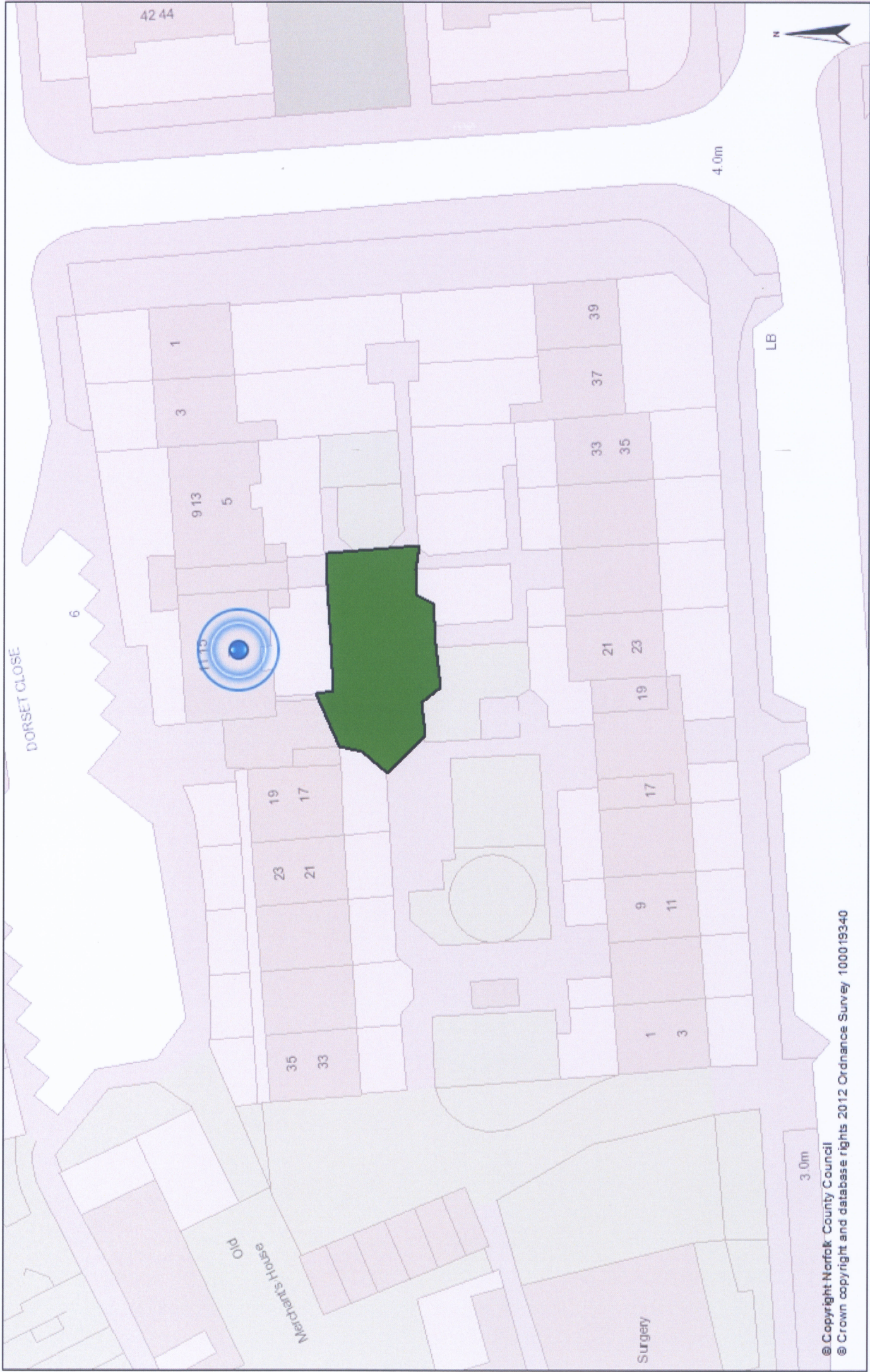




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# Dogs on Lead Requirement - Clarendon Close South

