

# Agenda



**HYNDBURN**

The place to be  
an excellent council

## Cabinet

**Wednesday, 4 December 2024 at 5.00 pm,**  
QER, Scaitcliffe House, Ormerod Street, Accrington

### Membership

Chair: Councillor Munsif Dad BEM JP (in the Chair)

Councillors Vanessa Alexander, Noordad Aziz, Scott Brerton, Stewart Eaves, Melissa Fisher, Kate Walsh and Kimberley Whitehead

## S U P P L E M E N T A L   A G E N D A   N o . 1

### PART B: PORTFOLIO ITEMS

The following Item to be taken in Part B immediately after Agenda Item 7.

**Portfolio Holder for Environmental Services (Councillor Stewart Eaves)**

**AND**

**Portfolio Holder for Culture, Heritage and Arts (Councillor Kimberley Whitehead)**

*In accordance with Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, approval is being sought from Councillor Jodi Clements, Chair of the Communities and Wellbeing Overview and Scrutiny Committee, to the following decision being made by Cabinet on 4<sup>th</sup> December 2024, under the special urgency provisions for key decisions, on the grounds that the decision is urgent and cannot reasonably be deferred.*

**10.      Public Space Protection Order relating to Dog Control (Pages 81 - 118)**

Report attached.





<b>REPORT TO:</b>		Cabinet	
<b>DATE:</b>		04 December 2024	
<b>PORTFOLIO:</b>		<b>Joint portfolio report for Councillor Stewart Eaves – Environmental Services and Councillor Kimberley Whitehead – Parks and Cemeteries</b>	
<b>REPORT AUTHOR:</b>		Craig Haraben (Head of Environmental Services)	
<b>TITLE OF REPORT:</b>		Public Space Protection Order relating to Dog Control	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>Yes</b>	If yes, date of publication:	29 <sup>th</sup> November 2024

## 1. Purpose of Report

- 1.1 To request Cabinet consider extending and varying a Public Spaces Protection Order (PSPO) called the Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) pursuant to sections 60 and 61 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“The Act”) relating to dog control within the Borough of Hyndburn

## 2. Recommendations

- 2.1 That Cabinet agrees to extend and vary the Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) having taken into consideration the outcome of the consultation exercise.
- 2.2 That Cabinet agrees to extend and vary the Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) being satisfied that the conditions in sections 59 (2-3) and 60 (2) of the Act have been met. Those conditions being:
- (i) Activities carried on in a public place within the authority’s area have had a detrimental effect on the quality of those in the locality
  - (ii) It is likely that activities will be carried on in a public place within that area and they will have such an effect
  - (iii) Is or is likely to be persistent or of a continuing nature
  - (iv) Is or is likely to be such as to make the activities unreasonable
  - (v) Justifies the restrictions imposed
  - (vi) It is necessary to prevent the occurrence or recurrence of the activities identified in the order, or an increase in the frequency or seriousness of those activities

2.3 That Cabinet agrees to extend and vary the Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) which imposes the following requirements (for a detailed list of sites refer to Appendix 1):

- i. The exclusion of dogs from Council owned children's play facilities.
- ii. The exclusion of dogs from designated Council owned bowling greens.
- iii. The requirement that the owner or person in charge of a dog has to clear up after their dog if the dog fouls on any open land in the Borough to which the dog has access
- iv. The requirement for dogs to be kept on leads within Hyndburn's main townships.
- v. The requirement for dogs to be kept on leads in the Borough's cemeteries.
- vi. The requirement for dogs to be kept on leads on Council owned sports pitches
- vii. The requirement for dogs to be kept on leads within the grounds of Churchfield House in Great Harwood
- viii. The requirement for dogs to be kept on leads within the rose garden in Haworth Park

2.4 The variations proposed for Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) are:

- i. Adding the Multi Use Games Area (MUGA) on Bolton Avenue in Huncoat
- ii. Adding the new playground and MUGA at Knuzden Recreation ground
- iii. Removing the open space at Brookside View in Oswaldtwistle as its no longer a formal play facility
- iv. Removing the bottom plateau at Bullough Park playing fields from the PSPO as this is no longer used for formal sports
- v. Reducing the area on the bottom plateau at Memorial Park playing fields to exclude the area not used as football pitches from the PSPO
- vi. Reconfiguring the area at Wilson Playing Fields used for sports pitches to take into account the construction of the new leisure centre

(For detail of the variations please refer to the draft PSPO in Appendix 4 and associated plans in Appendix 5)

2.5 That Cabinet agrees that the level of any Fixed Penalty Notices (FPN) issued for contravening a PSPO will be £80 with no discount and delegates authority to the Executive Director (Environment) to amend the level of FPN in the future in consultation with the relevant portfolio holder and the Executive Director (Legal and Democratic Services).

### **3. Reasons for Recommendations and Background**

- 3.1 Legislation relating to Dog Control changed in 2014 with the introduction of the Anti-Social Behaviour, Crime and Policing Act 2014. The Act superseded The Clean Neighbourhoods and Environment Act 2005 in relation to dog control.
- 3.2 The Act required local authorities to use PSPOs instead of dog control orders. To make a PSPO a local authority has to be satisfied that activities carried on in a public place had or were likely to have a detrimental effect on the quality of life of those in the locality (s 59 (2) of the Act) and that those activities were unreasonable, likely to persist or continue and justified the making of the PSPO.
- 3.3 Section 60 (2) of the Act permits local authorities to extend the period during which an existing PSPO has effect if it is satisfied on reasonable grounds that the restrictions in that PSPO are still required.
- 3.4 PSPO's are live for a maximum of three years and at that point can be extended and varied if necessary, for them to remain in force.
- 3.5 Officers take the view that the statutory conditions are met because:
  - (i) There are ongoing concerns about dog fouling in the Borough
  - (ii) There have been issues for users of play facilities and bowling greens with dogs running around disrupting their activities, jumping up at people and fouling in these areas
  - (iii) There are issues with dogs off leads running in townships causing disruption for shoppers and dogs running into the highway
  - (iv) There are ongoing concerns about dogs not on leads being able to run onto graves and foul in the Boroughs cemeteries
  - (v) There are ongoing concerns about dogs off leads fouling, disrupting users and attacking other dogs at Churchfield House in Great Harwood
  - (vi) There are ongoing concerns about dogs off leads fouling on grass sports pitches where children and adults play football and rugby
  - (vii) There are ongoing concerns about dogs off leads fouling and disrupting users in the rose garden at Haworth Park during weddings and art events
- 3.6 In addition to paragraph 3.5 officers take the view that the statutory conditions are met because since the current PSPO was enacted in December 2021 and the current restrictions were put in place the dog warden has still had to issue 28 Fixed Penalty Notices for breaching PSPO conditions, in addition to a number of informal warnings and educational conversations with dog owners while out on patrol. Also the dog warden routinely receives and investigates general complaints from members of the public about issues such as dog fouling and anti-social dog behaviour. As such officers take the view that the issues outlined in paragraph 3.5 are continuing and persistent.
- 3.7 A consultation exercise was undertaken during October of 2024. Key stakeholders such as the Police & Crime Commissioner Office, Dogs Trust, Kennel Club and user groups such as Sports Leagues & local 'Friends Of' groups were informed of the consultation to ensure those most invested had a chance to comment. A summary of the results are in the table below:

Consultation Question	In Favour	Against
Exclude dogs from Council Play Facilities	89.47%	10.53%
Exclude dogs from Council bowling greens	88.30%	11.70%
That dog owners or those in charge of a dog clear up after the dog fouls	100%	0%
Dogs are kept on leads in Borough townships	91.49%	8.51%
Dogs are kept on leads in the Boroughs cemeteries	94.38%	5.62%
Dogs are kept on leads on designated sports pitches	71.74%	28.26%
Dogs are kept on leads within the grounds of Churchfield House in Great Harwood	90%	10%
Dogs are kept on leads within the rose garden at Haworth Park	82.42%	17.58%

- 3.8 As part of the consultation an online survey was available for Borough residents to indicate which of the proposals for inclusion within the PSPO they were for or against. A total of 95 responses were received via the on-line survey. The results are available in Appendix 2 of this report.
- 3.9 Within the consultation document there was a space available in the online survey for anyone wishing to make a specific point or comment about the proposals. A total of 104 responses were received via the on line survey. A copy of these responses are in Appendix 3 of this report.
- 3.10 While the PSPO restricts how dog walkers can exercise their dogs in specified areas, the Borough's eleven major parks and many other open spaces throughout Hyndburn are available for dog walkers to exercise their dogs without restrictions.

#### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 Do not extend and vary the Borough Council of Hyndburn (Control of Dogs) Public Spaces Protection Order (Number 1 of 2021) relating to dog control in Hyndburn pursuant to Section 60 of the Anti-Social Behaviour, Crime and Policing Act 2014. This has been rejected as evidence and experience has shown that practical measures, like a PSPO help balance the needs of dog owners with the wider use of public spaces.

