

Appendix C – Summary of measures to be introduced by each Public Space Protection Order which will be consulted on.

PSPO 1	The Fouling of Land By Dog Order
Area covered	Order covering all of the public spaces within Maidstone
Details	An offence will be committed if a person responsible for the dog(s) allows dog fouling by not removing dog faeces from any public place.
Justification	Although an act committed by a small minority of people it is important that the authority continues to utilise all available powers to deter irresponsible dog owners who do not clean up after their dog. This will replace the existing dog control order, increasing the available FPN from £75 to £100.
Quality of Life	The negative impact of Dog Fouling on a community is well documented. Beyond the unpleasant physical impact of dog faeces, there are more acute issues such as toxocariasis (dog roundworm) which can lead to blindness.
Persistent	Although an act undertaken by a small number of irresponsible dog owners. With an estimated 8.5 Million dogs in the UK it is felt that the deterrent and ability to challenge irresponsible dog owners remains a proportionate and necessary power.
Unreasonable Behaviour	Not clearing up after a dog is not only seen as socially unacceptable but has been a criminal offence since 1996.
FPN	£100
Maximum Fine (via courts)	£1000
Additional measure	A further measure will be created making it an offence for a person who suspected to have breached the prohibitions of the Order, to fail to give their name, date of birth and address on request.
Exemptions	The following persons are exempt from being required to remove their dog faeces from the land forthwith: <ul style="list-style-type: none"> - a person who is registered as a blind person - a person who has a disability and relies on a dog trained from the following prescribed charities i.e. from the "Dogs for the Disabled", "Support Dogs" or "Canine Partners for Independence".

PSPO 2	Exclusion of dogs order
Area covered	Order covering specified children's play areas and the crematorium.
Details	An offence will be committed if a person responsible for the dog(s) allows the dog to enter any children's play areas which is owned or maintained by Maidstone Borough Council or by any county, parish or town council or by any Registered Social Landlord within the administrative area of Maidstone District where a "no dog sign" is displayed. This includes the play area within Cobtree Park and potentially Parish parks which are not enclosed by a fence but could be indicated on a local map and with signage so as to afford them the same protection as other children's play areas. An exclusion zone will also be maintained at the crematorium without seeking permission from the Bereavement Services Manager. Details and maps of each area covered will be provided with the public consultation following engagement with RSLs and Parish Councils.
Justification	Children and their parents deserve to be able to enjoy play areas designed for their enjoyment without the fear of an unruly, unwelcome dog or the risk of dog faeces being present. Responsible dog owners understand the need to keep children and dogs separate in these areas and although we have never issued an FPN to someone for breaching the existing Dog Control Order, it has been used on a number of occasions to require dogs to be removed from play areas using the threat of enforcement. Unlike the existing Dog Control Order the proposed Exclusion of Dogs Order will apply to all specified play areas, including those that are not fenced but are clearly identifiable as play areas because of the apparatus available for children to enjoy. This is because concern has been raised by some parish council's, such as Ulcombe, where there play areas are not enclosed. The FPN will be reserved for persistent offenders, using the PSPO to raise awareness as part of a broader enforcement arsenal.
Quality of Life	As highlighted above, it is felt that because of issue associated with irresponsible dog ownership such as fouling and allowing dogs to be in areas designed for children presents an unreasonable risk of harm.
Persistent	Like fouling this is not an issue that occurs regularly but with the large number of dogs within the borough there is a small percentage of irresponsible dog owners that will knowingly allow their dogs to enter a children's play area, creating an unnecessary risk.
Unreasonable Behaviour	Parliament have provided the power to tackle irresponsible dog ownership to local authorities because it is felt that the behaviour of some dog owners is unacceptable because of the risk to health and welfare it presents, particularly to our children.
FPN	£100
Maximum Fine (via courts)	£1000

Additional measure	A further measure will be created making it an offence for a person who suspected to have breached the prohibitions of the Order, to fail to give their name, date of birth and address on request.
Exemptions	The following are exempt from the dog exclusion order, i.e. they are able to take their dogs into the dog exclusion zones: <ul style="list-style-type: none"> - a person who is registered as a blind person - a person who has a disability and relies on a dog trained by the following prescribed charities i.e. from either "Dogs for the Disabled", "Support Dogs" or "Canine Partners for Independence". - a person who is deaf and relies on a dog trained by the Hearing Dogs for Deaf People.

PSPO 3	Dog on lead (Maidstone Cemetery) order
Area covered	Maidstone Cemetery Sutton Road Maidstone Kent ME15 9AF
Details	An offence will be committed if a person responsible for the dog(s) on any land to which this Order applies does not keep the dog on a lead
Justification	Concern has been raised over recent incidents within the cemetery caused by dogs being walked off of their lead and dogs that have been allowed to roam in the cemetery unsupervised. This includes dogs running loose amongst the graves and approaching other visitors who were visiting graves, urinating on headstones and even defecating amongst the graves. This is morally and socially unacceptable. Although these incidents are not regular their impact has the potential to cause a great deal of upset.
Quality of Life	As highlighted above, it is felt that because of issue associated with irresponsible dog ownership in such a sensitive location presents an unreasonable risk of harm (physically and emotionally) to those visiting graves and memorials within the cemetery.
Persistent	Like fouling this is not an issue that occurs regularly but with the large number of dogs within the borough there is a small percentage of irresponsible dog owners that will knowingly allow their dogs to enter the cemetery without placing them on a lead.
Unreasonable Behaviour	Parliament have provided the power to tackle irresponsible dog ownership to local authorities because it is felt that the behaviour of some dog owners is unacceptable because of the risk to health and welfare it presents.
FPN	£100
Maximum Fine (via courts)	£1000

Additional measure	A further measure will be created making it an offence for a person who suspected to have breached the prohibitions of the Order, to fail to give their name, date of birth and address on request.
Exemptions	None