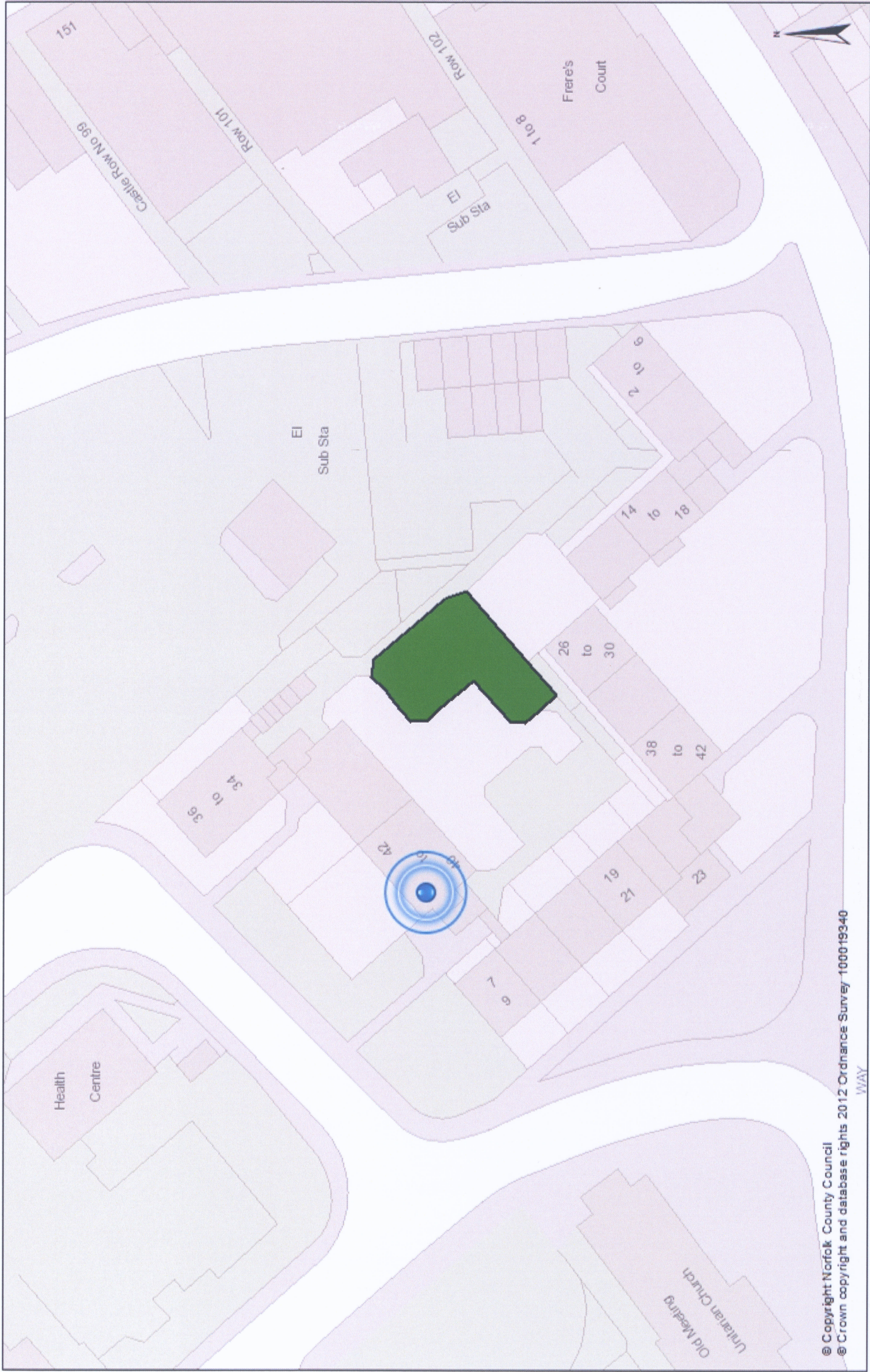




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Dogs on Lead Requirement - Dorset Close

