



NORTHAMPTON
BOROUGH COUNCIL

Report Title	PROPOSED VARIATION TO THE NORTHAMPTON BOROUGH COUNCIL PUBLIC SPACES PROTECTION ORDER 2020
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CABINET REPORT

AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	3 rd March 2021
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Community Safety & Engagement
Accountable Cabinet Member:	Cllr Mike Hallam
Ward(s)	Upton

1. Purpose

- 1.1. To seek authority for the Director of Customers and Communities, following the statutory consultation, to vary the Northampton Borough Council Public Spaces Protection Order 2020 (“the PSPO”) in accordance with section 61 of the Anti-Social Behaviour, Crime & Policing Act 2014 (“the Act”). The proposed variation would insert a new prohibition into the PSPO prohibiting dogs being off lead within the area of Upton Country Park known as “Phase 2”, as outlined in red on the plan appended to this report as Appendix 2.

2. Recommendations

It is recommended that Cabinet:

- 2.1. Resolves to vary the existing PSPO in order to create a new prohibition against dogs being walked off lead within the area of Upton Country Park known as “Phase 2”, which is outlined in red on the plan appended to this report as Appendix 2.
- 2.2. Authorises the Borough Secretary to complete all of the statutory processes as required by the Act in order to vary the existing PSPO.

3. Issues and Report Background

- 3.1. PSPOs are designed to stop all individuals, or a specific group of persons, committing anti-social behaviour in a public space. The criteria that must be satisfied when considering whether to make a PSPO is whether a particular activity or activities has or is likely to have a detrimental effect on the quality of life of those in the locality and that the activity is, or is likely to be, persistent or continuing in nature. The activity must also be “unreasonable” and any restriction must be justified.
- 3.2. PSPO’s provide Councils with a flexible power to implement local restrictions to address a range of anti-social behaviour issues in public places in order to prevent future problems and provide protection for victims of such behaviour. It is important that PSPO’s are used proportionately .
- 3.3. A PSPO can be made for a maximum of three years. The Act provides a mechanism for a PSPO to be renewed at the end of that period, but only for a further period of up to three years. Orders can be renewed more than once. Local Authorities can increase or reduce the restricted area of an existing Order, amend or remove a prohibition or requirement, or add a new prohibition or requirement. They can also discharge an Order.

3.4. Enforcement may be shared between the Council and the Police. Breach of a PSPO is a criminal offence which can result in the issuing of a Fixed penalty Notice (“FPN”) or a prosecution resulting in a fine of up to £1,000 upon conviction. Enforcement can be undertaken by Council Officers, any person authorised by a Local Authority for the purpose of issuing FPNs for breaches of a PSPO and Police Constables.

3.5. The Council engaged in a 6 week online public consultation via an open access online survey using ‘Survey Monkey’. The following were contacted in writing and made aware of the proposed variation of the PSPO, it’s potential effect and the on-line consultation;

- The owner of the sheep with the right to graze on the “Phase 2” area of Upton Country Park.
- Upton Parish Council
- Hunsbury Meadows Parish Council
- Marina Park Residents Association
- Community Spaces Northampton
- St James’ Residents Association
- Upton Meadows Residents Association
- Friends of West Hunsbury Park
- Northamptonshire County Councillor (Sixfields) Pinder Chauhan
- Northamptonshire Police
- Northamptonshire County Council - corporately

3.6. Signs were also displayed around Upton Country Park inviting responses to the On-Line survey monkey questionnaire from park users. Paper copies of the consultation were also made available on request.

- 3.7. The consultation sought views on the proposed prohibition of dogs being off lead in the Phase 2 area of Upton Park. Full results of the consultation are available to view at **Appendix 3**.
- 3.8. There were 243 responses to the questionnaire. 227 gave their postcode with the majority being NN4, NN5, NN6 or NN7. There was only 1 non NN postcode.
- 3.9. The responses to the public consultation broadly support the amendment of the PSPO as proposed, with 76% (185 people) in favour of prohibiting dogs off lead in the Phase 2 area of Upton Country Park, as opposed to 24% (59 people) against. One person did not answer this question.
- 3.10. Comments were also invited as part of the consultation exercise, all of which can also be viewed at **Appendix 3**. The main recurring comments were that some park users found the current signs requesting that dogs are kept on a lead within the “Phase 2” area to be a little confusing and other users wanted the proposed prohibition actually enforced.
- 3.11. Other park users commented that all the places for allowing dogs off lead in Upton Country Park were being taken away. That is not the case, as the proposed prohibition is only with regard to the specific area of “Phase 2” and not the whole Country Park, as shown in the plan at **Appendix 2**.

4. Choices (Options)

- 4.1. Cabinet can decide to do nothing. However, this is **not recommended** because Officers consider that this would potentially fail to meet the needs of the wider community and leave the sheep that are legally entitled to roam freely within the “Phase 2” area of the Country Park open to further dog attacks.
- 4.2. Cabinet can decide to vary the existing PSPO to prohibit allowing dogs off leads in the “Phase 2” area of Upton Country Park, as is broadly supported by the public consultation. This option is **recommended** in order to prevent

further attacks on sheep by dogs within the “Phase 2” area of Upton Country Park.

Implications (including financial implications)

5. Policy

- 5.1. The approach supports the multi-agency Countywide Anti-Social Behaviour Policy that Northampton Borough Council is signed up to.
- 5.2. The Crime and Disorder Act 1998 places a statutory duty on all local authorities to work in partnership with statutory, non-statutory, community and voluntary agencies to develop and implement strategies and policies for tackling crime and disorder.
- 5.3. Under Section 17 of that Act, Northampton Borough Council has a statutory duty to ‘exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent crime and disorder’.
- 5.4. One of the Council’s stated corporate priorities is to “invest in safer, cleaner neighbourhoods”. A renewal of the existing PSPO should continue to positively contribute towards this priority.