#### **5. Consultations**

- 5.1 A public consultation exercise took place for approximately one month between 1 October 2024 and 29 October 2024. The consultation was open to all residents of Hyndburn. In addition, certain parties were contacted directly about the consultation which included Police & Crime Commissioners Office, The Dogs Trust, Lancashire County Council, 'Friends of' and other community groups with an interest in green spaces and users of Council sports facilities.

6. **Implications**

<p><b>Financial implications (including any future financial commitments for the Council)</b></p>	<p>There will be a cost to the purchase and installation of signage relevant to the Public Space Protection Orders. The cost is estimated at £1,000 and will be funded from existing Environmental Services budgets.</p>
<p><b>Legal and human rights implications</b></p>	<p>Extending and varying a Public Space Protection Order must be undertaken as per guidelines and in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014. Officers have had regard to the attached national guidelines in progressing the extension and variation of the proposed PSPO, and have had particular regard to articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.</p>
<p><b>Assessment of risk</b></p>	<p>No specific risks have been identified. However not having PSPO for dog control in the Borough as outlined above could lead to an imbalance between the needs of dog owners and the wider use of public spaces</p>
<p><b>Equality and diversity implications</b>  <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i></p>	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> <li>• eliminate unlawful discrimination, harassment and victimisation; and</li> <li>• advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and</li> <li>• foster good relations between those who share a relevant protected characteristic and those who don't.</li> </ul> <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Cabinet is advised to consider its obligations in</p>

	<p>respect of the public sector equality duty when making a decision in respect of the recommendations contained in this report.</p> <p>Having considered the impact of the PSPO, officers consider that the PSPO does not have any particular impact on equality targets groups. In particular, assistance dogs are exempt from the PSPO thereby eliminating a potential adverse impact on those with a disability.</p>
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**7. Local Government (Access to Information) Act 1985:  
List of Background Papers**

- 7.1 Home Office guidance relating to Public Space Protection Orders (attached)
- 7.2 The results of the consultation (via survey monkey) and the comments made in the comments section of the consultation are located in appendices 2 & 3 of this report



# THE SCHEDULE

## PART ONE

### PLAY AREAS

#### **Play Areas in Accrington/Baxenden/Church/Huncoat.**

Gatty Park play area.  
Milnshaw Park play area.  
Bullough Park play area.  
Springhill Play area.  
Park Road play area.  
Highams play area.  
Bolton Avenue Recreation Ground play area.  
Peel Park play area.  
Peel Park tennis courts.  
Oakhill Park play area.  
Church Street play area.  
Baxenden Recreation Ground play area.

#### **Play Areas in Great Harwood/Rishton/Clayton le Moors.**

Lowerfold Park play area.  
Lowerfold Park tennis court.  
Windsor Road Recreation Ground play area.  
Milton Close play area.  
Cutwood Park play area  
Harwood Road Recreation ground play area.  
Mercer Park play area.  
Burnley Road Recreation Ground play area.

#### **Play Areas in Oswaldtwistle/Knuzden/Belthorn.**

**Note:-** Brookside View play area has been removed from this varied extension

Rhyddings Park play areas.  
West End play area.  
Rhoden Road play area.  
Knuzden Recreation ground play area.  
Belthorn Recreation ground play area.

#### **Skate Park Areas.**

St James Street skate park in Accrington.  
Mercer Park skate park in Clayton le Moors.  
Harwood Road skate park in Rishton.

## **Multi Use Games Areas**

**Note:-** Bolton Avenue Multi Use Games Area in Huncoat and Knuzden Recreation Multi Use Games Area in Knuzden have been added to this varied extension

Bullough Park Multi Use Games Area in Accrington.  
Peel Park Multi Use Games Area in Accrington.  
Baxenden Recreation Ground Multi Use Games Area.  
Church Street Multi Use Games Area in Accrington.  
Holt Street Recreation Ground Multi Use Games Area in Rishton.  
Burnley Road Recreation Ground Multi Use Games Area in Clayton le Moors.  
Mercer Park Multi Use Games Area in Clayton le Moors.  
Rhyddings Park Multi Use Games Area in Oswaldtwistle.  
Game Street Multi Use Games Area in Great Harwood.  
Milnshaw Park Multi Use Games Area in Accrington  
Oakhill Park Multi Use Games Area in Accrington  
Bolton Avenue Multi Use Games Area in Huncoat  
Knuzden Recreation Multi Use Games Area in Knuzden

## **PART TWO**

### **BOWLING GREENS**

Milnshaw Park bowling greens (two).  
Oakhill Park bowling greens (two).  
Gatty Park bowling green (one).  
Mercer Park bowling green (one).  
Lowerfold bowling green (one).  
Peel Park bowling green (one).  
Parker Street bowling green (one).  
Rhyddings Park bowling green (one).

## **PART THREE**

### **TOWN CENTRES**

Accrington Town Centre  
Clayton le Moors Town Centre  
Great Harwood Town Centre  
Oswaldtwistle Town Centre  
Rishton Town Centre

## **PART FOUR**

### **CEMETERIES**

Accrington Cemetery, Burnley Road, Accrington.  
Church and Clayton Le Moors Cemetery, Dill Hall Lane, Church, Accrington.  
Great Harwood Cemetery, Blackburn Road, Great Harwood.  
Rishton & Great Harwood Cemetery, Lee Lane, Rishton.

## **PART FIVE**

### **SPORTS PITCHES**

**Note:-** Bullough Park playing fields, Memorial Park playing fields and Wilsons playing fields boundaries have been varied (see plans for details)

Bullough Park playing fields, Willows Lane, Accrington  
Foxhill & Whiteash playing fields, Harvey Street, Oswaldtwistle  
Memorial Park playing fields, Church Lane, Great Harwood  
Wilsons playing fields, Woodlands Drive, Clayton-Le-Moors

### **SPECIFIC SITES**

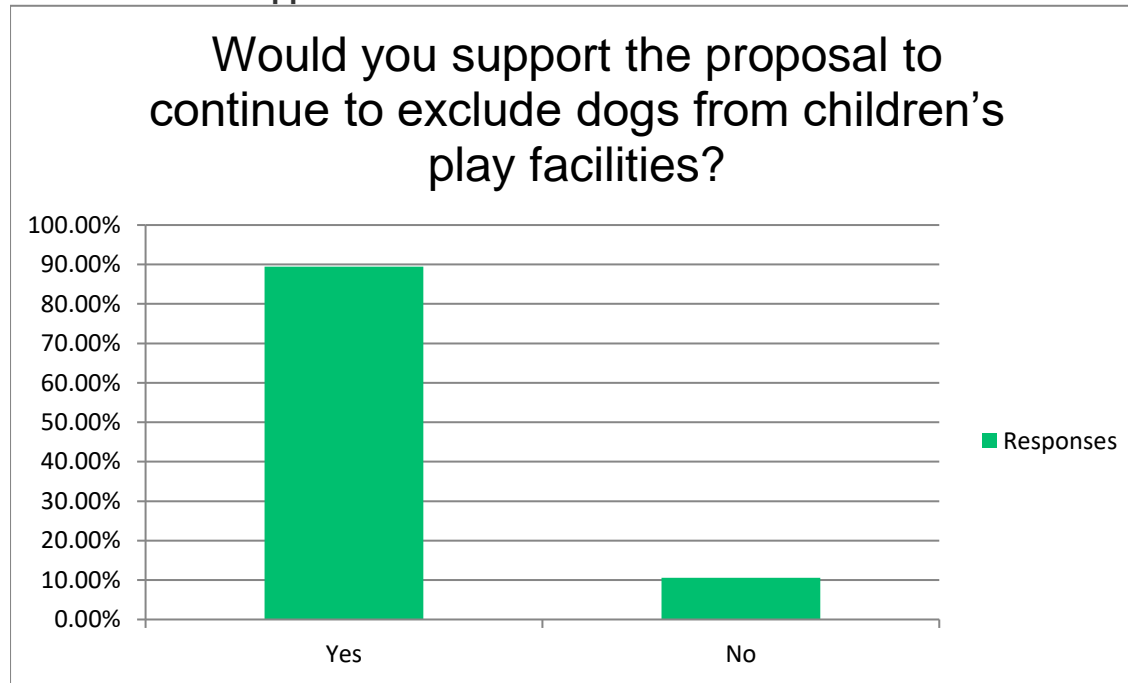
Churchfield House, Church Street, Great Harwood  
The Rose Garden, Haworth Art Gallery, Baxenden

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## Public Space Protection Orders Consultation - Dog Control

