

Appendix 4 Consultation responses summary

Source: A Public Attitude Survey was conducted between 14th August and 22nd September 2020, asking the public their views on dog control and alcohol prohibitions in the existing two PSPOs, and whether there were any comments or concerns relating to these issues.

There were 443 responses in total, many of whom added comments in the three open-ended questions.

The results can be found at the end of this summary.

Alcohol-related disorder consultation summary

The questions separated views and experience in local neighbourhoods to those in the city centre. This is clearly dependent on the neighbourhood with those living in the city centre or other entertainment areas more likely to come across the issue.

Local neighbourhoods

Responses indicate that alcohol-related disorder is not a widespread problem in neighbourhood settings, during the day or night-time. Approximately a quarter of respondents stated this was a very big or fairly big problem.

The majority of respondents felt the problem of alcohol-related disorder had stayed the same in their neighbourhoods.

City Centre

There was a similar result for the city centre during the day, but at night three-quarters of respondents indicated that they felt it was problematic at some level. Over a quarter of respondents selected Don't Know indicating that they don't frequent the city centre at night.

The majority of respondents felt the problem of alcohol-related disorder had stayed the same in the city centre, albeit approximately half the respondents selected Don't Know.

A selection of questions were asked regarding people's views on their attitude to public drinking. In summary:

- Over half the respondents said seeing people drinking in public worries them and would avoid places where people are drinking in public.
- A quarter of respondents did not feel concerned about seeing people drinking in public.
- Over half of respondents agreed that people have a right to drink in public if they are behaving considerately. Less than a quarter disagreed or strongly disagreed.
- The majority of the respondents stated that alcohol-related disorder concerns them.
- When asked if there should be a complete ban on drinking alcohol in any area of Oxford two-fifths were in favour, and two-fifths were against.

The open-ended question "Please list any locations where you believe alcohol-related disorder is a problem" was answered 299 times. Location keywords were identified from the responses:

The “City Centre” had the highest number of responses although this incorporates many of the other streets listed. Of those, Cornmarket Street, Bonn Square, George Street and the Cowley Road were found in a high number of responses.

City centre	51
Bonn	28
Cornmarket	41
Queen	6
George St	31
Magdalen St	11
Giles	9
Park End	7
Speedwell	5
Cowley centre	12
Barns	9
East Oxford	10
Cowley road	43
Manzil	7
Parks	9
Aldates	8

A similar question was asked of respondents in relation to the complete ban on public drinking in specific localities: “PSPOs allow the Council to restrict alcohol consumption completely in areas where there is significant evidence of alcohol-related disorder.

Are there any areas in Oxford where you would support a complete ban on public drinking?”

The question was answered 315 times.

An equal number of respondents were for as they were against a complete ban in certain areas. The location keywords most prevalent were:

City Centre	43
Bonn Square	23
Cornmarket	23
Cowley Road	26
Parks	44

Source: Oxford Local Police Area response

Oxford Local Police Area, Neighbourhood Policing Inspector:

“The current PSPO has been a useful tool for Neighbourhood police teams particularly within the city centre footprint. It is the only power that can be utilised as a preventative action in order to reduce alcohol related disorder. It is for this purpose that the police have made the most use of it. There is limited evidence available for its use in relation to dog control.

Breaching the PSPO (in relation to alcohol) provides a gateway to further civil powers such as CWN [Community Protection Warning] and CPNs [Community Protection Notices]. These in turn ultimately provide the evidence for establishing a full CBO [Criminal Behaviour Order], which are successful in providing the longer term disruption to ASB and crime in a particular locality.

The Neighbourhood team have had notable PSPO successes in the following hotspot areas of the city: Pennyfarthing Place, Cromwell Street, Luther Street, St Aldates, Cornmarket and Bonn Square.

The Cowley Road and wider Temple Cowley area also benefit from the PSPO being in force although to date it has primarily been employed within the city centre with a smaller number of uses outside of this footprint.

Alcohol is a key contributor and catalyst to many incidents of crime and disorder across the city and the PSPO is at this time the only method available to seize the alcohol prior to criminal offences having been committed. The PSPO is an invaluable preventative measure in achieving the reduction in ASB we have experienced to date across the city. Oxford LPA are therefore strong advocates of the PSPO renewal and look forward to partnering further with your team in the continuing work of tackling ASB city wide.”