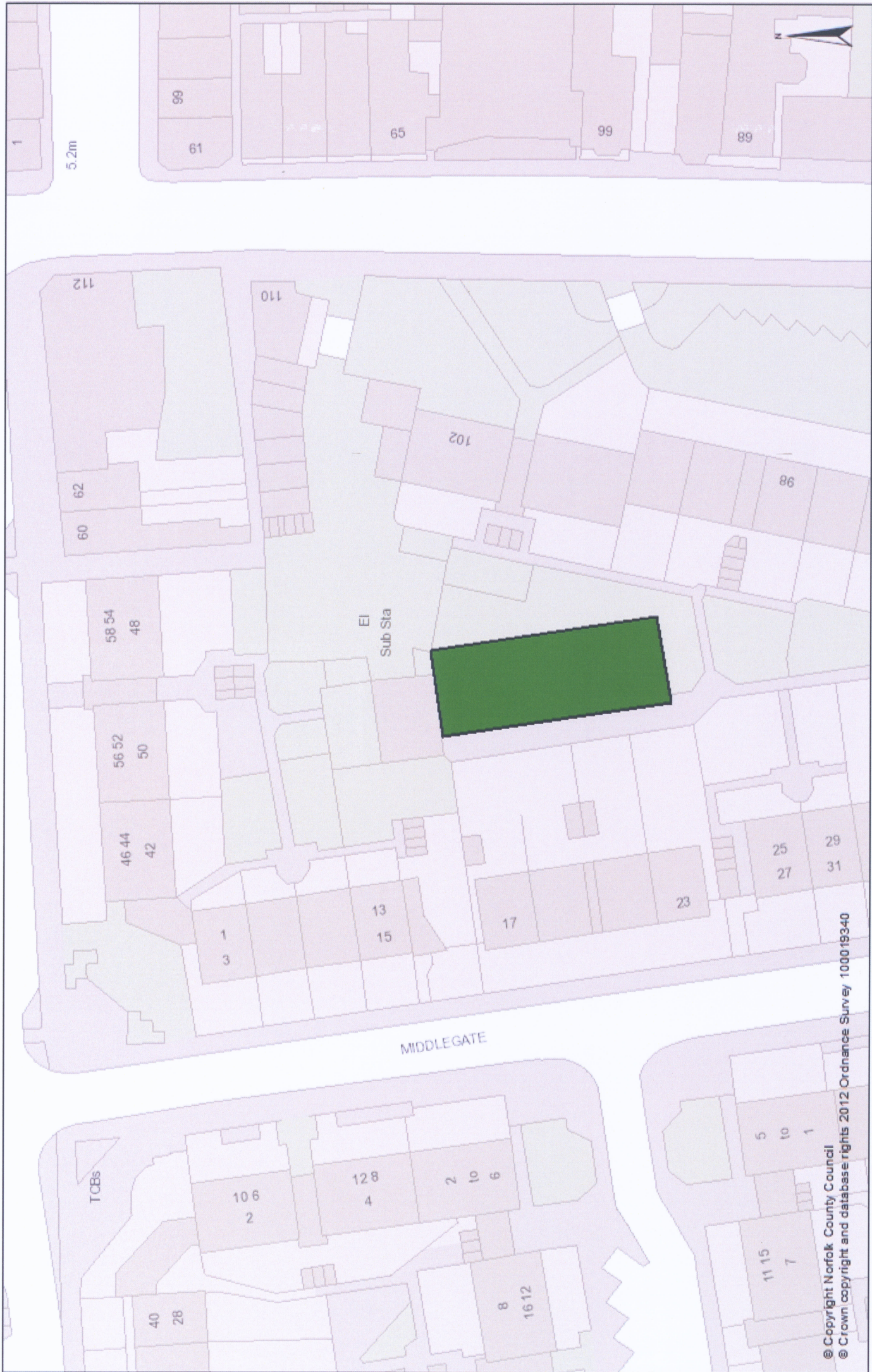




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Dogs on Lead Requirement - Howard Street South





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# GREAT YARMOUTH BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER No.3

## SCHEDULE 2

### LAND TO WHICH THE DOG EXCLUSION/BAN SHALL APPLY

- All Council owned or managed fenced play areas
- All Council owned or managed fenced fitness areas
- All Council owned or managed fenced skate parks
- All Council owned or managed Multi Use Games Areas (MUGA) with the exception of King Street, Great Yarmouth
- Runham Playarea, Thrigby Road, Runham
- The beach between Wellington Pier and Britannia Pier, Great Yarmouth - To operate from 1<sup>st</sup> May to 30<sup>th</sup> September each year
- The beach between the breakwater and Ravine, Gorleston - To operate from 1<sup>st</sup> May to 30<sup>th</sup> September each year
- Magdalen Lawn Cemetery, Oriel Avenue, Gorleston
- Gorleston Old Cemetery, Magdalen Way, Gorleston





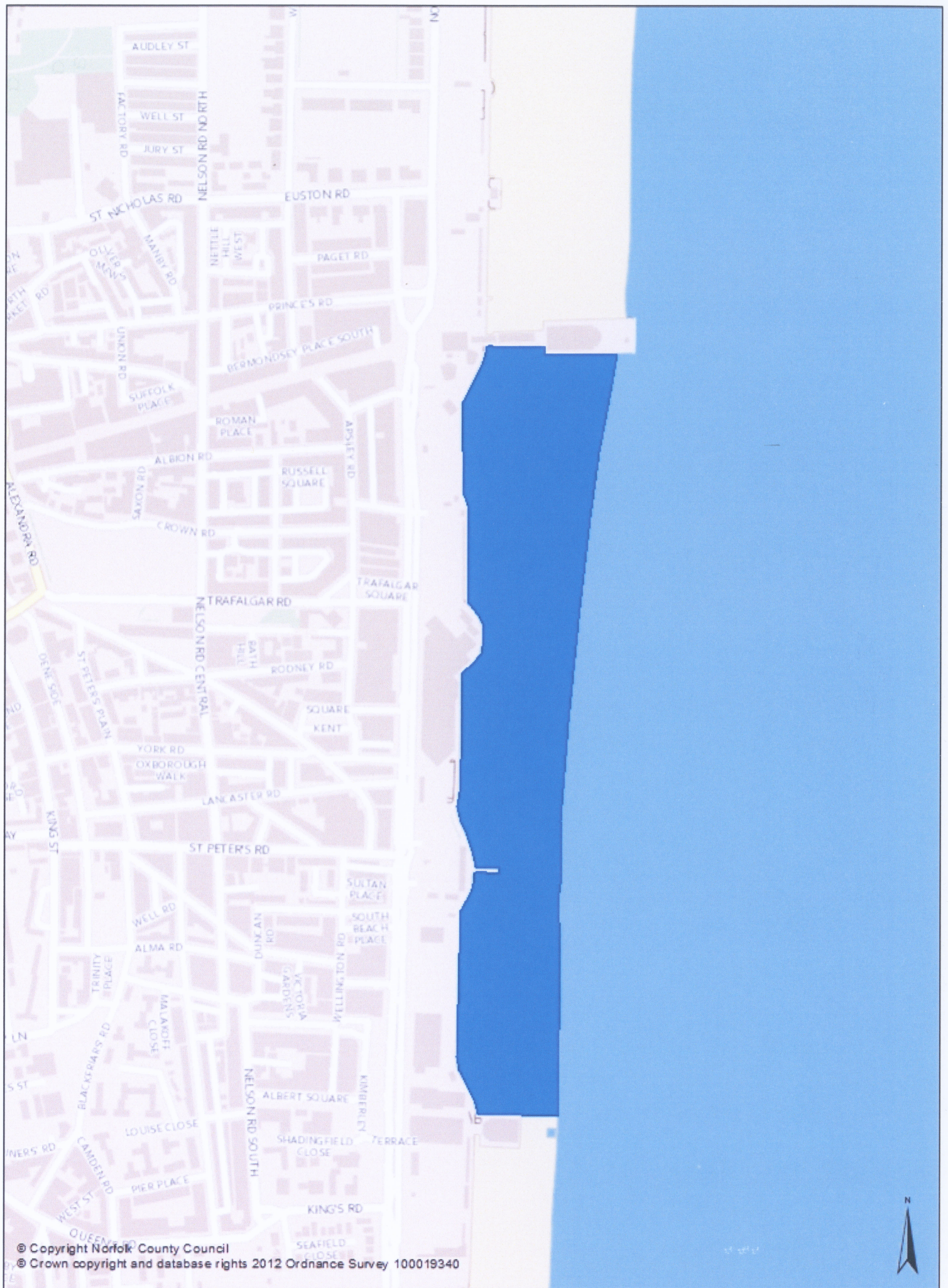
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Dog Ban - Runham Playground, Thrigby Road