**Would you support the proposal to continue to exclude dogs from children's play facilities?**

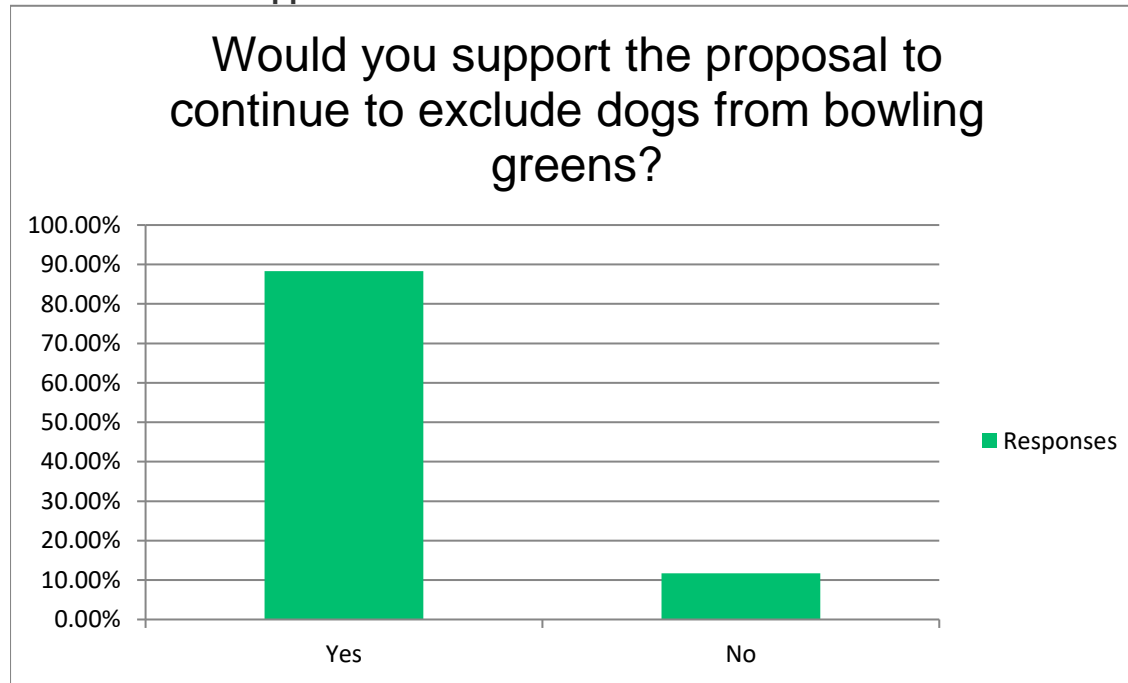
Answer Choices	Responses	
Yes	89.47%	85
No	10.53%	10
	<b>Answered</b>	<b>95</b>
	<b>Skipped</b>	<b>0</b>



## Public Space Protection Orders Consultation - Dog Control

**Would you support the proposal to continue to exclude dogs from bowling greens?**

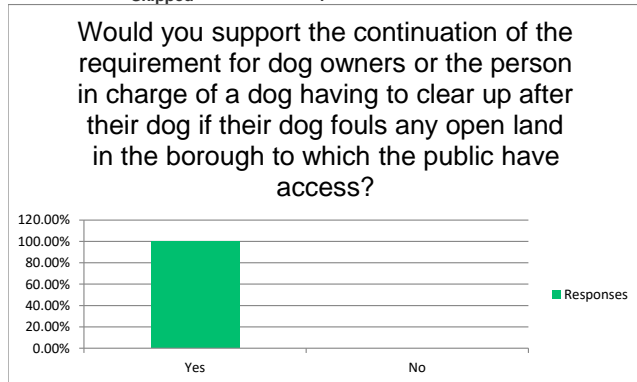
Answer Choices	Responses	
Yes	88.30%	83
No	11.70%	11
	<b>Answered</b>	<b>94</b>
	<b>Skipped</b>	<b>1</b>



Public Space Protection Orders Consultation - Dog Control

Would you support the continuation of the requirement for dog owners or the person in charge of a dog having to clear up after their dog if their dog fouls any open land in the borough to which the public have access?

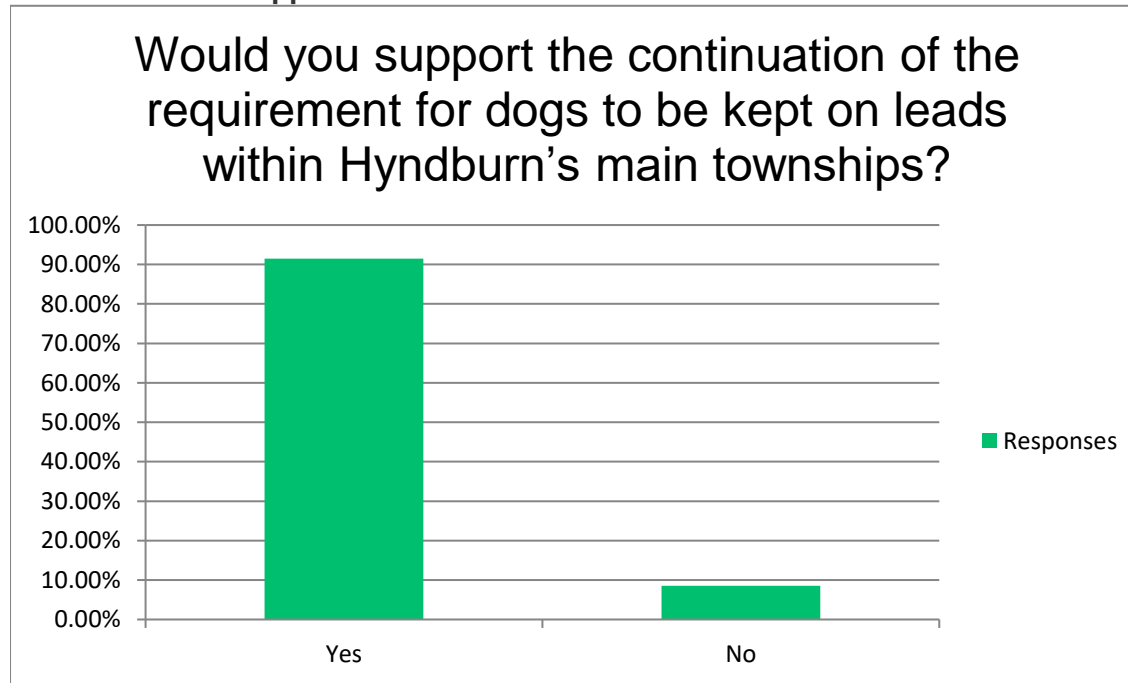
Answer Choices	Responses	
Yes	100.00%	94
No	0.00%	0
<b>Answered</b>		<b>94</b>
<b>Skipped</b>		<b>1</b>



## Public Space Protection Orders Consultation - Dog Control

**Would you support the continuation of the requirement for dogs to be kept on leads within Hyndburn's main townships?**

Answer Choices	Responses	
Yes	91.49%	86
No	8.51%	8
	<b>Answered</b>	<b>94</b>
	<b>Skipped</b>	<b>1</b>

