

REPORT FROM: Director of Resources

TO: Nelson, Brierfield and Reedley Committee

DATE: 4 August 2025

Report Author: Tim Horsley
Tel. No: 01282 661280
E-mail: tim.horsley@pendle.gov.uk

Public Spaces Protection Order – Dog Control

PURPOSE OF REPORT

To update the Committee on the extension of the Dog Control Public Spaces Protection Order (PSPO)

RECOMMENDATIONS

- (1) To, having invited comments from the public, approve a three-year extension of the Dog Control Public Spaces Protection Order generally and to include sites in Nelson, Brierfield and Reedley specifically

REASONS FOR RECOMMENDATIONS

- (1) To enable the Council and its partners to respond to concerns regarding behaviour that is detrimental to the quality of life in public spaces in Pendle, including enforcement action.

ISSUE

1. A three-year extension to the Public Spaces Protection Order for Dog Control (2019) was signed and sealed on 20 September 2022. The PSPO relates to dog fouling in any space accessible by the public in Pendle, dog restrictions in cemeteries, war memorials and memorial gardens and no dogs and no smoking in children's play areas (which are not otherwise included in either the Parks or Sports Grounds PSPOs).
2. During May and June town and parish councils, partners and the public were encouraged to comment on a further three-year extension of the Dog Control PSPO.

3. No requests for variations, additions or amendments have been received or are proposed from any source. None of the parish or town councils and partner organisations have raised any object to the three-year extension.
4. The anonymised comments from the public are attached as Appendix 1. Many of the comments relate to dog restrictions in the Council's cemeteries and how well the PSPO is enforced.

IMPLICATIONS

Policy: The legislation reinforces the continuing role of the Council in responding to anti-social behaviour

Financial: The opportunity the legislation provides and public expectation imply that these powers will be used by the Council and costs will be incurred. It is anticipated that the implementation and the enforcement of the powers described above can be dealt with within existing staffing resources.

The cost of publicising the Orders (i.e. signage at all entrances of an area covered by an order per entrance) will be managed within approved budgets.

Legal: The Council has the lead role on the use of PSPOs. Members of the public have a right of appeal on the basis the Council did not have the power to make the order or to include particular prohibitions or requirements or that one or more of the preliminaries has not been complied with (eg consultation). Appeals are heard in the High Court.

Risk Management: The legislation supports those elements of the Risk Management Plan relating to community safety; environmental crime and environmental protection.

Health and Safety: Direct intervention in the enforcement of breaches poses a risk for the staff involved which is mitigated through the Council's risk assessments, lone working policy, use of the high risk database and working in partnership with other agencies.

Sustainability: The legislation supports those elements of the Council Plan relating to community safety; environmental crime and environmental protection.

Community Safety: The legislation re-enforces the continuing role of the Community Safety Partnership; the Partnership's Strategic Plan and local delivery on community safety within an area and county based strategic landscape.

Equality and Diversity: The legislation was subject to a detailed government impact assessment.

APPENDICES

Appendix 1

As a professional dog walker in the area, I take immense pride in my work and am deeply committed to responsible dog ownership, including diligently cleaning up after all the dogs in my care.

I wholeheartedly agree with the fundamental principles behind the PSPOs, particularly the necessity of addressing dog fouling and the regulations concerning cemeteries and children's

play areas. It's common sense to keep these sensitive and public spaces clean and safe for everyone, and I believe the vast majority of responsible dog owners and walkers support these measures.

However, I must express my concern that the council seems to lack a clear or effective process for addressing the significant issue of dog fouling by irresponsible individuals. From my perspective, there appears to be little interest in genuinely tackling the root cause of this problem, which often stems from those who consistently fail to pick up after their dogs.

I believe the council would benefit greatly from engaging with the professional dog walking community. We are on the ground daily, have a deep understanding of dog behaviour, and are often the first to identify "hot spots" where dog mess is consistently left. We are a valuable resource and could collaborate with the council to improve compliance and identify areas needing more attention.

Furthermore, while controls are necessary, I've observed a concerning lack of serious, out-of-hours dog warden provision. There's a perception among the dog-owning and walking community that the council's commitment to dog welfare goes little beyond lip service. Effective enforcement seems sporadic at best, with professional walkers sometimes facing harassment from council workers regarding regulations that are either nonexistent or misapplied, while genuine offenders continue unchecked.

I am not against sensible controls; in fact, I advocate for them. My aim is to see a cleaner, safer Pendle for everyone, achieved through effective and fair measures. I urge the council to consider a more collaborative approach with professional dog walkers and to address the genuine enforcement gaps that undermine the intent of these PSPOs.