6. Resources and Risk

- 6.1. A PSPO can be enforced by both the Police and Council. The Council currently processes any £100 FPNs issued, regardless of which agency issues them. Any income generated by payment of FPNs issued for a breach of the PSPO must by law be directed back into management of the PSPO enforcement process.
- 6.2. A Park Ranger will patrol Upton Country Park on most days to ensure park users are complying with the proposed new prohibition in the PSPO when

walking their dogs through Phase 2 of the park and carry out any required enforcement as mentioned in paragraph 6.1 above.

- 6.3. New enforcement signs would need to be produced and displayed throughout Upton Country Park. However, the existing signposts can be used but, taking into account some of the comments about confusing signs in the Country Park submitted as part of the consultation, the location of the signposts will be reviewed to ensure they are ideally situated.

7. Legal

- 7.1. A PSPO can be varied by a Local Authority at any time whilst it is in force if Members are satisfied on reasonable grounds that two conditions are met. These are that;

- (i) Activities carried on in a public place within the authority's area **have** had a detrimental effect on the quality of life of those in the locality,
- (ii) It is likely that activities **will** be carried on in a public place within that area and that they will have such an effect and

that the effect of the activities **is, or is likely to be**, of a persistent or continuing nature such as to make the activities unreasonable and therefore justifies the restrictions imposed by the variation to the Order.

- 7.2. The variation of a PSPO can be challenged in the High Court by any person directly affected within 6 weeks of the variation of the Order. A challenge can be made on the basis that the Council did not have the power to vary the Order, that the particular new prohibitions or requirements are unnecessary or that the varied Order is defective.

8. Equality and Health

- 8.1. Incidents of anti-social behaviour will be dealt with in line with the Council's equalities framework. Officers consider that varying the existing PSPO in the proposed manner will have a significant community impact in preventing and limiting attacks on sheep in Upton Country Park, improving the quality of life for the farmer to whom the sheep belong and park users in general.
- 8.2. An Equality Impact Assessment has been carried out and this can be found at **Appendix 4.**

9. Consultees (Internal and External)

- 9.1. The following were either consulted or notified about the proposal to renew the existing PSPO, in addition to the statutory consultation that took place and which is detailed at paragraphs 3.5 to 3.11 above.

- Director of Customers & Communities, NBC
- Environmental Health & Licensing Manager, NBC
- Community Safety Partnership Manager
- Northants Police
- Cabinet Member for Community Safety, NBC
- Highways Authority
- Northants Fire Service
- East Midlands Ambulance Service
- Planning Department, NBC

10. Background Papers

- Anti-Social Behaviour, Crime and Policing Act 2014: Reform of Anti-Social Behaviour Powers Statutory Guidance for Frontline Professionals.

11. APPENDICES

Appendix 1 – Proposed Varied Northampton Borough Council Public Space Protection Order 2020

Appendix 2 – Plan of Upton Country Park with “Phase 2” outlined in red.

Appendix 3 – Results of consultation and comments submitted.

Appendix 4 – Equality Impact Assessment

Marion Goodman
Assistant Chief Executive (Interim)
Director of Customers & Communities

APPENDIX 1 – Proposed Varied Northampton Borough Council Public Space Protection Order 2020 (Proposed variations highlighted in red).



Northampton Borough Council Public Spaces Protection Order 2020

Northampton Borough Council ("the Council") makes the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act").

The land described by the maps at Appendices 1, 1A and 1B, being land in the area of the Council, is land to which the Act applies and will be protected by this Order.

The Order may be cited as the Northampton Borough Council Public Spaces Protection Order 2020.

1. Any person is prohibited, at any time when within the area outlined in black at Appendix 1 of this Order, from ingesting, injecting, smoking or otherwise using intoxicating substances. Intoxicating substances are defined for the purposes of this Order as substances with the capacity to stimulate or depress the central nervous system, including illegal drugs or psychoactive substances (so-called "legal highs"), but excluding alcohol, tobacco or prescription medication.

2. Persons within the area outlined in black at Appendix 1 will not have any item that can be used to assist in the taking of intoxicating substances defined in paragraph 1 above. This includes any device for smoking substances other than e-cigarettes. It also includes needles, except for those packaged and sealed by the manufacturer and stored in a hard case.

3. Persons within the area indicated outlined in black at Appendix 1 will not have in their possession any open containers of alcohol in any public place open to the air.

4. No person shall urinate or defecate in any public place open to the air in the area outlined in black at Appendix 1. This does not include public toilets.

5. No person shall spit in any public place open to the air in the area outlined in black at Appendix 1.

6. Persons who are in charge of a dog must remove its faeces from the land from land outlined in black at Appendix 1 forthwith unless:

- a. there is reasonable excuse for failing to do so (not being in possession of a bag to remove the faeces is not a reasonable excuse); or
- b. the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

7. A person in charge of a dog on land within the following areas only, within the larger area outlined in black at Appendix 1, must keep that dog on a lead **at all times**:

- a. all children's play areas in public parks,

- b. all cemeteries,
- c. Northampton town centre (as outlined in black at Appendix 1A) and

d. The "Phase 2" area of Upton Country Park (as outlined in red at Appendix 1B).

8. Any person who fails to comply with the prohibition at paragraph 3 of this Order without reasonable excuse commits an offence under section 63 of the Act if they then fail to cease drinking alcohol and dispose of or surrender any open containers of alcohol in their possession upon request by a Police Constable ("a Constable") or a person duly authorised in writing by Northampton Borough Council ("An Authorised Officer").