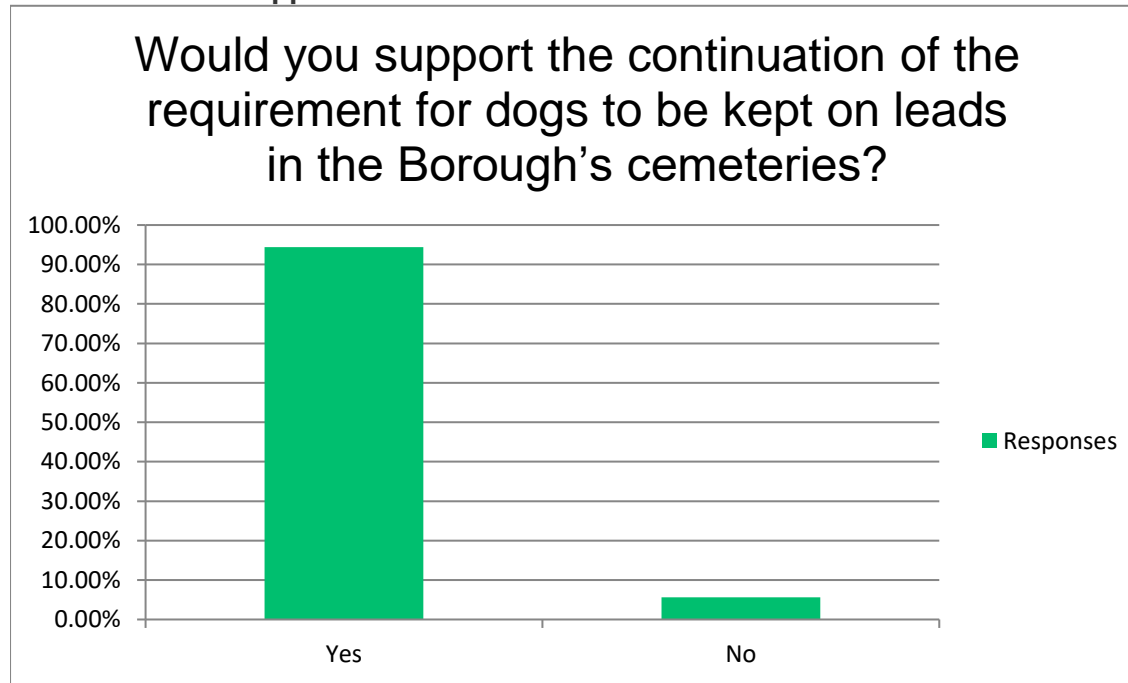




## Public Space Protection Orders Consultation - Dog Control

**Would you support the continuation of the requirement for dogs to be kept on leads in the Borough's cemeteries?**

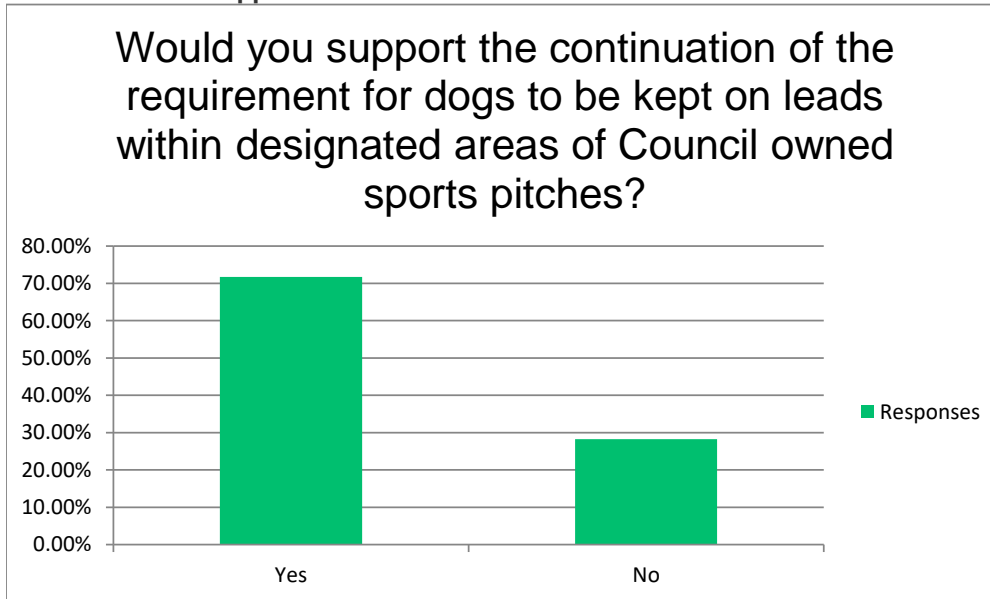
Answer Choices	Responses	
Yes	94.38%	84
No	5.62%	5
	<b>Answered</b>	<b>89</b>
	<b>Skipped</b>	<b>6</b>



## Public Space Protection Orders Consultation - Dog Control

**Would you support the continuation of the requirement for dogs to be kept on leads within designated areas of Council owned sports pitches?**

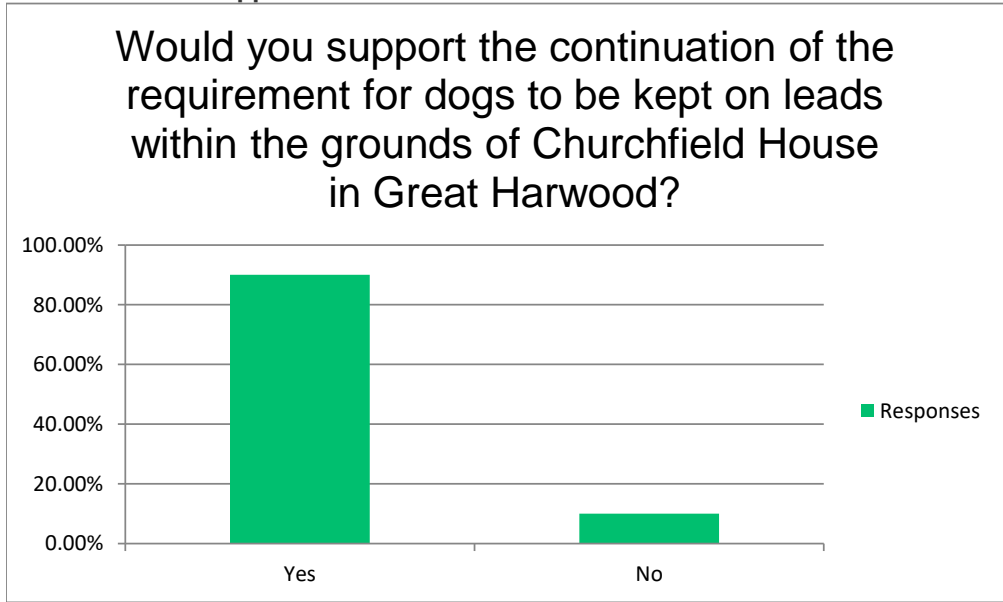
Answer Choices	Responses	
Yes	71.74%	66
No	28.26%	26
<b>Answered</b>		<b>92</b>
<b>Skipped</b>		<b>3</b>



Public Space Protection Orders Consultation - Dog Control

Would you support the continuation of the requirement for dogs to be kept on leads within the grounds of Churchfield House in Great Harwood?

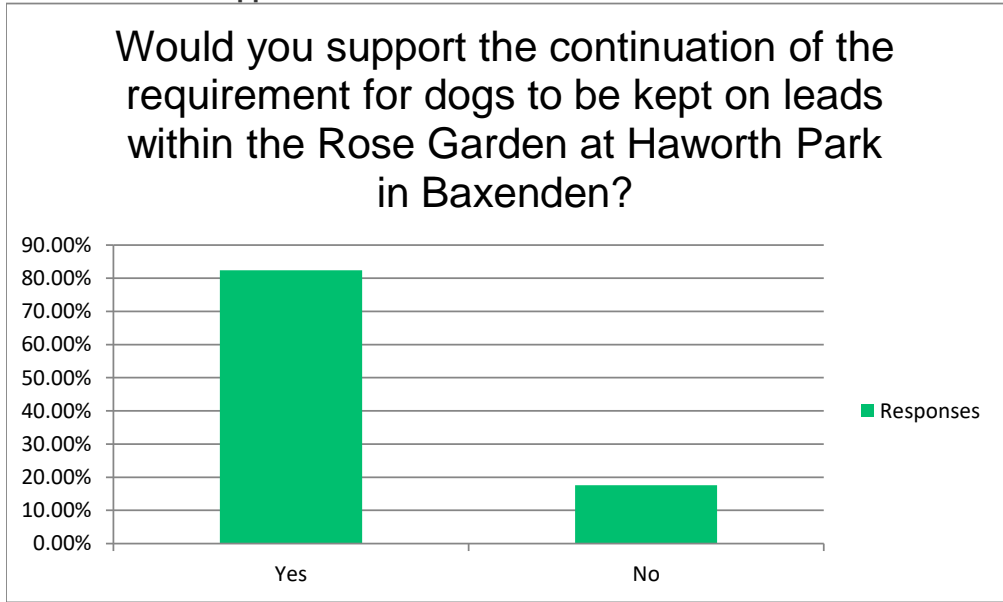
Answer Choices	Responses	
Yes	90.00%	81
No	10.00%	9
<b>Answered</b>		<b>90</b>
<b>Skipped</b>		<b>5</b>



Public Space Protection Orders Consultation - Dog Control

Would you support the continuation of the requirement for dogs to be kept on leads within the Rose Garden at Haworth Park in Baxenden?