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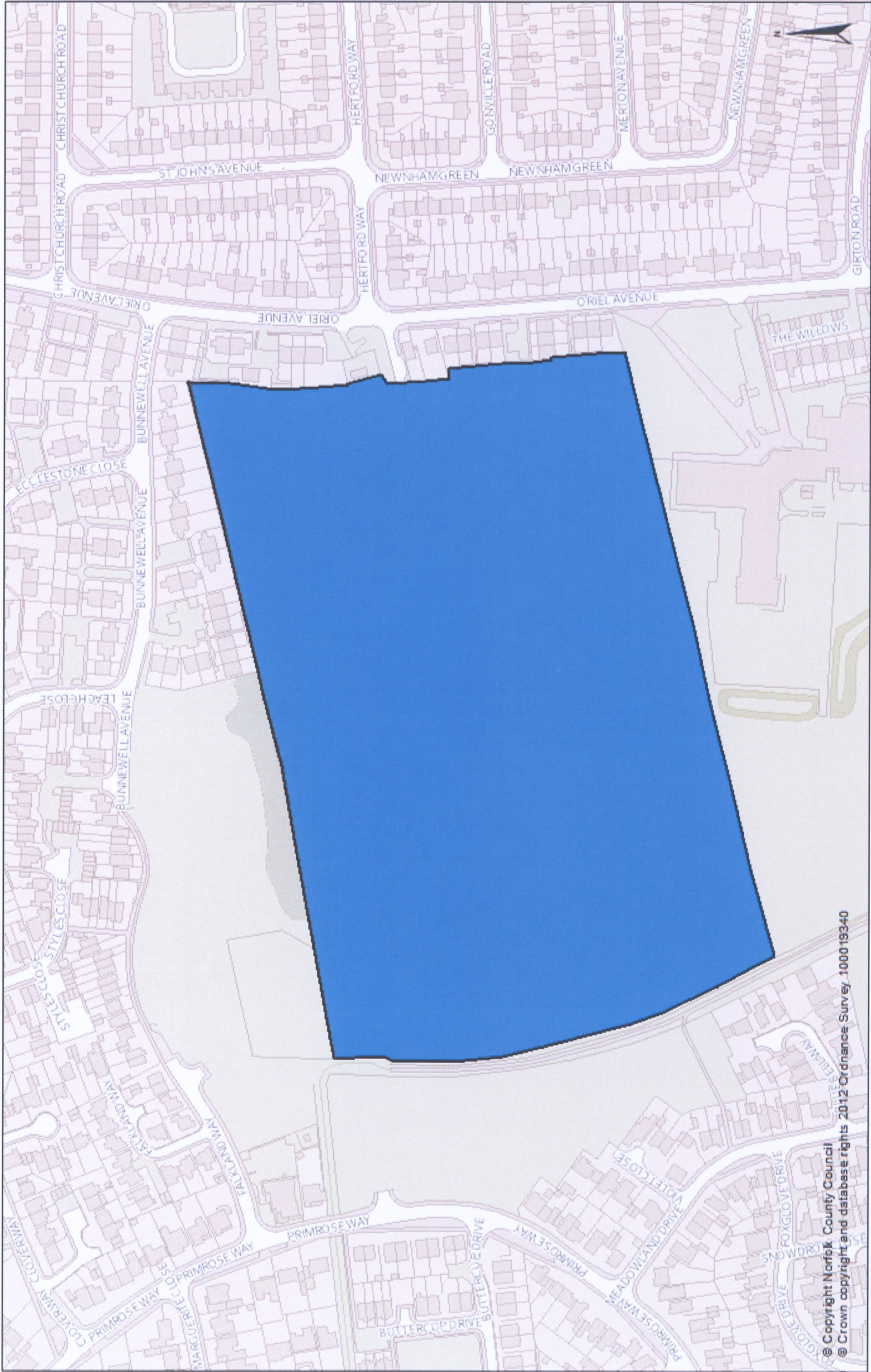