9. This Order is subject to the exemptions at Appendix 2.

10. A person committing an offence under Section 63 of the Act may be issued with a Fixed Penalty Notice ("FPN") of £100.00 by a Constable or an Authorised Person, in accordance with section 68 of the Act, payment of which will discharge liability to conviction for that offence

11. A person guilty of an offence under Section 63 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500). No proceedings may be taken for any offence before the end of the 14 day period following the date of issue of an FPN. The person may not be convicted of the offence if the FPN is paid before the end of that period.

12. Any person who fails to comply with the prohibition at paragraph 1 of this Order without reasonable excuse commits an offence under section 67 of the Act if they then fail to comply with a reasonable request by a Constable or an Authorised Officer to;

- a. surrender any open containers of intoxicating substances in their possession,
- b. surrender any item used to assist in the taking of any intoxicating substance or
- c. secure safe disposal of any needles in their possession not sealed and stored as set out in Paragraph 2 of this Order.

13. Any person who fails to comply with any prohibition at paragraphs 4,5,6 and 7 of this Order without reasonable excuse also commits an offence under section 67 of the Act.

14. A person committing an offence under Section 67 of the Act may be issued with a Fixed Penalty Notice ("FPN") of £100.00 by a Constable or an Authorised Person, in accordance with section 68 of the Act, payment of which will discharge liability to conviction for that offence.

15. A person guilty of an offence under Section 67 of the Act is liable on summary conviction to a fine not exceeding level 2 on the standard scale (currently £500). No proceedings may be taken for any offence before the end of the 14 day period following the date of issue of an FPN. The person may not be convicted of the offence if the FPN is paid before the end of that period.

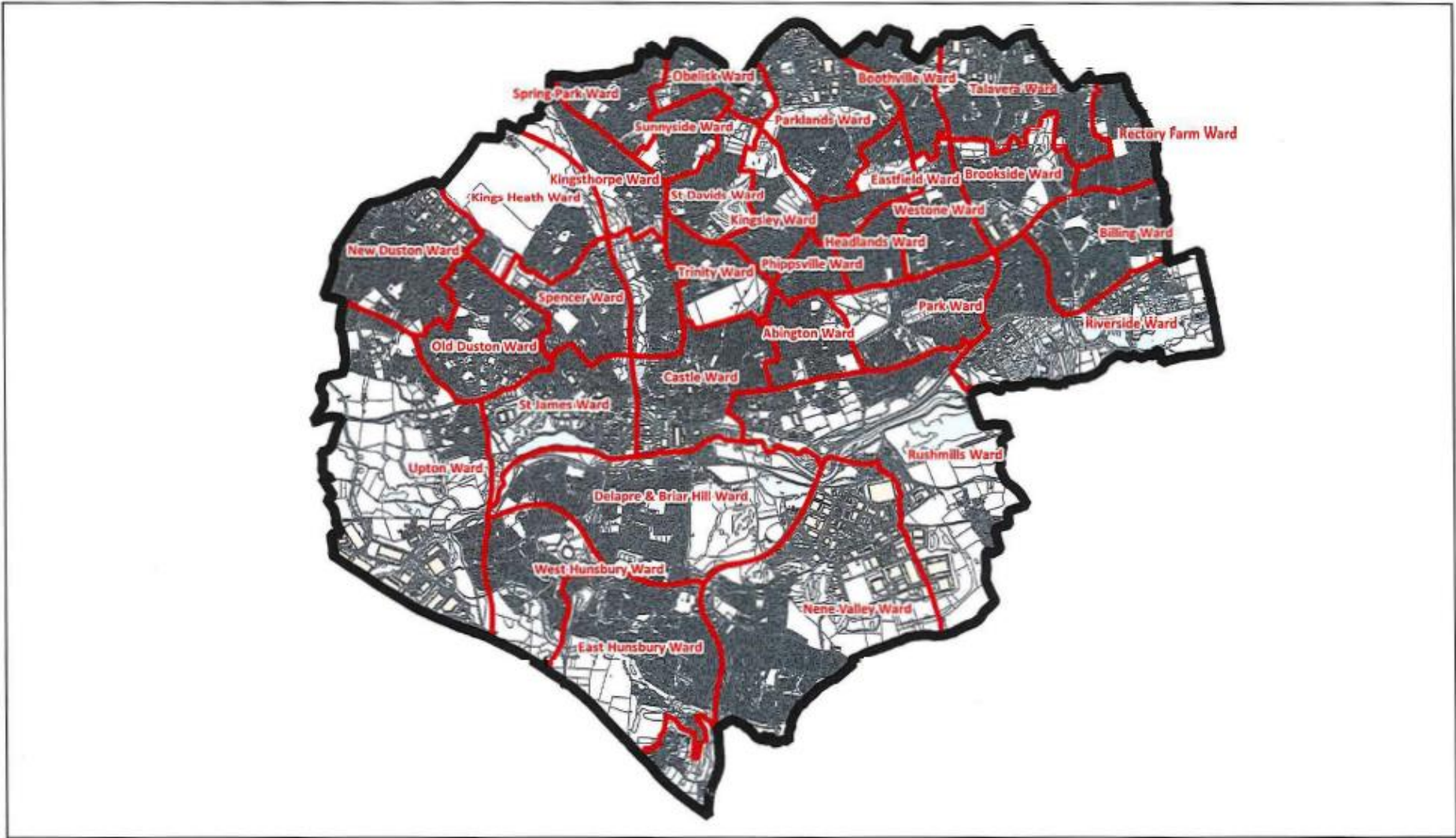
16. In consulting upon the prohibitions within this Order and upon making it, the Council has had particular regard to the rights of freedom of expression and freedom of assembly as set out in Articles 10 and 11 of the European Convention on Human Rights

