

Scrutiny Briefing Note

The TVE Panel have asked to monitor progress on the following issue. This briefing gives an update as of 29th July 2021, on the Beach enforcement undertaken by Regulation and Enforcement Services

Subject:

Overview of Regulation and Enforcement Services

Regulation and Enforcement Services sit within Environmental Services and consists of 8 regulatory discipline areas.

These are:

- Pollution Control
- Licensing
- Food Safety
- Port Health
- Trading Standards
- Environmental Enforcement
- Covid Support Team
- Doncaster / LA Support Environmental patrols

These are grouped into 5 teams split across three sites, Doughty Road depot, Estuary House and Innovation Centre

- Licensing & Environmental Protection
- Commercial Regulatory Team
- Environmental Enforcement
- Covid Support Team
- Doncaster / LA Support Environmental patrols

Summary of Report

This report gives an update on enforcement activity around the control of dogs along the promenade and around the resort.

The last update was provided to the Tourism and Visitor Economy Scrutiny Panel in February 2021.

Background

During the autumn of 2018, NELC undertook a review of delivery arrangements for littering and dog fouling enforcement.

In November 2018, following cabinet approval NELC formed a contract with Doncaster Council to provide Environmental Enforcement officers to undertake patrols across the borough.

Delivery

Delivery is split between LA Support who undertake the patrols and issuance and Doncaster Council who deal with the processing and governance, including appeals.

LA Support as their delivery agents were responsible to enforce Litter, and Public Space Protection Orders covering Dog Control and No Cycling.

The LA Support team are based at Doughty Road and undertake patrols in all wards across the area each month and hotspots based on community reports.

Tasking is based on community reports which are often from members, businesses or residents or other council teams such as Street Cleansing.

Dog Control Public Space Protection Order

Although, as an Authority, we do recognise that the vast majority of dog owners are caring, responsible and respectful of their local communities, complaints were regularly received from residents about dog fouling and the behaviour of some dogs.

Therefore, in July 2019, the Authority introduced a borough wide Public Space Protection Order (PSPO) for Dog Control replaced outdated legislation relating to dog fouling and dog control.

The prohibitions were designed to be as simple as possible, clearly outlining expectations within our communities.



Statutory Consultation

During the initial implementation of the PSPO in 2019, the community was consulted.

The public consultation was published on the Council website. In total 899 people accessed the survey, 49% (442) of the 899 people who accessed the survey commenced the survey with 386 people (87%) completing it.

In summary, it showed that 99.1% of all respondents believed that public places should be safe and free from dog mess.

In relation to the suggested exclusion of dogs from Cleethorpes beach between Good Friday and 30th September each year, the following feedback was received.

- 5% believed the dates should be different,
- 19% believed dogs should not be allowed on the beach at all,
- 15% suggest dogs should be allowed on the beach all year round
- 2% not sure.
- 58% supporting the introduction of this exclusion.

In relation to the other proposed restrictions, the following feedback was received.

The borough wide restriction for leaving dog mess was supported by 98.6% of the respondents.

Lead by Order restrictions were supported by 98.1% of the respondents.

Exclusion of dogs from children's play areas was supported by 92% with 5% suggesting access should be granted and 3% unsure.

Exclusion of dogs from cemeteries outside of opening times was less supported with 24% suggesting access should be allowed and 15% not sure. However, the majority 61% supported this exclusion.

Keeping on dogs on leads within the opening times of cemeteries or burial area was supported by 95% of respondents with only 5% not supporting this.

Keeping on dogs on leads on Council owned land when there is an organised event on was supported by 95% of respondents with only 5% not supporting this.

Finally, the requirement to carry suitable means to remove dog fouling was supported by 94% with 6% not supporting this requirement.

Prohibitions

Following this consultation, the following PSPO was introduced with the following prohibitions. This would remain in place for 3 years.

Borough wide Prohibitions

1. Failure to clear up your dog's mess - If a dog defecates at any time on land to which this order applies, a person who is in charge of the dog at the time must remove the faeces from the land forthwith.