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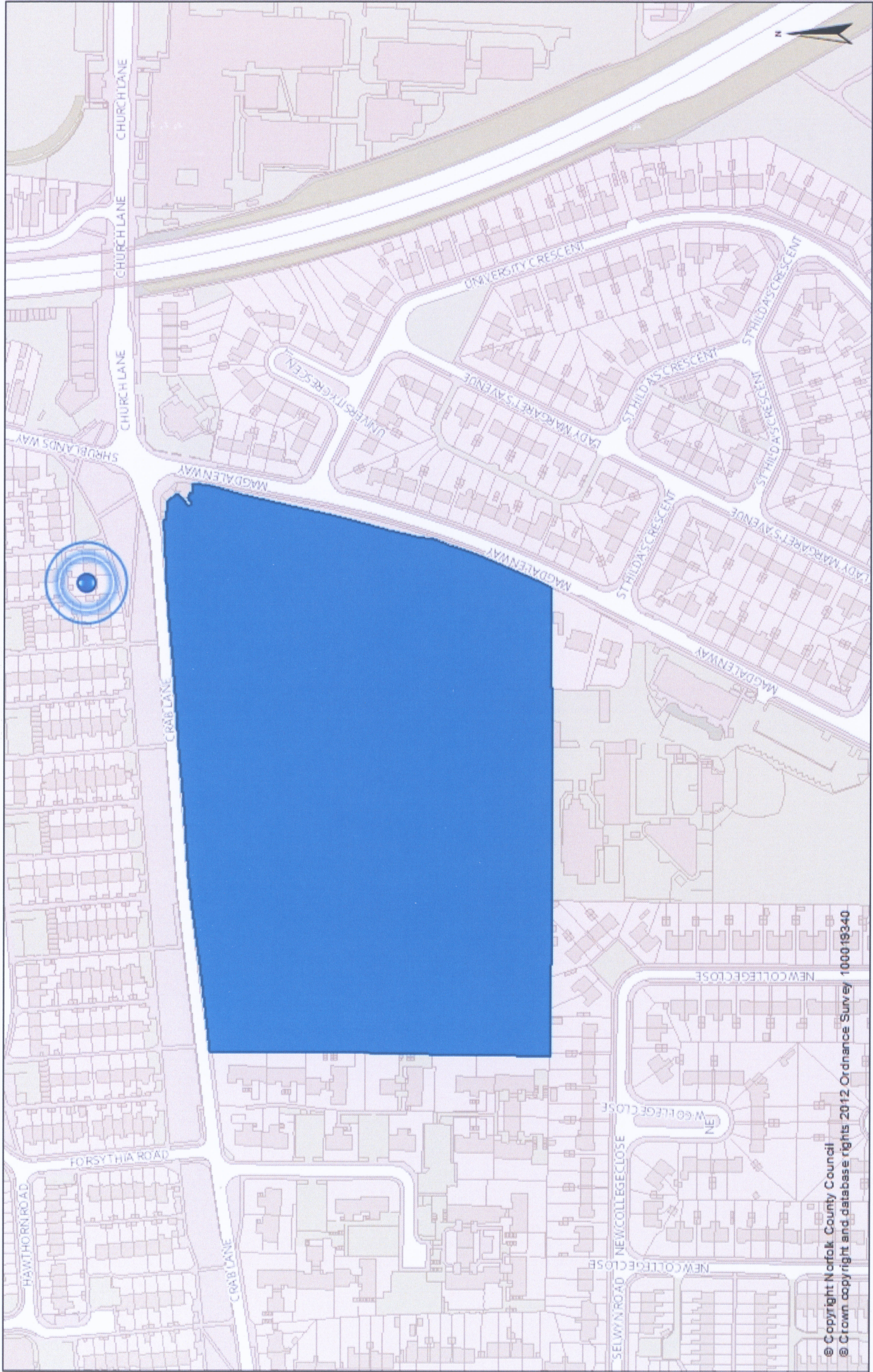


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Dog Ban - Magdalen Crem

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Dog Ban - Gorleston Old Cemetery

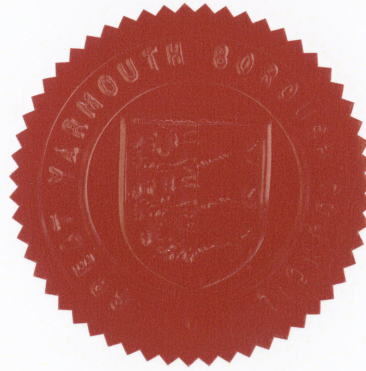
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**PUBLIC SPACES PROTECTION ORDER No.3**

**Dated:** 23 March 2017.....

The common seal of Great Yarmouth  
Borough Council was affixed in the presence  
of



**Signature:** ..... 

Authorised Officer – Jane Beck,  
Director of Customer Services, Great Yarmouth Borough Council

**CHALLENGING THE VALIDITY OF ORDERS**

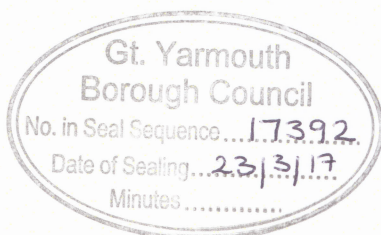
An interested person may apply to the High Court to question the validity of:-

- a. This Order, or
- b. A future variation of this Order.

“interested person” means an individual who lives in the restricted area or who regularly works or visits that area.