Dog control consultation summary

Dog fouling.

Just under half of the respondents thought dog fouling in their neighbourhood was a Very big, or Fairly big problem, with slightly more feeling that fouling in parks was a Very big, or Fairly big problem. Approximately 10% of respondents stated dog fouling was Not a problem at all in the neighbourhood or parks.

When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just under a quarter saying it had got worse.

Dogs on a lead

35% of respondents said dogs not on a lead was a Very or Fairly big problem. When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just under a quarter saying it had got worse.

Number of dogs under a person's control.

This had the lowest number of respondents saying it was a Very or Fairly big problem at 19% with a quarter of respondents saying it was not a problem at all.

When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just over 10% saying it had got worse. Over a quarter stated they didn't know.

Dogs in children's play parks.

A third of respondents said this was a Very or Fairly big problem. Just under a quarter stated that they Didn't know. When asked if the issue had got better or worse over the last 12 months, just under half of respondents felt it had stayed the same, with just over 10% saying it had got worse. 35% stated they didn't know.

A selection of questions were asked regarding people's views on their attitude to the control of dogs. In summary:

- 78% of respondents disagree with allowing dogs into children's play parks. 13% were neutral.
- 94% of respondents felt that owners should pick up their dog mess anywhere in the city.
- 63% of respondents disagreed or strongly disagreed with the statement that dog owners should not be restricted on the number of dogs under their control at any one time.
- 94% of respondents said that owners should put their dog on a lead if asked by a Council or Police Officer.
- 60% of respondents agreed that dogs should be kept on leads at all times in the city centre.

Source: The Kennel Club

The Kennel Club were asked for their views on the PSPO. The response can be found at the end of this Appendix, giving specific views on the suggested prohibitions and useful definitions for assistance dogs. The introduction sets out their over-arching position on PSPOs;

“As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.”

Summary of Responses

1

Please indicate how much of a problem, if at all, you consider alcohol-related disorder in public spaces to be.

	Very big problem	Fairly big problem	Not a very big problem	Not a problem at all	Don't know
Alcohol-related disorder during the day in your neighbourhood	32	66	158	172	10
Alcohol-related disorder at night in your neighbourhood	50	80	187	99	20
Alcohol-related disorder during the day in the city centre	33	86	178	53	89
Alcohol-related disorder at night in the city centre	91	140	78	10	119

2

Please list any locations where you believe alcohol-related disorder is a problem.

This question has been answered 299 times.

3

In your opinion, has alcohol-related disorder got better, stayed the same or got worse over the last 12 months?

	Got better	Stayed the same	Got worse	Don't know
Alcohol-related disorder during the day in your neighbourhood	47	263	58	71
Alcohol-related disorder at night in your neighbourhood	49	241	69	77
Alcohol-related disorder during the day in the city centre	47	181	32	179
Alcohol-related disorder at night in the city centre	53	133	45	207

4

To what extent do you agree or disagree with these statements about drinking in public spaces?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Seeing people drinking in public places worries	115	119	104	73	29

me					
I would avoid areas where people are drinking in public	124	123	85	78	29
I do not feel concerned when seeing people drinking in public spaces	37	79	86	156	81
People have a right to drink alcohol in public areas if they are behaving considerately	92	167	87	59	34
Alcohol-related disorder does not concern me	21	16	54	188	160
There should not be a complete ban on drinking alcohol in any area of Oxford	76	107	79	104	74

5

Alcohol Free Zones

PSPOs allow the Council to restrict alcohol consumption completely in areas where there is significant evidence of alcohol-related disorder.

Are there any areas in Oxford where you would support a complete ban on

public drinking?

This question has been answered 315 times.

6

Dog Control

When considering the control of dogs, please select the most applicable option in each row:

	Very big problem	Fairly big problem	Not a very big problem	Not a problem at all	Don't know	Not applicable
Dog fouling in my neighbourhood is a...	38	135	202	49	11	4
Dog fouling in the parks I use is a...	45	145	178	32	17	20
Dogs not on leads is a...	64	91	186	72	13	8
The number of dogs a person has under their control is a...	28	56	201	112	32	9
Dogs in children's play parks is a...	66	76	123	60	93	19

7

In your opinion, have the following dog related issues got better, stayed the same or got worse over the last 12 months?