Answer Choices	Responses	
Yes	82.42%	75
No	17.58%	16
<b>Answered</b>		<b>91</b>
<b>Skipped</b>		<b>4</b>



Public Space Protection Orders Consultation - Dog Control

**Any further comments please make them here:**

**Answered 61**

**Skipped 34**

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## Q9 Any further comments please make them here:

Answered: 61 Skipped: 34

#	RESPONSES	DATE
1	Let's see how the dog warden polices this situation. Up to now (and I spend many a happy hour at the memorial park) I will not be holding my breath. A waste of money I am more concerned about the football people human urine is left behind trees when they play football is tha not an offence ?	10/30/2024 8:01 AM
2	We need in Great Harwood spaces for dogs to run freely	10/29/2024 5:21 PM
3	Regarding memorial park think the whole of bottom field should be for dogs to be allowed on freely as there sre football pitches on the top where its been levelled the bottom marked pitch is only there periodicaly also there are pitches down Whalley road area with proper facilities toilets etc	10/28/2024 9:52 PM
4	Dogs should be on leads in the Memoral Park and Lowerfold PArk, Gt. Harwood.	10/28/2024 9:27 PM
5	I feel that dogs should be allowed off their leads on the memorial playing field why should they be allowed off lead in the memorial park where children play but have to be on their leads where football is played allowing them to be off lead outside the white lines on the field is not going to work why can't they be allowed off leads on all the playing field .I believe a forest school is being planned in the memorial park woods how will this work with dogs off lead children will suddenly be subjected to dogs running free without any warning or will dogs have to be on leads ? The park has lovely flower beds which could be spolit by dogs running free there are no flower beds to spoil on the playing field	10/28/2024 5:44 PM
6	The Kennel Club's Formal Response to Hyndburn Borough Council's Public Spaces Protection Order Consultation Submitted on 28 October 2024 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. Our objective is to ensure that dogs live healthy, happy lives with responsible owners. We campaign for and advocate on behalf of dogs and their owners and, as part of our external affairs activities, engage with local authorities on issues such as Public Spaces Protection Orders (PSPOs). The Kennel Club is the only national organisation named by the UK Government as a body that local authorities should consult prior to introducing restrictions on dog walkers and is considered the leading canine authority on dog access. As such, we would like to highlight the importance of ensuring that PSPOs are necessary and proportionate responses to problems caused by dogs and irresponsible owners. We also believe that it is essential for authorities to balance the interests of dog owners with the interests of other access users. Response to proposed measures: 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 faeces 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. Exclusions The Kennel Club does not typically oppose Orders to exclude dogs from playgrounds or enclosed recreational grounds, such as skate parks or tennis courts, as long as alternative provisions are made for dog walkers in the vicinity. Children and dogs should be able to socialise together quite safely under adult supervision, with having a child in the home the biggest predictor for a family owning a dog. On lead We can support reasonable 'dogs on lead' Orders which can, when used in a proportionate and evidence-based way, include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic. Playing fields Regarding playing fields, we ask local authorities to consider whether or not access restrictions are absolutely necessary. If they are deemed to be so, time or seasonal restrictions may be more appropriate than a continuous exclusion order. We are	10/28/2024 12:49 PM

## Public Space Protection Orders Consultation - Dog Control

aware that in many areas, dog walkers do allow their dogs to exercise on playing fields when they are not in use. We understand the safety concerns underpinning restrictions while the playing fields are in use. It is also worth noting that compliance with such an order can be difficult for dog walkers if there are no boundaries around the playing field, given that dogs will not recognise the difference between playing fields and other grassed areas. Assistance dogs

The Kennel Club welcomes the exemptions proposed in this Order for assistance dogs. We urge the Council to review the Equality and Human Rights Commission's guidance for businesses and service providers when providing any exemptions for those who rely on assistance dogs. The guidance can be viewed here: <https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf> While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not. A number of reputable assistance dog providers are members of Assistance Dogs UK. This umbrella group currently has eight member organisations, which can be viewed here: <http://www.assistancedogs.org.uk/>. 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 for 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 used by Mole Valley District Council, which can be found here: [https://www.molevalley.gov.uk/media/pdf/1/b/83072\\_-\\_Completed\\_PSPO.pdf](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 Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 makes 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)." Regarding dog access restrictions, such as a 'Dogs on Lead' Order, on-site signage should clearly state where such restrictions begin and end. This can be achieved with signs that say on one side, for example, 'You are entering [type of area]' and 'You are leaving [type of area]' on the reverse. While all dog walkers should be aware of their requirement to pick up after their dog, signage must be erected for the PSPO to be compliant with the legislation

7	I would extend the orders to include many more park areas , eg Memorial Park great harwood, I no longer take my grandchildren there as many dogs are off lead and often are not in.their owners control	10/28/2024 7:56 AM
8	I do not consider the field adjacent to Memorial Park a council owned sport pitch it is a playing field as designated on the sign at the top of the field	10/27/2024 7:48 PM
9	Hundreds of thousands spent on Memorial Park and yet you plan to continue to allow dog owners with out of control multiple dogs run through the flower beds, foul the park, no fines issued Football, Football, Football what about the rest of us Dogs should be on leads in all Hyndburn parks and all open spaces owned by the Council Get a grip - weak manangement	10/27/2024 5:32 PM
10	Dogs should be kept on leads in memorial park great Harwood .the park is for people not dogs always was so why has it changed to accommodate the canine species.	10/27/2024 11:43 AM
11	In my opinion if dogs are kept under control and the owners adhere to the legislation then problems would be few I am intrigued to know how you are going to implement the legislation at the Forrest school in memorial park Is this covered under the play area restrictions?	10/27/2024 10:34 AM
12	There needs to be facilities for dog owners to allow dogs to play safely with other dogs. I understand that leashing dogs should prevent uncollected dog poo. However I see so much dog poo on the streets where you'd expect a dog to be on lead. Reducing the number of areas which dogs can play is targeting dog owners & preventing socialisation of dogs. Socialising dogs adequately reduces the instances of aggressive behaviour. The rose garden at Howarth used to be a social hub for humans & dogs. I never saw any of the owners leave uncollected poo. The grass was never left in poor condition beyond regular use of a grassed area. The location provided gated safety. I understand that when events are on in the gallery people are respectful of this & wouldn't use the facility. Since the rose garden was an on lead area we've	10/24/2024 7:41 PM



## Public Space Protection Orders Consultation - Dog Control

not been into the park or gallery since. Please consider encouraging shops/the market & town centre to be dog friendly. It brings customers into shops. Rawtenstall is a flagship for this. Unfortunately most dogs are better behaved than humans!

13	In addition to the current requirements, the Council should introduce a further requirement for dogs to be kept on a lead in all public parks	10/23/2024 12:30 PM
14	Totally disagree with the football pitches on brantfell rd great Harwood most dog owners are responsible for their pets. More rubbish is left by people not pets	10/21/2024 3:32 PM
15	Hyndburn council should create dog exercise areas. These could be on waste land, public open space or by removing one football pitch from a sports area. EG There is a football pitch next to Allsprings Drive on the Memorial Playing Fields in Great Harwood which isn't used. If this pitch was removed and then marked out with coloured lines, it could become a dog exercise area. There is also the old football pitch on Alan Ramsbottom Way in Great Harwood. Using dedicated areas like this would allow the council to attach the PSPO to parks such as the Memorial Park in Great Harwood.	10/21/2024 2:25 PM
16	I would very much to propose that dogs are NOT allowed to run free in Memorial Park, Great Harwood. The Park attracts the elderly and children who are intimidated and, in some cases, knocked over by free running dogs. Owners do not always watch their dogs constantly and so fouling happens in the beds and around the grassed areas especially the 'wild' spaces. Perhaps an area of the adjacent Playing Fields might be set aside for free running dogs. Thank you	10/21/2024 9:21 AM
17	The issue is the enforcement of these rules!	10/21/2024 7:58 AM
18	There are some sports pitches which are not used eg the bottom football pitch on the Memorial playing field Great Harwood. This could become a dog walking area. If this was adopted the requirement for dogs to be kept on a lead in the Green Flag Memorial Park could be introduced. Volunteers look after the flower beds in this park and are distraught when they see unsupervised dogs running through them. Dogs should be on leads in public parks	10/20/2024 12:09 PM
19	I am amazed that you have created a Forrest School for primary school aged children in the wood at Memorial Park yet have no plans for dogs to be on leads Why are Childrens play areas treated differently under your proposals?	10/19/2024 10:29 PM
20	The rose garden is a safe place to let dogs off the lead and socialise, particularly important if you have a puppy. Disgusted that I have to pay for the upkeep and yet am not allowed in with my dog off lead. If an event was taking place a notice on the gates would suffice to tell people not to go in with their dogs. To completely ban them off lead permanently is a disgrace. This ban should be overturned and replaced with common sense.	10/19/2024 11:28 AM
21	Ban dogs from Stanhill Memorial Gardens as this site has become a regularly used dog toilet.	10/19/2024 8:23 AM
22	I am a dog owner and we welcome all your requests to keep dogs on leads in public places. I met a guy in Gt Harwood with a huge, massive type dog that wasn't on a lead walking on Fielding Lane I would not tackle him about his dog not being properly restrained as he looked like someone who would only laugh in my face: long beard, tattoos, sleeveless T-shirt. Please can you try and employ someone to drive/walk the streets of the borough to endeavour to prosecute such people. They think the laws don't apply to them as they believe their dog is so well trained nothing will deter it from reacting to other dogs or people.	10/19/2024 8:13 AM
23	With the loss of King George's Playing Field and the council's ongoing reluctance to clarify who owns the land or confirm whether the public have the right to access a previously gifted space, there is no safe, open area to exercise dogs off lead in Baxenden. There are several easy compromises to be made regarding the use of the Rose Garden which have been ignored. Being walled and gated, the Rose Garden provided a safe space for off lead dogs.	10/19/2024 3:44 AM
24	A lot of money has been spent on the Memorial Park in Great Harwood and yet the council encourages dogs to be exercised off leads wrecking the flower beds and fouling I avoid the park because of the dogs Dogs should be on leads in Memorial Park We should be given the same protection as footballers Lots of rules but no enforcement A very weak council	10/18/2024 11:22 PM
25	I agree with everything in this document. The only query I have is with open access land ie the coppice. I always pick up my dog mess, however there are instances when my dog will go toilet in the middle of bushes up the coppice. This is then hard to get to and hard to pick up ie prickly bushes.	10/18/2024 3:15 PM