17. This Order shall come into force on 18th September 2020 and remain in place for a period of three years.

Dated: 18th September 2020

Signed

Francis Fernandes
Borough Secretary
Northampton Borough Council



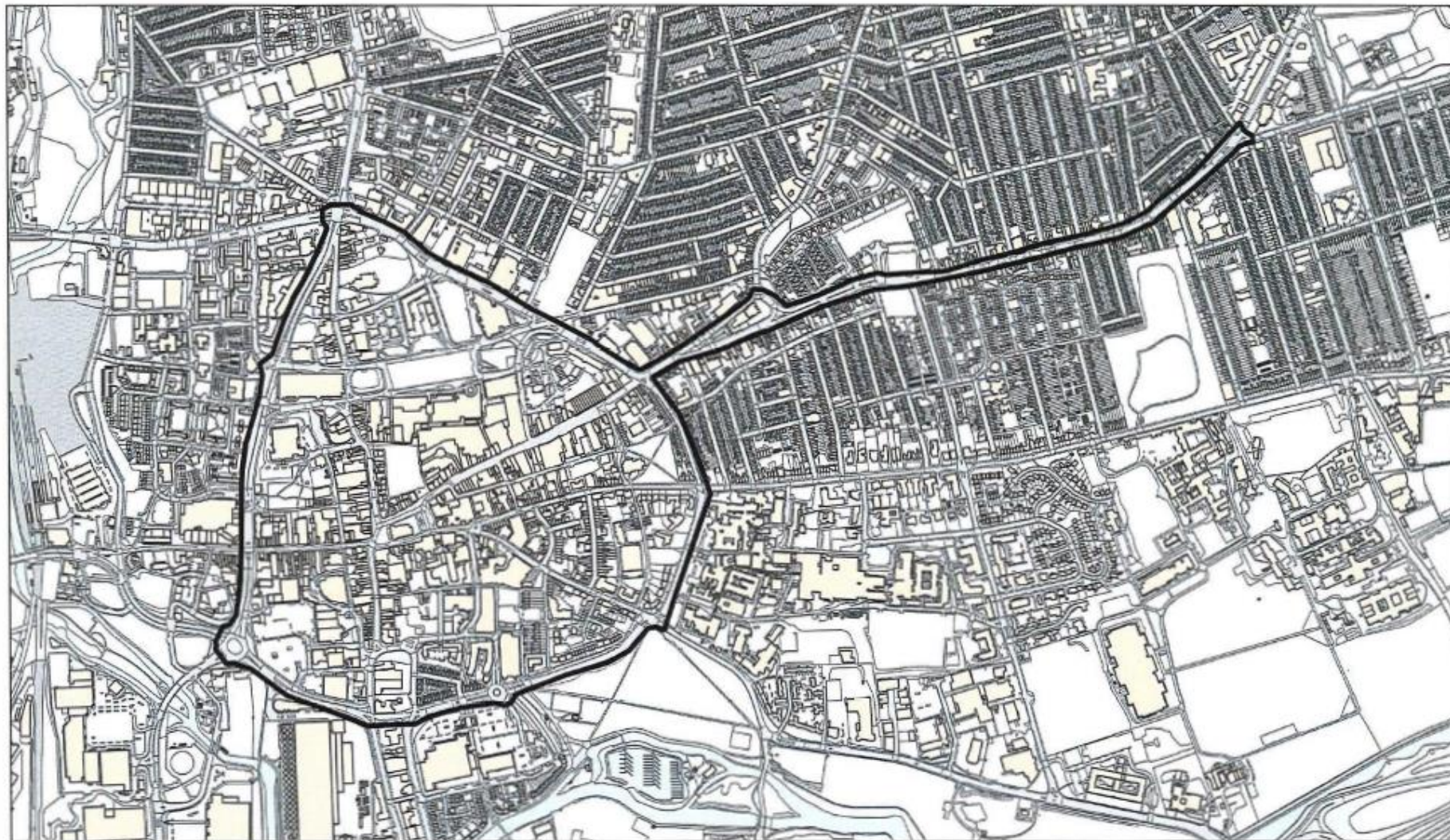
Title: **Appendix 1**

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Title: **Appendix 1A**

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APPENDIX 2

Exemptions

1. Nothing in Paragraph 3 of this Order, (relating to the consumption of alcohol in a public place open to the air) shall apply to:

(a) Premises authorised by a premises licence to be used for the supply of alcohol

(b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) A place within the curtilage of premises within paragraph (a) or (b);

(d) Premises which by virtue of Pt 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before that time;

(e) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under s 115 of the Highways Act 1980 (highway-related uses)

2. A prohibition in the Order on consuming alcohol does not apply to council-operated licensed premises or land:

(a) When the premises or land are being used for the supply of alcohol; or

(b) Within 30 minutes of the end of a period during which the premises have been used for the supply of alcohol.

