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Public Places
Chelmsford City Council
Duke Street
Chelmsford
Essex, CM1 1JE

Date: 5th September 2017

Dear [insert name]

Re: Public Spaces Protection Order: Dog Fouling - Chelmsford City Council.

In October 2014 the Secretary of State brought into force various provisions contained within the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') relevant to tackling anti-social behaviour.

Under section 59 of the Act, local authorities have been granted the power to make orders known as Public Spaces Protection Orders ('PSPOs') to deal with a particular nuisance or problem in a specified area which is a public place ('the restricted area'). Under section 74 (1) of the Act 'public place' is defined 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.

A local authority may make a PSPO if satisfied on reasonable grounds that the following two conditions are met:

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

The Council considers that, within the area of Chelmsford City Council, there remains an issue with dog fouling. In 2016/17 Chelmsford City Council received around 200 complaints regarding dog fouling. For more information please see item 8 of the agenda of the Cabinet meeting on 4th July 2017 at the website link below:

<https://www.chelmsford.gov.uk/your-council/committees-and-meetings/calendar-of-meetings/?id=9e596686-d0bb-44a6-83e3-702c28324b9a>

The PSPO is required in order to ensure that there are no public areas of land where dog fouling is unenforceable, and that the same standards apply across the whole of the Chelmsford City Council area. In addition, the penalty for breach for of PSPO is more proportionate to the offence of dog fouling, than is specified under the out of date Dog (Fouling of Land) Act 1996. This repealed Act is also not enforceable in all parts of the Chelmsford City Council area.

The behaviour of irresponsible dog owners to allow dog fouling is likely to be detrimental and have an adverse effect on residents, visitors and those that work within the area of Chelmsford City Council. The Council is currently consulting on a proposed PSPO that will assist in controlling such activities and behaviours.

The proposed PSPO (if made) would prohibit the following activity on all land to which the public have access within the area of Chelmsford City Council:

Allowing a dog to defecate, and the person who is in charge of the dog at the time not removing the faeces from the land forthwith.

The PSPO will remain in place for a period of three years. The order will be reviewed annually but can also be amended at any time during the three-year period or revoked at any time if it deemed that it is no longer necessary.

We are inviting you to consult on the proposed PSPO and your input would be greatly appreciated. I would ask that you reply directly to me with your comments by 5:00pm on Thursday 5th October 2017, by email to pspo.consultation@chelmsford.gov.uk or post to Paul Brookes, Public Health and Protection Services, Chelmsford City Council, Civic Centre. Duke Street, Chelmsford, Essex, CM1 1JE.

Yours Sincerely



Paul Brookes
Public Health and Protection Services Manager