An interested person may apply to the High Court within six weeks from the date in which the Order is made, on the grounds that:

- a. The Council did not have the power to make the order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
- b. A requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the Order or variation.





type	createdby	createdon	comments
FORM_PS PO3SURVE Y2022	ANONYMOUS	18-11-2022 16:48:35	
FORM_PS PO3SURVE Y2022	ANONYMOUS	18-11-2022 10:42:43	<p>The renewal of existing PSPOs in Belton refers to: Public Spaces Protection Order No 3: dog ban sites Belton:</p> <ul style="list-style-type: none"> <li>Bell Lane play area</li> <li>Bell Lane Multi Use Games Area</li> <li>Nursery Close play area</li> </ul> <p>Public Spaces Protection Order No 3: dog ban sites - Great Yarmouth Borough Council (<a href="http://great-yarmouth.gov.uk">great-yarmouth.gov.uk</a>)</p> <p>Also Schedule 2: land to which the dog exclusion/ban shall apply:</p> <ul style="list-style-type: none"> <li>all Council owned or managed fenced play areas</li> <li>all Council owned or managed fenced fitness areas</li> <li>all Council owned or managed fenced skate parks</li> <li>all Council owned or managed Multi Use Games Areas (MUGAs)</li> </ul> <p><a href="https://www.great-yarmouth.gov.uk/article/9021/Public-Spaces-Protection-Order-No-3-dog-control-2017">https://www.great-yarmouth.gov.uk/article/9021/Public-Spaces-Protection-Order-No-3-dog-control-2017</a></p>
FORM_PS PO3SURVE Y2022	ANONYMOUS	17-11-2022 21:01:17	Gorleston on seas beach, you have put dog can be not on a lead from certain dates. A dog came up to mine aggressive whilst my dog was on a lead therefore what is the saftey for dog owners who correctly put their dog on a lead. It should be all year round on the promenade.
FORM_PS PO3SURVE Y2022	ANONYMOUS	16-11-2022 15:18:15	Its just the same old outlawing of normal, legal and harmless behaviour that causes no problems due to the behaviour of a minority who will ignore the restrictions you seek to apply to everyone (with a dog) anyway.

FORM_PS ANONYMOUS PO3SURVE Y2022	15-11-2022 11:22:10	
FORM_PS ANONYMOUS PO3SURVE Y2022	15-11-2022 11:06:27	
FORM_PS ANONYMOUS PO3SURVE Y2022	12-11-2022 20:26:33	Council should empty bins around playing fields more often as always full and spilling out.
FORM_PS ANONYMOUS PO3SURVE Y2022	09-11-2022 12:42:50	
FORM_PS ANONYMOUS PO3SURVE Y2022	08-11-2022 07:48:25	
FORM_PS ANONYMOUS PO3SURVE Y2022	07-11-2022 14:03:43	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 21:28:33	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 20:44:05	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 19:40:44	It would be great if something could be done to enforce dogs with no recall to be kept on leads... my dog is plagued by other dogs approaching him and is terrified. He's big and seen as aggressive (when in fact it is fear) where I am responsible ... they are not!

FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 15:34:23	The area on Gorleston beach between Harbours Mouth and the Ravine should be dog free all year round not just from May to September. Small children should be allocated a clean, safe area to play without dogs mess and unruly dogs.
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 15:06:42	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 14:04:44	Other open fields should require dogs to have a lead on. For example Mill and Green Lane. Too many people and dogs have been attacked to uncontrolled dogs. Furthermore, when you go down to the beach and walk along the prom in the morning, dogs are on the beach when they are not meant to be. However, there is no one to enforce this so one could argue, what is the point of this survey?
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 13:56:20	I believe that dogs should require a lead when on mill lane playing field. So many dog owners with their dogs being allowed to run up to you. They may well know their dog is friendly however my 2 year old is petrified of them. Walking through there 2 weeks after a c section a woman who clearly had no control of her ***** couldn't get it to come back. It was jumping at my then 1 year old. I had a newborn in the pram, instructed my then 2 year old daughter to get in the pram and picked my then 1 year old son up. The dog then jumped at me! This woman, like others had zero control and either needs the dogs to stay leashes on mill lane fields or find elsewhere to let dogs loose
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 13:31:43	Dogs are better controlled than some humans ...we pick after our dogs but also on the beaches pick up after irresponsible people..food packages, drinks bottles, toy packages, cans, bottles ...you can't blame dogs for this ....
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 13:02:48	Please do not penalize or tar all dog owners for the lack of responsibility of others.

FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:54:30	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:51:10	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:42:18	All these points need to still be adhered too, we know through the media the problems which can occur when dogs are allowed to run free, children and people must continue to be protected from the few which are not friendly. Like humans there are dogs which are totally out of control, with no recall at all. Dog owners should not just let dogs off lead while they stand and chat and are not watching them. Walk with them to give the dogs and dog owners much needed exercise instead. Nothing is more frightening to some people than have a dog at speed running towards them. Any rules must be kept to protect everybody!!
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:41:50	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:13:47	More bins for owners can disguard of filled dog bags please..fed up of finding them thrown over our back garden fence, which backs onto cornfields play area :o(
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 12:00:56	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 11:54:27	

FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 11:40:12	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 11:32:02	
FORM_PS ANONYMOUS PO3SURVE Y2022	06-11-2022 10:30:45	
FORM_PS ANONYMOUS PO3SURVE Y2022	04-11-2022 12:01:16	
FORM_PS ANONYMOUS PO3SURVE Y2022	02-11-2022 23:12:49	As a dog owner it is the responsibility of that person to keep their dog under control and pick up when it fouls.
FORM_PS ANONYMOUS PO3SURVE Y2022	01-11-2022 19:21:29	
FORM_PS ANONYMOUS PO3SURVE Y2022	01-11-2022 11:25:18	
FORM_PS ANONYMOUS PO3SURVE Y2022	01-11-2022 11:19:08	It would be great to have easier enforcement of owners not picking up their dog mess
FORM_PS ANONYMOUS PO3SURVE Y2022	31-10-2022 12:22:02	All dog owners must pick up after their dogs however many do not. It is not unusual to see dog pooh in public places. I would like to see this problem highlighted and dog rangers more visible in the borough.