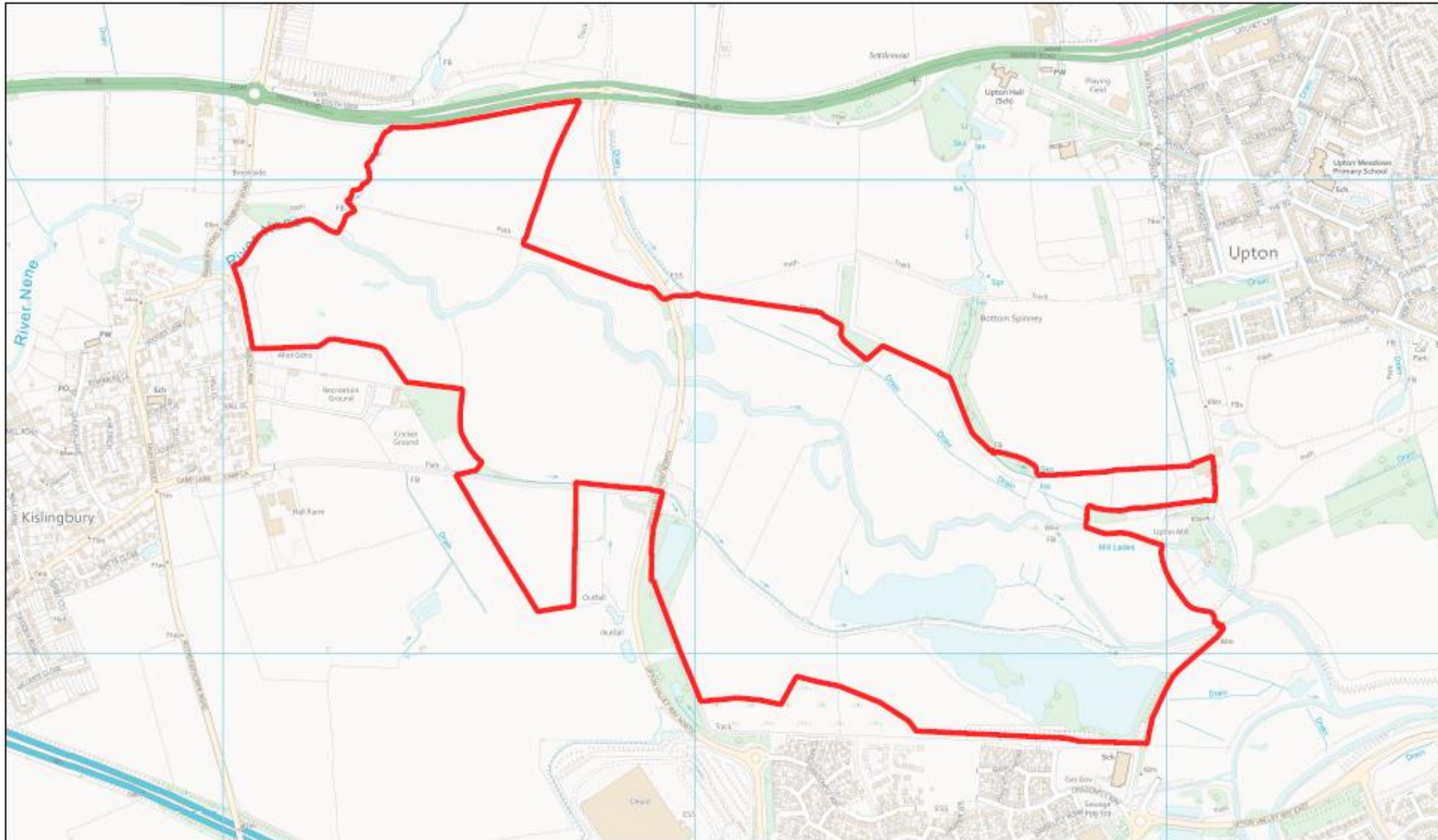
3. Nothing in Paragraph 5 and 6 (removal of dog faeces & dogs on leads) shall apply to a person who:

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

(b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

(c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

APPENDIX 2 Upton Country Park Phase



Title: **Upton Country Park - Phase 2**

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Date: 22-10-2020

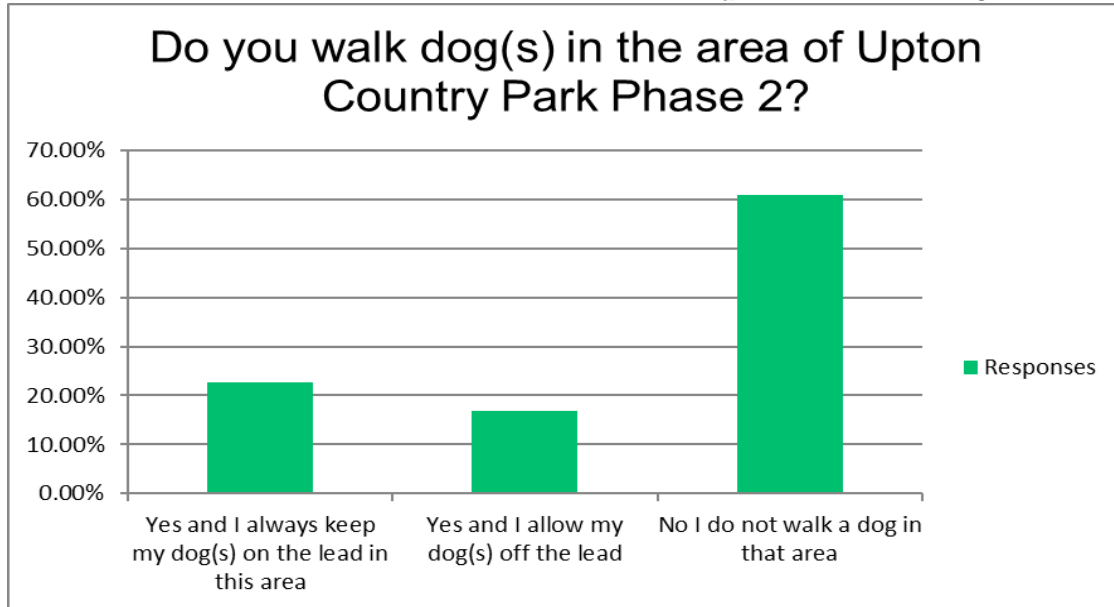
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APPENDIX 3 – Results of Consultation and Comments Submitted.