This prohibition would be in force across the borough of North East Lincolnshire.

2. Leads by order – This covers the need for people to put and keep a dog on a lead when directed to do so by an authorised officer. A person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead.

An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

This prohibition would be in force across the borough of North East Lincolnshire.

3. Means to pick up - This covers the need for a person in charge of a dog on land to which this order applies to have and produce on request the appropriate means to pick up dog faeces deposited by that dog. The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces an appropriate means to pick up dog faeces.

This prohibition would be in force across the borough of North East Lincolnshire.

Restrictions in certain areas

1. The keeping of dogs on leads in specified areas - A person in charge of a dog on the land below must keep the dog on a lead. This requirement would be in force within the following areas.

i) During opening times for all cemeteries and churchyards, including green burial areas and woodland burial areas.



ii) At all sports grounds, fields, parks, play areas and pitches, which are maintained by the Local Authority and are not subject to 'Dog Exclusion', but only when in use for organised authorised events. These include galas, fairs, sporting matches, charitable events.

This would not apply in the enclosed dog exercise area at Sussex Recreational park.

Exclusion of dogs from certain areas

1. This includes enclosed children's play areas -
A person in charge of a dog must not take it into, or keep it within a specified or signed area. This includes fenced / enclosed children's play area and where there is a sign at its entrance(s) as a "dog exclusion area" (whether the sign uses those particular words or words and/or symbols having like effect) which is designated and marked for children's play.

2. In addition, an existing bowling green recreational field already subjected to a dog exclusion zone at Sussex Recreational Ground has also been included within this prohibition at all times

3. A dog exclusion zone will also apply outside of opening times to those cemeteries and churchyards, including green burial areas and woodland burial areas.

Cleethorpes Beach Restrictions

Specifically relating to the Cleethorpes Beach, the following exclusion was introduced.

Dogs are not allowed on the beach from Wonderland Groyne to Cleethorpes Leisure Centre from Good Friday to 30 September each year.

Issuance Statistics

As previously updated to the panel in February 2021, in relation to beach activity between Good Friday and 30 September 2020, LA Support issued a total of 145 Fixed Penalty Notices Issued for Dog Control matters under the new PSPO.

- **141 Beach restrictions (PSPO Breaches)**
- **4 Dog Fouling**

Advice/Education

Prior to the beach enforcement recommencing on 2nd April 2021, LA Support Officers and Resort Team staff reminded dog owners around the resort on the

exclusions coming into effect on Good Friday, 2nd April 2021.

Over this period around 50 dog walkers were advised of the forthcoming exclusions along with 100+ being advised around the need to carry suitable means to remove dog fouling.

Since April 2nd 2021, the following fixed penalty notices have been issued around the resort of Cleethorpes.

- **418 Beach restrictions (PSPO breaches)**
- **53 Litter**
- **8 Vehicle Litter**
- **4 Dog Fouling**

Annual Review

Whilst signage is regularly monitored in case of vandalism or damage, each year a full review is undertaken.

As part of the annual 2021 review, a site visit was made with officers of both NELC, LA Support and Doncaster Council Enforcement Team who deal with the processing and governance.

Following that, it was agreed the signage would be refreshed.

An example of the refreshed signage.



Signage

Appropriate signage outlining the dog exclusion is displayed both on every entrance to the beach within the exclusion zone and around the start / finish points at the Leisure Centre and the Wonderland Groyne.

2022 Consultation

The PSPO will remain in force for 3 years until July 2022. Around January 2022, work will commence to review the order. This will include undertaking public

consultation around the order and any changes proposed.

Publication of the PSPO

The full detail of the PSPO are available at www.nelincs.gov.uk/pspo

Full copy of the PSPO order

[Dog mess - NELC | NELC \(nelincs.gov.uk\)](#)

[PSPO-Dog-Control-July-19.pdf \(nelincs.gov.uk\)](#)

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