FORM_PS ANONYMOUS PO3SURVE Y2022	28-10-2022 13:35:24	I would like to see an all year ban on the part of Gorleston beach where there is currently a partial ban. There is plenty of beach space available for dogs to be walked without this area; not everyone likes dogs rushing around them. Also, not all dog owners clear up after their dogs, so that mess is left where children play in the sand - it never gets washed away as the sea very rarely washes the beach now. Please can we have one space kept dog free?
FORM_PS ANONYMOUS PO3SURVE Y2022	28-10-2022 09:42:33	Please patrol Harper's Lane in Bradwell, this is a well known spot for dog fouling. It is constantly a problem there, always heavy dog fouling.
FORM_PS ANONYMOUS PO3SURVE Y2022	27-10-2022 21:32:32	
FORM_PS ANONYMOUS PO3SURVE Y2022	27-10-2022 14:37:59	
FORM_PS ANONYMOUS PO3SURVE Y2022	27-10-2022 14:28:51	

FORM_PS ANONYMOUS PO3SURVE Y2022	27-10-2022 08:20:20	<p>The measures for dog control are perfect but the only problem is that nobody controls that these rules are kept. Gorleston promenade - dogs must be kept on leads but they are running free . Summer time dogs must be banned from the beaches but nobody controls so Gorleston and Great Yarmouth beaches are full of dogs and dogs mess left on the beautiful beaches . Owners do not clean after dogs and very often I could find dogs poo on my door step as I live on very busy Bells road. Unlike British parks, where the primary purpose for most visitors is to have a place to let your dog run wild and free like a lunatic, Australian parks are much more people orientated (possibly something to do with all the picnics, sports and general activity that the good weather allows). There are strict rules on which parks you can and can't let your dog off the lead, and some have on and off leash zones and even time periods.</p> <p>One dog owner told me their local park ranger is an ex-police officer who hides in the bushes to catch people breaking the rules and fine them! She once jumped out at her and accused her of not picking up her dog's poo, even though she was already pulling out a plastic bag!</p>
FORM_PS ANONYMOUS PO3SURVE Y2022	27-10-2022 06:34:41	
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 21:11:58	
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 17:59:35	

FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 16:54:00	<p>I believe that further measures are required, such as extending the area for dogs to be leashed throughout the all beach areas and open spaces such as Beaconsfield Park due to amount of public in the vicinity. I also believe that the current order restrictions should be extended to a full year, rather than just for the holiday season.</p> <p>There is endless amounts of dog faeces along North Drive beach, which I believe is mainly due to two reasons. One is motor homes / day trippers parking up and letting their dogs run off the lead on the beach while they stay on the promenade, which I have personally witnessed. Secondly, the fact that people let their dogs of the lead, they cannot keep observing what their dog does when it runs over a dune etc, so that dog has no-one in control of what they are doing. They then call the dog back to them after the dog has done something with no attempt to check to see if the dog has fouled. I believe that in future cameras should be installed in these areas along the promenade and the majority of people who fail to clean after can be therefore identified and dealt with accordingly.</p>
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 15:47:06	
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 14:09:56	
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 11:40:33	Dogs should be kept under control at all times and not left off a leash if they bother people and other dogs
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 11:31:04	Should be permanently upheld due to the large increase in dogs and incompetent owners.



FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 11:04:22	this box doesnt work! There is a growing arrogance in dog owners, and they should be aware that dogs are large predators and disrupt the wildlife and can upset/scare humans. Dogs should be on leads at all times if the owner does not have perfect control
FORM_PS ANONYMOUS PO3SURVE Y2022	26-10-2022 10:52:04	
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 22:41:54	The order is not being enforced. Lots of dog mess everywhere. Why not provide free dog poo bags attached to posts in worst areas. Have seen this practice elsewhere.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 22:34:53	Please consider a dog ban on Winterton beach for part of the year. And that dogs should only be allowed on the Winterton Dunes SSSI on a leash.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 21:10:39	we have to live here all year round and need somewhere you can let a dog off lead maybe between certain times in summer and any time in winter
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 20:18:29	
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 18:56:25	
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 18:15:32	People are not pick up near the beach in the Night and also people let dog off lead in the night in Caister-On-Sea
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 17:29:24	More monitoring as many owners ignoring signs . Dog owner in gorleston beach hut totally irresponsible throwing ball onto beach for dog from deckchair
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 17:10:12	

FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 16:49:54	There needs to be more dog wardens monitoring dog fouling
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 15:46:32	Dog owners should behave responsibly whether or not enforcement is in place - most do though
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 13:15:43	
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 12:34:55	the need enforcing across the borough rather than just Great Yarmouth. Gorleston has poo on paths and alley ways but nothing gets done.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 11:00:06	Mag playing field covered in dog mess dangerous to children playing football each week. The walk to schools on mag is covered in dog mess kids regularly stand it in.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 08:35:44	I believe the section of Gorleston beach which bans dogs in the summer should be dog free all year ,as small children use this area all year.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 07:06:21	More signs to make clear to all. Not fair that some do comply and others don't. Good signage will ensure clarity.
FORM_PS ANONYMOUS PO3SURVE Y2022	25-10-2022 06:25:17	I work at a business on the promenade every day. I see NO enforcement of any of the current rules. Unless there is some visible presence of community marshalls or other council staff with the power to enforce these rules, they are meaningless.
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 21:44:19	

FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 16:24:48	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 16:24:20	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 16:09:13	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:50:37	Somebodys dog is fouling the pavement outside our house in Dorothy Avenue, but it is late at night so can't see them. A fresh "deposit" is left every couple of days. Do you have signs that we could purchase to put on our wall please?
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:42:01	Responsible caring dog owners will be in full agreement. It is the minority who create problems for the rest of us with their thoughtless and irresponsible behaviour to dog ownership.
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:36:53	Need environmental wardens and fines imposed for not picking up dogs poo. Publicise widely so that people understand they will be fined. At the moment few irresponsible owners don't care because chances of fitting caught are minimal. Even
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:28:57	Can we have dogs leashed on Emerald Park please instead of running wild. Feel sorry for the poor children playing football in dog poo.
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:17:39	As a dog owner for most of my life I would like to see ALL dogs kept on a lead in any public place. There are now several secure facilities ( some may charge) in the area to allow dogs to run in a safe and enclosed field off the lead.
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 15:01:19	Dogs should be on a lead in all public spaces. I have a nervous dog after being attacked when she was a puppy, she's never off lead and has a 100ft training lead for open spaces, beaches etc. Please consider this

FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 14:02:53	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 13:40:57	More bins for dog excrement, fines for dog fouling, dogs permanently on a lead along promenade.
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 13:34:22	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 13:00:39	
FORM_PS ANONYMOUS PO3SURVE Y2022	24-10-2022 11:12:18	

Received Dogtrust  
via Mail

1st November  
2022

As the UK's largest dog welfare charity, we would like to make some comments for consideration.

#### Dogs Trust's Comments

##### 1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance we urge the Council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.
- We question the effectiveness of issuing on-the-spot fines for not being in possession of a poo bag and whether this is practical to enforce.

##### 2. Re; Dog Exclusion Order:

- Dogs Trust accepts that there are some areas where it is desirable that dogs should be excluded, such as children's play areas, however we would recommend that exclusion areas are

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behalforganisation	otherrelationship	postcode
		NR31 9PU
	Belton with Browston Parish Council	NR31 6EF

		NR33 9LA
		NR31 0DF

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Parish Council

NR29 3ES

NR31 8HJ

NR318QB

NR31 8HG

NR31 8HT

NR31 8QQ

NR14 6PW

NR31 8PB

NR31 9UG

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NR31 8SD

NR31 8SH

NR31 8SY

NR318SY

NR318SH

NR31 8HX



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NR31 8TQ

NR31 9GE

NR31 8QB

NR31 8SF

NR31 8RN

NR31 8NR

NR318PG

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NR31 8SD

NR31 8PF

NR31 8PG

NR31 8TB

NR317DS

NR293LS

NR31 8SB

NR31 8QG

NR30 4LU

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NR31 6EJ

NR31 8HE

NR29 4AL

NR31 8BQ

NR30 5JX

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NR31 6AN

NR30 2LD

NR29 3JT

NR31 7AQ

NR30 4LT

NR31 8LQ

NR305HF

NR319PL

NR29 3SP

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NR120SF

NR33 9EB

NR30 4LT

NR29 4BQ

NR30 2NA

NR31 9RB

NR30 3RB

NR30 5HX

NR317BW

NR310GX



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NR30 5UF

NR31 0DA

NR293BX

NR31 7AX

NR31 7JW

NR317DY

NR29 3RJ

NR30 4EU

NR30 3HJ

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NR31 7RF

NR310BN

NR30 4ND

NR31 8NR

NR31 7AQ

NR31 8PX

NR31 7HA

NR29 4LG

NR310BN

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NR31 6DT

NR31 6PN

NR31 8TQ

NR30 2NN

NR30 2NA

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relationship	seasonal controls
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A resident of the Borough of Great Yarmouth	Agree
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Other	Agree
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A visitor to Great Yarmouth	Disagree
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A resident of the Borough of Great Yarmouth	Disagree
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Other	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Disagree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Disagree

A resident of the Borough of Great Yarmouth Agree



A resident of Agree  
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A resident of the Borough of Great Yarmouth Disagree

A resident of the Borough of Great Yarmouth Agree

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A resident of Agree  
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A resident of Agree  
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A visitor to Great Yarmouth	Agree
A visitor to Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Disagree
A resident of the Borough of Great Yarmouth	Disagree
A resident of the Borough of Great Yarmouth	Agree
A visitor to Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Agree
A resident of the Borough of Great Yarmouth	Disagree



A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

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A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

A business owner in the Borough of Great Yarmouth Agree

A resident of the Borough of Great Yarmouth Agree

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