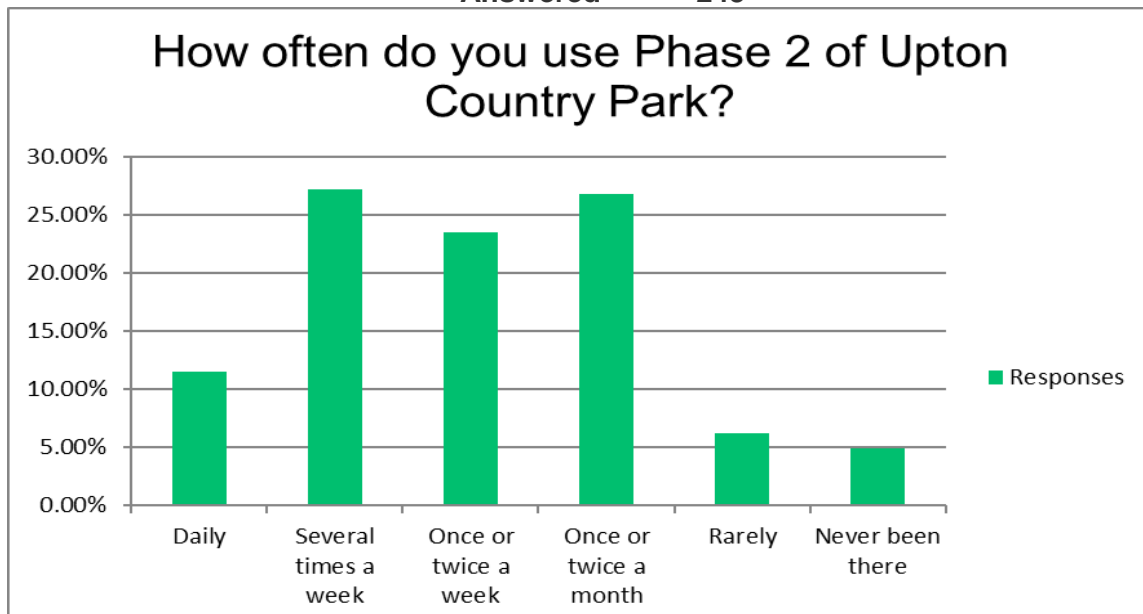
Do you walk dog(s) in the area of Upton Country Park Phase 2?

Answer Choices	Responses	
Yes and I always keep my dog(s) on the lead in this area	22.63%	55
Yes and I allow my dog(s) off the lead	16.87%	41
No I do not walk a dog in that area	60.91%	148
Answered		243



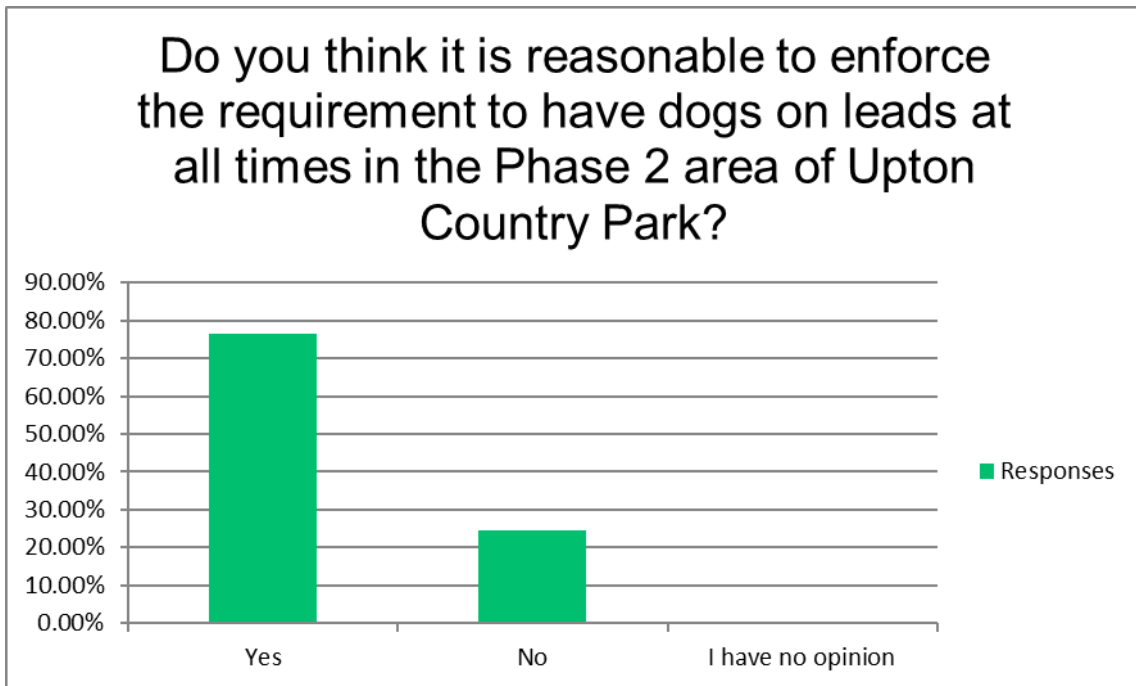
How often do you use Phase 2 of Upton Country Park?

Answer Choices	Responses	
Daily	11.52%	28
Several times a week	27.16%	66
Once or twice a week	23.46%	57
Once or twice a month	26.75%	65
Rarely	6.17%	15
Never been there	4.94%	12
Answered		243



Do you think it is reasonable to enforce the requirement to have dogs on leads at all times in the Phase 2 area of Upton Country Park?

Answer Choices	Responses	
Yes	76.45%	185
No	24.38%	59
I have no opinion	0.41%	1
Answered		242



All the dogs must put on the lead at all the time in the public for everyone feel completely chill and safe when we're outside. Thank you

Dogs should be on a lead where public pathways and sheep coincide. Perhaps the farmer should be more vigilant with his sheep as only last week there was one with a broken leg and several with foot rot. Nothing to do with dogs

I have a little small dog I do let her off the lead but put her back on lead when other bigger dogs or sheep and horses are around and yes I would support the dogs on lead in park

Dogs should be on lead in areas that sheep are grazing at the time

I do not own a dog but I like to walk in this part of the park as I feel safe from dogs running at me and scaring me. I would like to see dogs on leads in all parks OR more responsible owners able to control their dogs

Dogs should be on a lead at all times around other animals and people. Upton county park is a popular place for joggers who have also been attacked by dogs not on leads

If it's a park get rid of the sheep if it's a muddy field full of sheep and a flood overflow stop calling it a park! Simple!

