

Question from Member of the Public pursuant to Standing Order No 7

Question from Lisa Ledbury:

“I live in the Parish of Middleton and in recent months have felt unsafe in my community. There is an issue with residents & non residents walking their dogs off lead on the public highway and this has led to confrontations when residents have asked them to get their dogs under control & put them on a lead. There have been two major incidents, one where our postman was verbally abused and aggressively confronted and another incident that led to threats and intimidation to myself. This was reported to Warwickshire Police and on receiving a crime number I forwarded the evidence requested. Disappointingly, the police did not investigate even though they had photographs, video evidence and witnesses and have ignored my further emails. Having contacted NWBC to ascertain who I should speak to in regards to dog control and never getting a response, I emailed the Environmental Health Officer and Chief Executive directly. I was told that NWBC do not have a dog control PSPO and therefore cannot enforce dogs being walked off lead and it is the responsibility of the Police. However, my Community Policing team have advised it is the responsibility of the Council. I am repeatedly being told I am the only resident in North Warks who has complained about this issue & the council require numerous complaints before considering a dog control PSPO. So I would like to ask the Safer Communities Committee, is one resident feeling unsafe not enough and how many people have to feel unsafe in their community before action is taken by the Police and the Council?”

The response from Councillor Ray Jarvis, Chair of the Safer Communities Sub-Committee was:-

“Thank you for your question and you raise an issue that officers have proposed a course of action which is set out below, as I understand you are aware.

Firstly, it is clear that acts of aggression are criminal matters for the Police to consider and it would not be appropriate for the Council to comment, particularly if that matter may be ongoing given your dissatisfaction with the original response.

The Council does not have a Public Spaces Protection Order with regard to dogs off leads and historically has had very few complaints. I am aware that you made a Freedom of Information request for the number of complaints over the last three years and were informed that the Council had only received one complaint on this topic, which was from yourself. By way of context, over the same period the Council has recorded 258 complaints/queries with respect to dog fouling.

The Local Government Association guidance on PSPOs make it clear that evidence of a harm needs to be established before making a PSPO. The consequences of breaching a PSPO are significant and therefore before a Council imposes restrictions on behaviour they need to be satisfied ‘that it is a proportionate response to the level of harm and nuisance being caused’. It also makes it clear that the evidence of this harm and nuisance should come ‘from a variety of sources’.

There is not a fixed number of complaints that is necessary before a PSPO can be considered but in Officers’ view it is likely that this would need to be from more than one person. As you have been advised, the Council is not against considering a PSPO on this issue and, as you have also been advised, Officers will be consulting the public on this issue once the current PSPO relating to dog fouling has been considered”.