I do put a lead on in a cemetery but she doesn't really need it as she's always been to the toilet first and we just wander. She knows dogs to avoid that she doesn't know and we always 'pick up'. I've never owned a dog before but did my research before getting her and take responsibility for my dog, like a member of the family.

It's unfortunate we have to have rules, but do we have a dog warden or people that enforce them (not the Hitler squad you privately employed that intimidated and terrified all dog walkers)?

I regularly see 2 'professional' dog walkers with 6-8 dogs between them walking through Wheatlands Cemetery in a morning, other walkers with big, strong dogs they can hardly control and many that do not 'pick up' so unfortunately the responsible dog walkers have to put up with rules because of their actions. I think just a warning should be enough for a first offence then a fine if caught afterwards.

I wouldn't want stricter rules implemented as my dog enjoys walking off lead, stopping and sniffing, saying hello to people and dogs when allowed, it's healthy for them.

I think dog licences should be reintroduced and any new dog owner should take the new pup/dog for training but this is a National issue.

it is all very well having bylaws fines etc. the main problem is policing it.
It's like the yellow line areas in Foulridge if not policed they are no use.

I think the order should stay as it is.

However, I do have a question

How are the offences monitored?

I am responding to the council's consultation about dog walkers in public spaces, children's play areas and cemeteries in Pendle.

I am in favour of the existing regulations, which seem to be sensible and proportionate.

I fully support the council's approach to this issue and the criteria set in each scenario. I am not a dog owner and feel frustrated that too many owners do not take responsibility for their dogs. I have found recently when walking in Colne especially and also Barrowford a growing issue of dog poo being left and have seen many parents either cleaning it off their children's shoes or pram wheels. This is absolutely disgusting and should totally be the responsibility of the dog owner. I am sure that the council could do more about enforcement and reporting of issues? If you put me in charge, I'd quite simply rub the dog owners nose in the poo. From my own experience and what I read on social media, it seems very difficult to enforce these orders. Does it need to be a specific officer who witnesses it or is there a robust reporting process that allows members of the public to report issues....as I know in the area where I live there are hot spots or poo spots. How many enforcements were carried out in the last twelve months? I do wonder given what I perceive to be a worsening situation if the punishment if enough of a deterrent.

Regarding the extension of PSPO's, I am in favour.

Obviously PSPO's will only succeed if fines are actually imposed for any transgressions.

I feel the council unnecessarily targets dog owners. I have 2 dogs who are always on lead in public areas and are well socialised. It has been noticed that good and responsible dog owners are persecuted because of the careless conduct of lazy dog owners who don't control their dogs or clean after them.

Most of the order stated is simple common sense and it's sad that the council have to stipulate about it (like cleaning up after your dog).

I feel the council needs to focus more on antisocial behaviour in our parks and public spaces caused by young people. This behaviour is a bigger issue in the area including abuse to other space users, arson, litter and damage. It seems that most issues are reported to the police and the action is minimal or none at all. We've seen our parks being set on fire, teens riding on the back of buses, electric bikes and scooters barging past pedestrians in our parks and footpaths. The town is becoming a no go in Colne because of this behaviour. Residents should not have to police these things without the support from the council and police.

I feel the council is focusing on the wrong group of people as it's easier to manage and that they don't know what to do to solve the actual problems in our area.

I would like to see all dogs in parks where there are children (and some dogs on leads) have to be on leads. In the Barrowford park there are too many dogs not on leads and they are certainly not all under their owners control. You see people with dogs not on leads on their mobile phones not even knowing where their dogs are or if their dogs have defecated. Similarly there are large dogs not on leads, not being controlled that come bounding up and frightening older people such as myself.

In conclusion I would like to see all dogs on leads in public parks

I would support the council continuing its control of dogs in Barnoldswick & Salterforth play areas. I regularly visit them with my 5 year old granddaughter.

If we could just get dog owners to clear up after their animals all would be great

My wife and I are dog owners and I've been astonished by the amount of dog crap littered around Barnoldswick, it's everywhere. Strwn down the grass verges at the entrance to Victory Park where people must take their big dog on an early morning walk when nobody is around and just let it crap in the grass - and in a park where kids play and ride their bikes, it's disgusting.

I am a resident of Nelson who owns a dog. I do not allow her in cemeteries nor children's playgrounds. However I do think that dogs should be allowed in parks.