I completely understand having dogs on lead through the area in which sheep's graze. The straight path that runs alongside Kislingbury lake does not have sheep grazing and therefore dogs should not have to be kept in lead. If detouring off the path into the sheep fields, I always and would enforce keeping dogs on lead to keep the sheep safe. I genuinely do not see the difference between that path (which you mustn't have dogs off lead) and the phase 1 path, a minute walk away, in which you can.

I walk the area regularly and have come across an increasing number of irresponsible dog owners. Only today I came across a man with two dogs off their leads who were aggressive towards me, it took him at least five attempts to get them on their leads, meanwhile one jumped up me with muddy paws. He was abusive towards me when I pointed out they should be on a lead and kept under control. I regularly see dogs in the park off of leads and owners not caring where they go and what they do, often dog poo is not picked up. I think there is a threat to both the sheep and humans, I know of several people who won't go into the park because of dogs, for me it spoils a good walk to be confronted by dogs and their aggressive owners. I would hope that this is strongly enforced both for the sake of the sheep and other park users.

Dog owners should abide by the rules and keep dogs on leads as per the signs to protect the sheep and lambs. They should also be mindful to keep a look out for bicycles and other people on foot and shorten long dog leads when needed. This is a fantastic facility for ALL to SHARE.

Dog owners who choose not to have their dogs on leads have been abusive to anyone including farmer and ranger who ask them to use the leads. Dogs are a hazard if loose not only for sheep but other walkers, runners, young and disabled children People should respect countryside code which has been accepted. Do not have dogs not on leads where there is livestock.

Get on with it! I am frustrated by the absolute arrogance of people who constantly let dogs off the lead. People cycle and run with dogs off the lead. Selfish and ignorant

All dogs on leads please and some enforcement would also be nice!

Phase two is a vast area. In regards to the welfare of farm animals it is clear where these segregated areas are and signs clearly posted to keep dogs on leads. It is essential dog owners do in these areas and absolutely I agree should be enforced with fixed penalty if not. We are using grazing areas of the animals and should respect their space! The tarmac path from Wootton farm to Kislingbury is a separate space safe for dogs to be off the lead as grazing areas are secured by self closing gates. Outside the grazing areas I do not see the need to enforce dogs on leads. We need balance. The growing dog mess in Upton is a concern, also horse mess in the phase two area. Most owners I see are responsible as with many things it is the few who are not causing the issues.

I think its necessary as sadly there are a few who think the rules don't apply to them as their dog is 'trained' and wouldn't worry the sheep

I think that farmers are entitled to have their live stock protected from dogs and that as a dog owner myself I keep my dogs on lead at all times except in Phase 1 of the park where they enjoy a good run off lead. Although important for dogs to get sufficient exercise, there needs to be a common sense approach and respecting live stock is imperative. I agree with the proposals

The enforcement of this seems a disproportionate cost to the tax payer, I walk my dog every day at this location. The vast majority of dog owners do walk their dogs on a lead and I have never encountered a dog out of control. You can clearly see upon entering each section of the park whether there are livestock within. The land owner could put up clearer signage as a more reasonable step. The proposal should apply to the whole country park not just the phase two area. The proposal focusses on the recent attacks on livestock but there have been numerous instances of dog attacks on individuals.

I fully support dogs being on leads in Phase 2 of Upton Country Park.

We have lived in Upton on clickers drive since the estate was built. We have exercised our dog off the lead for all of this time. Why because of a few people with dangerous dogs or incompetent owners who let dogs off lead near the sheep should us owners with not dangerous dogs or being a competent owner be penalised? Surely the sheep should also be contained within the area so dogs cannot attack the sheep?

Fully endorse this and would also back in phase 1

I feel following recent incidents, that the proposed change is needed and warranted as a dog owner I have no issue with the changes.

I think that dogs should be on lead on whole of Upton Park as I've been attacked a number of times by the dogs

Any area where sheep are free to roam should have dogs on lead

We need to keep some open safe space to allow well behaved dogs some off lead time

I think it is disgraceful. My dogs are well trained and always come back when called. Where are we supposed to allow our dogs to exercise? I do not see why the field where the community centre has to have these restrictions on as well! There are no sheep in this part

I think that as long as your dog is well trained and under control they should not have to be on a lead.

I have walked and run with dogs over those fields for 15 years and have never had any issues with my dog running off. I think it's a disgrace that you are taking away the freedom for dogs to have a run in the fields. There are always people who will have unruly dogs off lead. I have had an incident where a dog set upon my dog, it should not have been off lead as it was an aggressive dog and I agree that some should be kept on a lead. I think it's a terrible shame that responsible dog owners and their pets are being penalised ! I imagined that having those paths would bring joy but what it has done has taken away my right to run with my dog and the joy I get from that.

I do not understand why dogs cannot be off the lead if there are no sheep in the area ie the footpath alongside the river where the sheep are fenced in. Or the area after the lakes heading towards the bridge and Upton Park. Dogs need to have some opportunity to run freely. I totally agree areas where there are sheep must be prohibited but feel the whole area is excessive.

What is a point of a country park if we cannot exercise our dogs. Enforcement to existing laws should be sufficient.