	Got better	Stayed the same	Got worse	Don't know	Not applicable
Dog fouling in my neighbourhood	33	249	95	58	5
Dog fouling in the parks I use	18	247	96	61	18
Dogs not on leads	15	257	92	60	14
The number of dogs a person has under their control	14	244	50	113	19
Dogs in children's play parks	16	194	48	152	29

8

To what extent do you agree or disagree with the following statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Dogs should be allowed in children's play parks	14	27	57	106	235

Owners should pick up their dog mess anywhere in the city	415	20		1	4
Dog owners should not be restricted on the number of dogs under their control at any one time	24	47	88	147	133
Dog owners should put their dog on a lead if asked by a Council or Police Officer.	337	82	8	6	7
Dogs should be kept on a lead at all times in the city centre	279	89	38	22	11

9

Is there anything further you would like to add?

This question has been answered 252 times.



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Oxford City Council Public Spaces Protection Order Consultation

Submitted on 17th September 2020 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities, the Kennel Club runs KC Dog, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Response to proposed measures

Dog access

Exclusion from playgrounds, tennis courts or skate parks etc / reasonable dogs on lead

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

The Kennel Club can support reasonable “dogs on lead” orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

Off-lead

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off lead while still under control.

Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This

section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases, a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance, a “dogs on lead” order for a picnic area is unlikely to be necessary in mid-winter.

The Government provided clear instructions to local authorities that they must provide restriction free sites for dog walkers to exercise their dogs. This message was contained in the guidance document for DCOs, and has been retained in both the Defra/Welsh Government and Home Office PSPO guidance documents, with the Defra guidance for PSPOs stating ‘local authorities should ensure there are suitable alternatives for dogs to be exercised without restrictions’.

Maximum number of dogs a person can walk

The Kennel Club feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that will often simply displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used and the location where the walking is taking place.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance, they cannot control that number of dogs.

We thus suggest that defined outcomes are used instead to influence people walking one or more dogs, be that domestically or commercially, such as dogs always being under control, or not running up to people uninvited, on lead in certain areas etc.

For example, an experienced dog walker may be able to keep a large number of dogs under control during a walk, whereas an inexperienced private dog owner may struggle to keep a single dog under control. Equally the size and training of the dogs are key factors; this is why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses the proposed “dogs on lead by direction” orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don’t have control of the dogs they are walking.

A further limitation of a maximum number of dogs per person is that that it does not stop people with multiple dogs walking together at a given time, while not exceeding the maximum number of dogs per person. Limits can also encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns.

If a maximum number of dogs is being considered due to issues arising from commercial dog walkers, we instead suggest councils look at accreditation schemes that have worked very successfully in places like the East Lothian council area. These can be far more effective than numerical limits, as they can promote wanted good practice, rather than just curb the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the

wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Assistance dogs

We welcome the intent to include exemptions for assistance dogs, however we would suggest further consideration of the wording contained within the Order, specifically with reference to “prescribed charity”.

While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not.

With regard to providing exemptions for those who rely on assistance dogs, we would urge the Council to review the Equality and Human Rights Commission guidance for businesses and service providers – <https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>

A number of well-known assistance dog providers are members of Assistance Dogs UK. This umbrella group, currently has eight member organisations which can be viewed here - <http://www.assistedogs.org.uk/>. However, it is important to note that the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations, and may change during the currency of the PSPO, it also does not provide for owner trained assistance dogs. We would therefore encourage the Council to allow some flexibility when considering whether a disabled person’s dog is acting as an assistance dog.

The Council could consider adopting the definitions of assistance dogs as used by Mole Valley District Council which can be found on page 4 of this document - https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

Or that of Northumberland County Council -

“(4) The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

(5) The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”

Appropriate signage

It is important to note that in relation to PSPOs the “The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014” make it a legal requirement for local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to -

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be).”

With relation to dog access restrictions such as a “Dogs on Leads Order”, on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, “You are entering [type of area]” and “You are leaving [type of area]” on the reverse of the sign.

While all dog walkers should be aware of their requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

This page is intentionally left blank