My problem is not with dog users but the "drinkers" who regularly break glass bottles and leave others to pick it up. I'm fed up of doing this, but it's such a danger to everyone. The litter is terrible and I regularly take a plastic bag and pick up plastic bottles, empty drug packets, wrappers of all sorts. The fly tipping has become a real issue. First it was tiles, now it's remnants of carpets. Near the stream someone is regularly tipping rubbish over the side of the gully next to the stream.

Bins are not being emptied regularly so more rubbish begins to mount up. I am aware that we live in a wonderful multi cultural town and I respect people's beliefs, be they religious or just personal preference. I will not allow my dog to go near anyone on the field unless they want a chat. It's unfair of me to think everyone likes dogs. The field is for everyone, but that also includes myself and my well behaved dog. I am also a resident here and hope people understand that I too have rights.

I have observed several instances of anti social behaviour on the field namely the lighting of fires by adolescents which I had to refer to the police as they verbally abused myself and my husband, when we asked them to put it out.

Also motorcycle's have been ridden on the field tearing up the grass. I have seen young people setting off fireworks in the winter evenings.

As an aside I would like to know why there is so much litter in Nelson. The council seemed to worry more about gum on the pavements but what about a solution to anti social littering. The cars around Nelson are driven at breathtaking speed making Nelson seem like a formula one racetrack. We all read about that poor lady who was killed on Manchester Road. But the problem stills persist and nothing is done about it.

I will end this email with the thoughts of how others see our town. Words like run down, lawless and dangerous. It's not a great reputation, however I will defend Nelson to the hilt, I like living here. We all need to come together to sort issues out but dogs are not the "one" issue . I hope you continue to allow them to use public spaces in accordance with dog users able to control and " pick up " after their dog.

These parks were requisition by mill owners our ancestors for what is a historical English pass time, walking dogs is a recreational pass time, healthy and good for both dog and owners welfare and well-being and just because the what is now a majority of Pendle citizens don't like dogs give you absolutely no right to further ban dogs like you in Thompson Park it's unthinkable that our own cultures and pass times are being dictated by a select few who wish to ban dogs because their religious belief dictates this , shameful and completely unacceptable.

I am in the park nearly everyday. I am sometimes there purely for recreation or as a member of Friends of the park. As a friend I litter pick or do gardening.

Unfortunately, there has been an increase in dog fouling in the park. i witness it regularly. I have witnessed dog owners not clearing up after their dogs. If i go off path onto grass, i check carefully for dog poo. It's not easy to remove the smell if it happens.

I have witnessed dog owners who regularly visit the park, walking ahead of their dog & not watching them.

There are certain owners who do this regularly. The majority of dog owners do act responsibly.

I absolutely understand the enormous benefit of having a dog as a companion. For mental health & exercise especially. But there seems to be a sense of entitlement amongst dog owners. The dog is a member of the family & so has the rights of a child. The suggestion that it would be best if the dog was on a lead can cause much upset amongst dog owners.

Of course, if a dog is off the lead it may eat dumped food, which can cause sickness. But the owners are prepared to take that risk.

Also there are dog walkers/owners who come to the park without poo bags. It's a difficult subject. How can we make dog owners more conscientious without insisting dogs stay on leads.

I am a grandparent who regularly visits our local parks with my grandchildren. Especially Barrowford, Colne and Barnoldswick parks. The parks seem to have become dog centric with dogs running free and dog dirt wherever you look. My youngest grandchild is frightened of dogs and almost invariably when I tackle someone with a loose dog I am either ignored or sworn at. My eldest grandchild's foot was covered in dog muck recently causing her distress and a source of infection. I have contacted the council previously on this matter and was told recruitment of someone to patrol was in progress, but I haven't seen any improvement or sight of an official. Dogs seem to have become more important than children and I regularly see them in designated play areas and running free on the grassed areas. It is impossible to use the grassy areas without tip toeing past dog excrement, and to picnic would be impossible.

I want to share my observations based on daily walks.

In reality 90% of dog walkers do not have them on a lead. A number have 2,3 or more dogs. Fouling in the public spaces is common, especially on the gravel path up to the cemetery.

Dog walkers allow their pets free reign on the football and cricket pitches including some using Cricket Club outfield as a toilet.

Sadly the order has not worked or is not being effectively applied with dog walkers doing as they please.

I wouldn't like to see dogs being banned from parks as it is getting difficult to find nice areas to walk the dog, but whole heartily agree that they should not be allowed in children's play areas, bowling greens, cemeteries.

I myself get annoyed of owners who have their dogs off lead in parks as you can't keep an eye on them or see where they foul. A responsible owner would always be prepared with dog bags to clear up after their animal.