## Public Space Protection Orders Consultation - Dog Control

26	On two separate occasions in the last 4 weeks I have seen two dogs within the children's playground at Cutwood Park. In one instance, the grandparent asked me if it was okay to bring her dog into the designated play area.	10/18/2024 2:48 PM
27	What about a question about Dogs on Leads in War Memorial Park, Great Harwood - It is not on the Survey. Why ?	10/16/2024 7:22 PM
28	I live in Great Harwood and frequent the Memorial Park and adjacent playing field. For me, the enforcement of Item 3 is crucial here. Clearing up after your dog has fouled in a public place must be enforced and an example made of those who don't comply. Rules that are not enforced might as well not exist. The presence of Dog Wardens in public places employed by HBC is essential for enforcement. Members of the public must understand that there are consequences if they don't clean up after their dog has fouled in a public place. This has not been the case of late.	10/15/2024 9:13 PM
29	If an individual is not going to pick up after their dog, it is irrelevant if they are on a lead or not, these are the people who are spoiling it for responsible owner who always clean up after their dog and for dogs who deserve some space to be off lead.	10/15/2024 12:42 PM
30	Members of the public have a right to expect to be able to sit and play on the lawned areas in the Councils parks which are free from dog faeces as should those choosing to play sport. Many elderly are afraid of being knocked over by free running dogs in the parks. The council give a dis- proportionate of protection to footballers when compared to families. Dogs should be keep on leads in all parks and open spaces owned by the Council.	10/14/2024 10:29 PM
31	Why are you being so draconian about dogs when youths and adults openly use drugs, play loud music and litter the very areas you've put control orders on dogs in. Sort the real issues rather than nit picking please.	10/14/2024 8:31 PM
32	Good dog owners being restricted because of bad dog owners	10/14/2024 7:01 PM
33	I think the memorial park in great Harwood could very easily be split between dog walkers and footballers. The football teams seem to be monopolising all the green space and it is only fair.	10/14/2024 5:52 PM
34	Sports pitches are not used all year as long as responsible owners pick up there own dogs mess I don't have problem	10/14/2024 5:13 PM
35	It's becoming more and more difficult to walk your dog in public spaces it's not fair especially when it's dark and some of the only places with light are public parks so why should we not be able to exercise ourselves and our dogs. It effects mental health not being able to go out. I agree that the is a issue with irresponsible dog owners and they let good.dog owners down. But these places were dogs are not allowed are being destroyed by people without dog who just littler and loiter as they please why are these incidents not being policed. We are now entering fire works season and before we know it the public spaces will be filled with fire work boxes and rocket sticks. We also have a issue of people dropping food everywhere and making dogs sick. PLEASE don't let responsible dog owners suffer We Need these spaces to be available to use.	10/14/2024 5:09 PM
36	I would want the council to make dog owners keep their dogs on a lead in all HBC public parks and I would want the council to mitigate this by providing recognised dog exercising areas. These could be created in areas especially set aside. For example, by reducing at least one football pitch from each field. Memorial Park, Great Harwood, has a football pitch adjacent to Allsprings Drive which is never used, This would make an ideal dog exercising area instead of using the park itself where dogs run over and ruin flower beds.	10/13/2024 5:00 PM
37	Keep dog exercising areas free from glass and objects that could hurt dogs	10/13/2024 1:00 PM
38	Please can you ban dogs from the rose garden at the hag. Even though signs states please keep dogs on a lead every time I go up dogs are roaming free. I've had people have a go at me for not closing the gate as their dog could run off. Never seen any enforcement by the do warden service. Never heard if anyone being fined in the time this has been introduced. Not great when people want wedding pics but have to mind the dog dirt. There is the whole park which can be used for dogs. Can the rose garden be treated like a kids play park and dogs excluded from this part of the park.	10/12/2024 11:16 AM
39	I manage Foxhill Bank Nature Reserve. There needs to be an addition to the current control orders that includes the control of dogs on nature reserves, Local Nature Reserves and local wild life sites whereby dogs must be kept on a lead on the nature reserves. It is actually illegal	10/11/2024 1:27 PM

## Public Space Protection Orders Consultation - Dog Control

to let a dog off lead at certain times of year, due to the disturbance caused to nesting birds and fledgelings. Also, i was not aware of the dog fouling control order on sites where there is public access.. Is it possible to obtain some signs reflecting this? my email is kcoverdale@lancswt.org.uk. regards, Kim Coverdale

40	Designated dog areas in the parks or dogs to be kept on a lead as parks like cut wood are overrun with dogs and less accessible for people who are nervous with dogs off leads.	10/11/2024 8:50 AM
41	I agree with the control orders in place but i have seen no evidence of enforcement in Great Harwood.	10/10/2024 10:23 PM
42	I propose that dogs should also be kept on a lead in Memorial park in Great Harwood. On many occasions I have witnessed dogs roaming away from their owners and leaving a mess that has been unattended by their owners.	10/10/2024 12:42 PM
43	I would support dogs needing to be on leads in Memorial Park, children play there. I always keep my dog on a lead yet I see owner letting their dogs loose and not under control and not cleaning up after them	10/10/2024 11:05 AM
44	Dogs should be on leads in Great Harwood war memorial park. It has always been a family park but not anymore.	10/10/2024 10:26 AM
45	Dogs have the right to run on the field in great harwood memorial park as they were not sport pitches when the park was given to the people	10/10/2024 9:41 AM
46	All dogs should be kept on leads in public spaces and off lead only in designated areas for dogs	10/10/2024 12:17 AM
47	Dogs kept on leads on the formal areas of Memorial Park, Gt Harwood. Hopefully preventing damage to floral beds	10/9/2024 9:04 PM
48	Dogs should be on leads in every public space. The fields by memorial park are like a dog toilet. We need more enforcement for lazy or ignorant owners that don't abide by the rules and spoil dog ownership for everyone else. I'm scared of dogs and haven't been able to use some play areas because of dogs off leads.	10/9/2024 8:32 PM
49	I am a dog owner and all dogs should be on a lead unless paid for enclosed field.	10/9/2024 2:50 PM
50	If dogs are going to be prohibited from being off lead in certain areas, it would be great to have specific enclosed spaces for dogs in local parks. I have been to this types of spaces when visiting other areas of the UK and they have been fantastic. They can bring a sense of community amongst local dog owners.	10/9/2024 2:48 PM
51	I feel that dogs should be allowed to exercise off lead on sports pitches when they are not in use. Obviously, you would still be required to clean up after your dog.	10/8/2024 11:02 PM
52	Dogs to be kept on a lead were cenotaph are within the parks, on all public footpaths and also include the canal towpath that runs through the borough.	10/8/2024 8:44 PM
53	Rhyddings Park is a dog friendly park. It seems to work	10/8/2024 8:39 PM
54	More poo bins in local parks and routes into green spaces would encourage people to clean up.	10/8/2024 7:53 PM
55	I know this will be controversial and possibly impossible to implement but I feel that there should be an area designated within parks for dogs to be off the lead and everywhere else they need to be kept on a lead. I have experienced and witnessed dogs off their lead harassing people or fouling and their owner being nowhere in sight so many times it's beyond a joke. Since the pandemic many of these dogs have not had proper training and therefore have zero recall when off the lead. These dogs often harasses other dogs who have responsible owners who have kept their dog on it's lead. Dog ownership has risen but dog ownership standards have fallen and the lack of licensing has also contributed to this.	10/8/2024 6:51 PM
56	Would support requirement for dogs to be on leads in ALL parks	10/8/2024 6:43 PM
57	I would support any dog that is not trained in recall to it's owner to be kept on a lead at all times.	10/8/2024 2:02 PM
58	Dogs should be on leads in all areas not just the above mentioned and should only be allowed off lead in an area where it is enclosed and no members of the public, can feel threatened or	10/5/2024 9:24 AM

## Public Space Protection Orders Consultation - Dog Control

scared. Maybe think about free access to secure areas for people to let there dogs off, with the responsibility of cleaning and clearing the areas once they have used them.

