

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

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) justifies the restrictions imposed by the notice”

19. It is proposed that a PSPO is introduced, in accordance with the Act, which will make it an offence to fail to remove dog faeces in any public space within the Borough as well as other dog control measures in specific locations as indicated in Appendix A.
20. For clarity, the Act defines a public space as “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”.
21. Before introducing a PSPO the Council is required to carry out a consultation. It is proposed that an 8-week consultation will be publicised widely through the Council’s website, E-Panel, Twitter, Facebook, press releases to local media and noticeboards. Community groups and dog walking organisations and interest groups will also be consulted.
22. The mandatory consultees include, Chief officer of police, Police and Crime Commissioner, Community representatives, Hampshire County Council, and owners/occupiers of land within the restricted area.
23. Consultation will also be undertaken with dog law and welfare experts such as local vets, animal welfare officers and any organisations affected by the restrictions. The Kennel Club will also be consulted. Where possible, notices will be placed in the locations that will be affected by the restrictions.
24. As part of the consultation, consideration will be given to how any dog walking restrictions being proposed would affect those that rely on assistance dogs, ensuring any prohibition or requirement is compliant with the provisions of Equality Act 2010.
25. Copies of the order will be available in the main reception of the Civic Offices. In addition, the Council plans to publish a notice of its intention to make a PSPO in the local free newspaper, which covers the whole Borough. This is not required by the legislation, but guidance from the Department for Environment, Food & Rural Affairs suggests that this is best practice.
26. Once responses to the consultation have been received and considered the order may be amended and the final proposals will be presented to the Executive for approval in the new year.
27. Whilst a PSPO is in force any existing local byelaws will cease to have effect. A PSPO can only be in effect for a period of up to 3 years; however, that period can be extended for a further 3 years if it continues to be necessary following review during its period of operation.

WHAT IS PROPOSED IN THE PSPO?

Fouling and means of pick up

28. A current PSPO is already in place for both fouling and means to pick up but it is due to expire on 31 March 2019. The proposed new PSPO will again include these two areas.