I myself visit Colne cemetery regularly and on quite a few occasions have seen dogs being let off their lead and left to run on graves. There should be a total ban on walking dogs in cemetery as I find this very disrespectful there are plenty of other places to walk dogs. A friend of mine visited his wife's grave to find dog fouling at her grave. The problem is also the bottom of the cemetery with children and dog walkers accessing from there this should be fenced off and should have been from the start, also a check regularly by someone during the day would also

be helpful and maybe certain days and times given for someone to be at Colne cemetery for anyone wishing to voice concerns

We understand that in Pendle the PSPO (Dog Control) makes people in control of a dog responsible for picking up any fouling. Additionally, it seems that Council Cemeteries have a restriction allowing only one dog per person. We would be very keen to have this extra layer of protection applied to the town's graveyards as well as council cemeteries. Is this something which could be considered as part of this current consultation since the problems and issues apply to all burial grounds?

I am contacting you in regards to the amount of dog poo that keeps appearing on my mother's grave. I only buried her last year and find this heartbreaking.
This is getting beyond a joke now, it's almost every day that this is happening.
Can you also tell me why it is allowed for dogs to be walked, let off their lead in the cemetery on to our loved one's resting place.

I would like to say that I agree with most of the public space legislation however I do not agree with the only one dog in a cemetery for the following reasons;

We have 2 dogs and regularly walk through our cemetery as part of a circular walk in the village. I was absolutely not aware of the one dog per person rule until today.

I completely agree that all dogs should be kept on a short lead in cemetery areas however I think it is unreasonable to expect families that have more than one dog to walk them separately- which is what would have to happen if we are otherwise committed to i.e. clubs and events for the children.

Due to the lack of police presence in our village and the significant increase in unwanted antisocial behaviour I am particularly wary about walking alternative routes and have even been driven at on the old railway by a motorbike.

I ask that this one dog per person legislation be reconsidered.

Many families like ours, did not intend to have 2 dogs and like us are looking after an elderly member of the family's pet long term.

This restriction is unreasonable and not necessary if constituents keep their dog/s on a short lead.

Removal of the limit of dogs taken into cemeteries provided they are on a lead.

Signage regarding no dogs to be more visible and enforced in all relevant areas.

Yes we see people in cemetery places, not on lead

Our dogs are scared, must be together, as always been. They are always on lead, always

Yes smoking, at playgrounds, must be banned. as we see lots of youngsters, just throwing fags on ground

there should be no dog walking in public parks and cemeteries for the safety of young children.

In response to the consultation on the above matter, I agree that dog poop should be cleared up by owners and a reasonable fine issued if the owner deliberately chooses not to.

I think an owner should be able to take 2 dogs in a cemetery, as long as they are on leads. I don't see any reason why it should be limited to one dog.

Regarding public spaces, I agree dogs should not be allowed on designated children's play areas.

However, in other public spaces, owners should be allowed to walk and exercise their dogs freely - for socialization, and the mental and physical health of the dogs and owners alike.

Just like all things, there are some that deliberately refuse to follow the rules, and they should be fined for that, but they should never be used as an excuse to take rights away from everyone else.

In view of the consultation on keeping public spaces clean, I'd also request the council look at similar public orders to be implemented regarding other serious health and safety threats to people using public spaces - in particular spitting, and people littering.

This order should be extended to All dogs in public spaces to be on a lead, we have a 5 month old puppy and like to walk him on the towpath from Salterforth to Barnoldswick and back, 4 times now he has been attacked by dogs who are running loose, one of the times he was actually bitten, the woman and the dog ran off, also people who have their dogs loose are a lot less likely to pick up poop, I don't see why I should change where we walk because other people are irresponsible, most dogs on that part of the canal are not on a lead

Your current document refers to 'he' they should be updates to cover all genders and avoid a loophole of a female getting away with an offence because of your gender biased wording.

Other residents let their dogs roam free. off the lead in these areas. Some of the dogs are aggressive. This prevents other residents from entering these areas to hang washing, check utilities meters and even just to relax in for a while.

I believe that these areas should be subject to a PSPO order.

I do believe that a great deal more needs to be done regarding control of dogs in public spaces, it is simply not just about picking up poo although I appreciate this is an issue in itself but even more concerning are the amount of dog attacks on people as well as other dogs. Personally, I believe it should be law for all dogs to be on a lead when in public spaces. I don't appreciate someone else's dog jumping up at me when I am out on a walk no matter how friendly it is.