59	All dogs & their owners must be responsible for their pets @ all times .	10/4/2024 4:44 PM
60	I'm support of all these but feel better deterrents are needed especially on the sports fields as the orders are just ignored as people know they are not being properly monitored and no ones gets fined so they just ignore the signs.	10/4/2024 3:10 PM
61	I would completely ban dogs from cemeteries, it is extremely disrespectful	10/4/2024 2:45 PM

# **HYNDBURN BOROUGH COUNCIL**

## **Anti-social Behaviour, Crime and Policing Act 2014**

### **HYNDBURN BOROUGH COUNCIL (CONTROL OF DOGS) PUBLIC SPACES PROTECTION ORDER (Number 1 of 2021) EXTENSION AND VARIATION ORDER 2024**

**HYNDBURN BOROUGH COUNCIL** (“the Council”) in exercise of its powers under Section 60 and Section 61 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) makes this Order, which shall be cited as the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) Extension and Variation Order 2024 (“the Extension and Variation Order”).

On the 17 December 2021 the Council made the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021), and it came into effect for a period of three years from the date on which it was made.

This Extension and Variation Order shall come into effect on the date on which it is made and will continue in force for a period of three years thereafter.

This Extension and Variation Order shall be read in conjunction with and form part of the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021), and will extend and vary the provisions and requirements of it for a period of three years commencing on the date that this Extension and Variation Order is made.

#### **EXTENSION**

1. The activities identified in the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021), being carried on in a public place within the Council’s area, had a detrimental effect on the quality of life of those in the locality, were or were likely to be of a persistent or continuing nature, were or were likely to make those activities unreasonable, and therefore the prohibitions and restrictions imposed by the Hyndburn

Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) were justified.

2. The Council in making this Extension and Variation Order under Section 60 of the Act is satisfied on reasonable grounds that extension of the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) and the prohibitions and restrictions contained therein, for a period of three years is necessary to prevent;
  - a) occurrence or recurrence after its expiration of the activities identified in the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021), or
  - b) an increase in the frequency or seriousness of those activities after its expiration.
  
3. This Extension and Variation Order therefore extends the provisions and requirements of the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) for a period of three years commencing on the date that this Extension and Variation Order is made.

## **VARIATION**

4. The Council in making this Extension and Variation Order under Section 61 of the Act is satisfied that the conditions in Sections 59(2) and (3) of the Act are met as regards to the activities identified in the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) applying to an area which it did not previously apply, and therefore this Extension and Variation Order varies the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) by increasing the restricted area it applies to as follows;
  - a) adding the Multi Use Games Area (MUGA) on Bolton Avenue in Huncoat to the restricted area, as per the plan entitled Bolton Avenue Play Area annexed hereto (refer to Appendix 5),
  - b) adding the new playground and MUGA at Knuzden Recreation ground to the restricted area, as per the plan entitled Knuzden Play Area annexed hereto (refer to Appendix 5) , and

5. The Council in making this Extension and Variation Order under Section 61 of the Act is satisfied that the conditions in Sections 59(2) and (3) of the Act are met as regards to the activities identified in the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) applying to an area which it did not previously apply, and therefore this Extension and Variation Order varies the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) by reducing the restricted area it applies to as follows;
- a) removing the open space at Brookside View in Oswaldtwistle from the restricted area,
  - b) removing the bottom plateau at Bullough Park playing fields from the restricted area, as per the plan entitled Bullough Park (refer to Appendix 5) annexed hereto,
  - c) reducing the area on the bottom plateau at Memorial Park playing fields to exclude the area not used for football pitches from the restricted area, as per the plan entitled Memorial Park & Playing Fields (refer to Appendix 5) annexed hereto, and
  - d) reconfiguring the area at Wilson Playing Fields used for sports pitches to take into account the construction of the new leisure centre, as per the plan entitled Wilson Playing Fields (refer to Appendix 5) annexed hereto.
6. All of the prohibitions and restrictions contained in the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) apply to the restricted area as set out therein, subject to the variations made by this Extension and Variation Order from the date on which it is made, until such time as it no longer remains in force.

## GENERAL PROVISIONS

7. It is an offence under Section 67 of the Act for any person without reasonable excuse to do anything that the person is prohibited from doing by, or to fail to comply with a requirement of, the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) and this Extension and Variation Order, to which the person is subject under the provisions of this Order. Any person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
8. A constable or a person authorised by the Council for purposes of Section 68 of the Act may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under Section 67 of the Act in relation to the Hyndburn Borough Council (Control Of Dogs) Public Spaces Protection Order (Number 1 of 2021) and this Extension and Variation Order. The penalty to be paid by a person issued with a fixed penalty notice shall be £80.
9. The Council is satisfied in accordance with Section 72(1) and (2) of the Act that the provisions of this Extension and Variation Order do not contravene articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
10. An interested person (being an individual who lives in the restricted area or who regularly works in or visits that area) may apply to the High Court to question the validity of this Extension and Variation Order, within the period of 6 weeks beginning with the date on which the order is made, on either of the following grounds;
  - a) that the Council did not have power to make the order, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
  - b) that a requirement under Chapter 2 of the Act was not complied with in relation to the order.



Dated this                    day of                    2024

**THE COMMON SEAL of  
HYNDBURN BOROUGH COUNCIL**

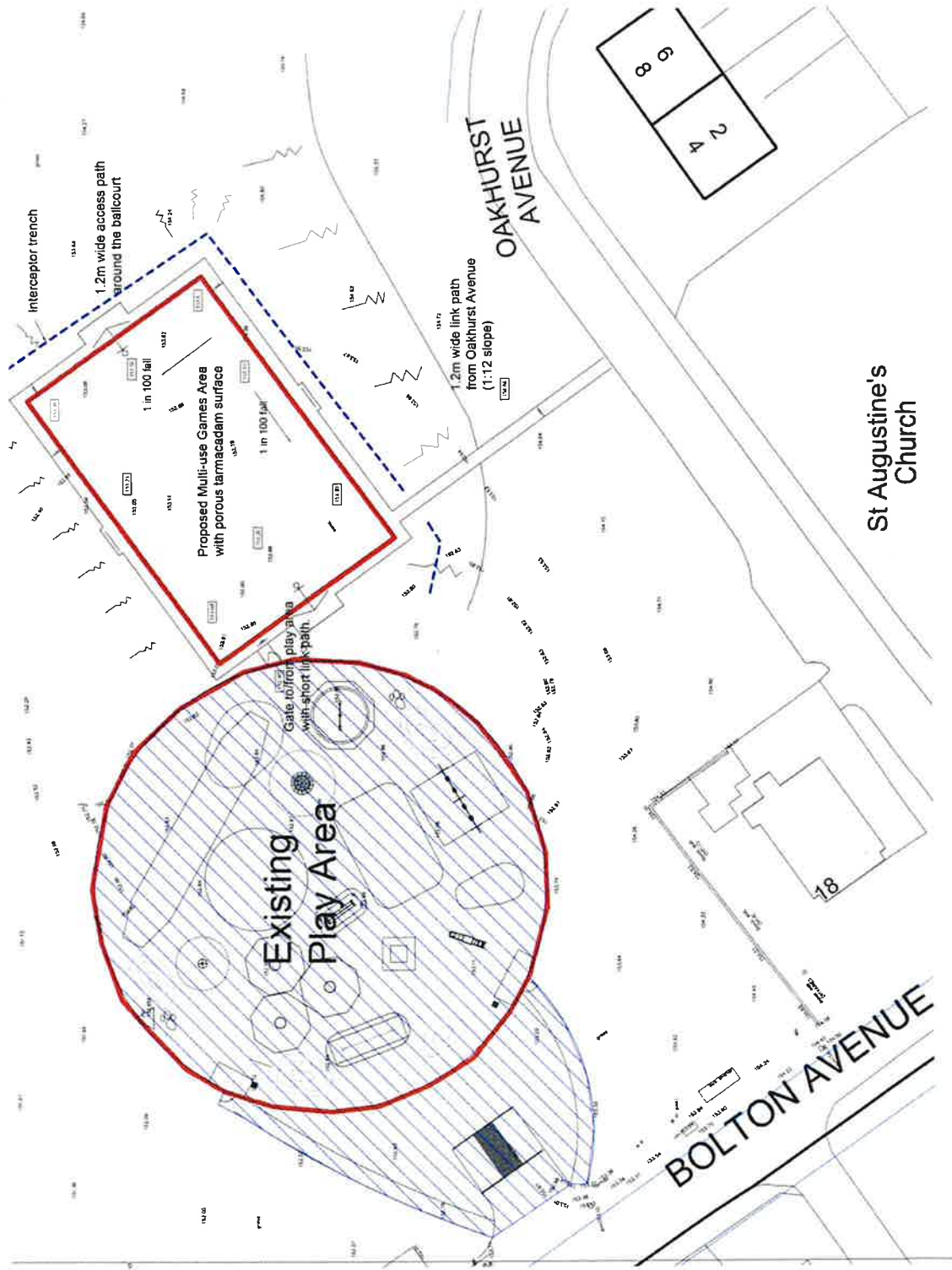
Was hereunto affixed in the presence of

Executive Director (Legal and Democratic Services) / Solicitor

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# Bolton Avenue Play Area, Accrington



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# BULLOUGH PARK - SPORTS PITCHES



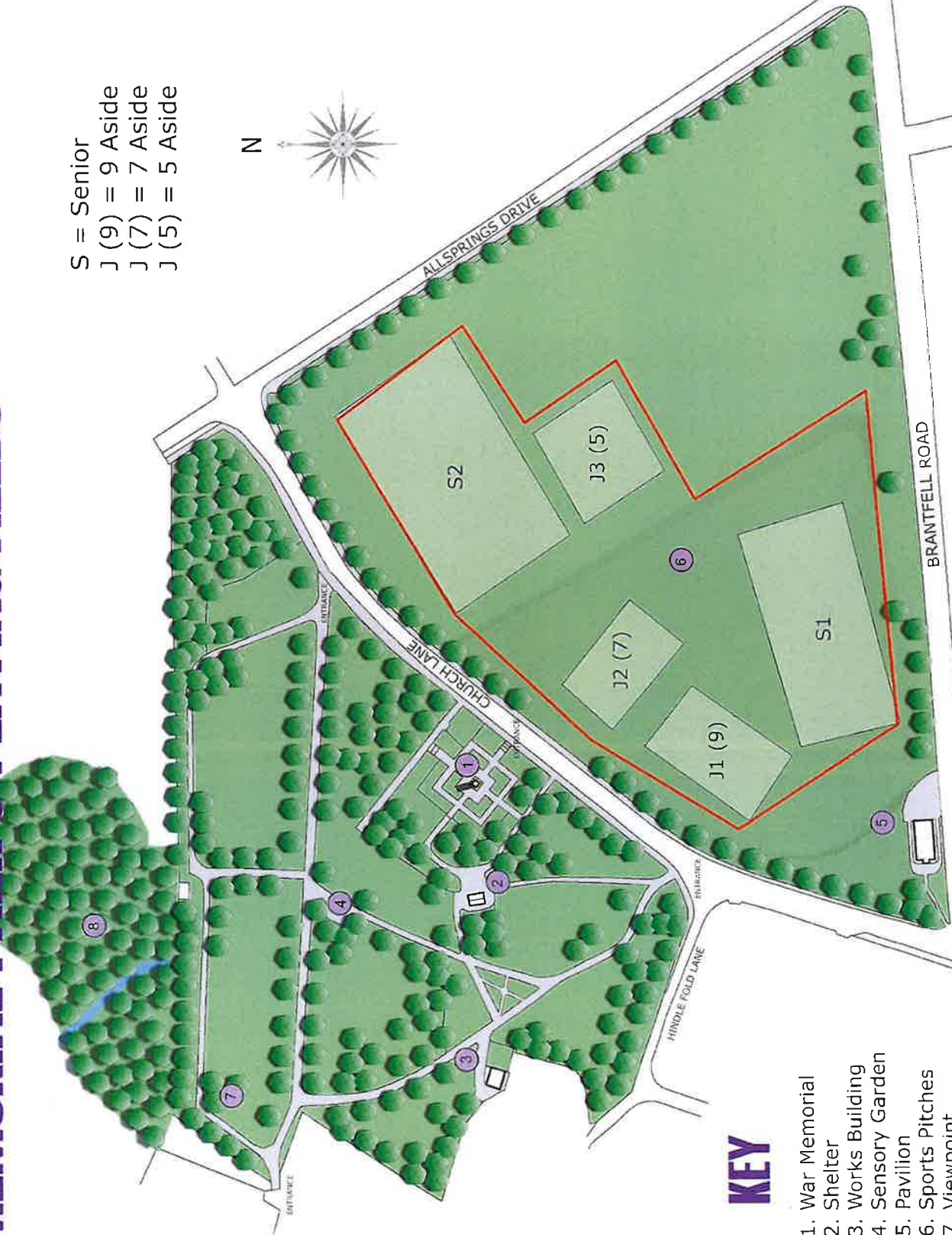
C = CRICKET

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# MEMORIAL PARK & PLAYING FIELDS

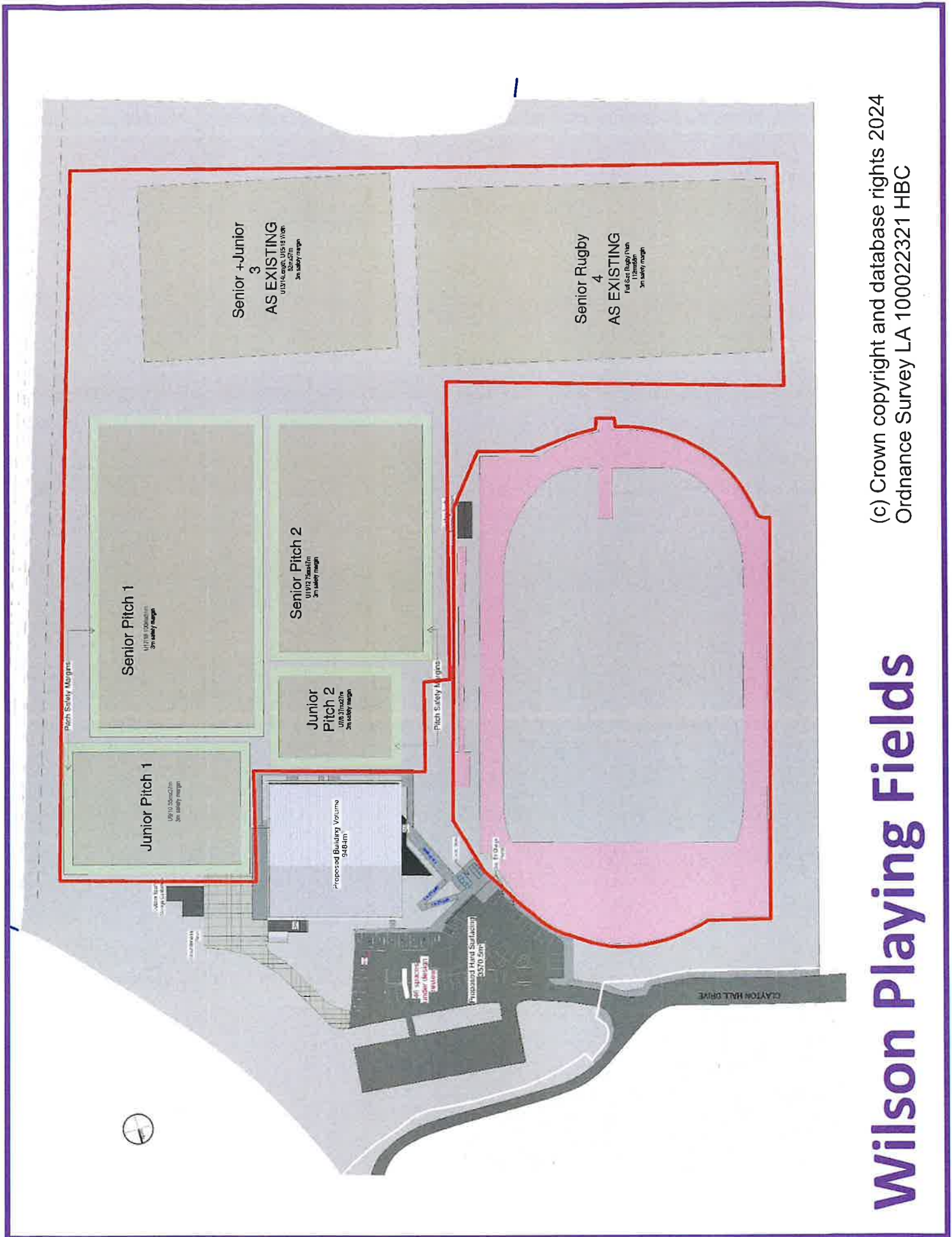
S = Senior  
 J (9) = 9 Aside  
 J (7) = 7 Aside  
 J (5) = 5 Aside



## KEY

1. War Memorial
2. Shelter
3. Works Building
4. Sensory Garden
5. Pavilion
6. Sports Pitches
7. Viewpoint
8. Woodland (Roundwood, Biological Heritage Site)

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# Wilson Playing Fields

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