Fouling and coming too close to my small children is a real concern of mine
I do not own a dog but I do run in the country park and there are always dogs off leads some of which are not under control. I am ran at, jumped at and even have been subjected to an attempted bite from a dog not on a lead. I thought this was illegal anyway. I fully endorse his proposal and believe it should cover the whole of Upton country park

Dogs being walked as exercise cannot be allowed off the lead around sheep, in any circumstances. The fine should be a lot higher than 100

Where do you expect people to properly exercise dogs, which means to let them run, if you ban this in country parks.

Raised in the area know how to respect livestock. Should be made an offence to disregard farm animals. Dogs must be kept under strict control at all times. Bicycles should also not be on path as dangerous forcing walkers into sheep pastures.

With local lockdowns these areas seem much busier than usual, keeping dogs on leads will also help with social distancing as they are controlled

This area of the country park has several clear separate areas. The sheep are often in one of these areas. I believe if people are sensible, a dog could be walked off the lead in certain areas away from the sheep. The visibility ahead is clear from the path and a dog Walker would be able to see grazing sheep far in advance. I feel that an informal requirement is sufficient and public expenditure could be better utilised elsewhere rather than the enforcement of a PSPO in this area. The farmer could ensure there is clearer signage as the signage is small and does not leap out to you at the entrances to the space. Thank you

I live on Beech Lane in Kislingbury, so we have walkers with dogs on leads, walkers who expect to walk on the road and cars wait for them to walk all the way up the road. Then there are cars parked directly opposite the driveways in Beech Lane, where people go off for a couple of hours around the park. Finally, the entrance at the bottom of the part is an eyesore, not finished; quite dreadful.

In the section where the sheep roam I completely agree that leads are required. However, there are large sections of tarmac path where there are NO livestock and very secure fences. Why can't dogs be allowed off leads here? Banning dogs off leads across the whole of phase 2 is overkill and unnecessary. Please ban dogs off leads in the field areas only. There is no logic for the ban on the

paths that are secure.

Yes. On 10th January 2021 I reminded a cyclist who had a dog off the lead in a part of the park about the sheep being pregnant. He got off his bike and threatened to throw me in the river. I contacted the police who gave it a crime number as a Public Order offence. I agreed with the police to report any future sightings to the park ranger. But such attitudes and behaviour are experienced regularly by the ranger and by the farmer from people who think the rules don't apply to them. Unfortunately, it looks as though VPNs is the only answer for people who cannot use common sense.

Absolutely agree dogs on leads should be enforced - regularly see people blatantly ignoring the signs. Not just physical/visible attacks on sheep; the stress induced by loose dogs contributes to abortion. The area is also becoming increasingly important for wildlife (given the insidious creep of construction) which is vulnerable to disturbance by dogs off lead.

As phase 2 is in the flood catchment area and this is also open grazing land for sheep I would wholly recommend that all dogs are required to be on a lead at all times in the grazing areas whether sheep are grazing or not. It is pastureland. Yes to being walked in any grazing area regardless of the time of year or whether the sheep are actually present. This option would then hopefully get dog owners used to having to have their dogs on a lead at all times on any grazing land elsewhere. I'm fed up of hearing 'it's ok, my dog is friendly'. That is no good to the person who is terrified of dogs and possibly has been attacked by one. Also when a dog is off a lead, sees sheep and it's instinct kicks in, that previously well behaved obedient dog ignores it's owner to worry and possibly savage sheep. Many owners need to be made more accountable for their dogs behaviour. At the end of the day the owner can and should be prosecuted for sheep worrying and reminded that if caught in the act their pet dog can be shot on sight with no questions asked beforehand by the farmer. Many a walk has been ruined by being approached by an out of control 'friendly' dog. So yes please - dogs on a lead at all times. Please also update the signs to add that dog worrying causes not only miscarriage, but fines, criminal record etc and the dog being shot dead legally by the farmer. I fear that that may be the only thing that works.

Dogs on lead should be a requirement, it became very scary for kids and the other dogs. Dogs should absolutely be kept on leads in the Phase 2 area of Upton Country Park. It is unfair to the sheep that roam freely and might be attacked by off-lead dogs.

I think that the sheep need protecting, I often find the gates open, and action does need taking, but not just keeping dogs on leads, perhaps not having the walkthrough the sheep area would help, or better self closing gates.

Having had dogs for most of my life even when at home with parents our dogs were always on a lead in public areas and in the countryside if there were farm animals about. We have ourselves been subjected to aggressive dog behaviour towards our dog around this area and we fully agree that all dogs should be on leads but more signage is needed. Sometimes the owners are as bad as the dogs, who can we report this to ?

My experience as a runner in the area proves to me that dog owners using the area do not exercise adequate control of their dogs and should therefore be required to keep them on a lead. It is about time this was made enforceable, I walk and run around these paths and regularly see dog owners let their dogs run freely in the fields where the sheep graze. It would be good to get this enforcement in place around Pitsford Reservoir as well where there are also regular breaches. Where else in the locality are we allowed to have our dogs off the lead?

Fantastic idea. I run the route regularly and gave up politely reminding people to put dogs on leads

after receiving nothing but insults in return. It might help to make it clearer that includes the "fenced off" path leading past the farm and to the south of the new housing development, as many owners seem to think this protects the sheep from any stress/ worrying behaviour.

A sensible move that removes danger and doubt.

Having enjoyed Upton Country Park on quite a number of occasions during 2020, especially during lockdown, I never got the impression that dogs were any trouble. There seems to be a culture of responsible dog ownership in the area. Why not simply remote this culture, rather than setting people against each other? I don't have a dog, but I enjoy seeing happy dogs running about having fun, and if you want Phase 2 to be well used and enjoyed I believe you should encourage dog walkers, who are generally very responsible users of the countryside, to come and exercise themselves and their dogs there.

I always put my dog on the lead if there are sheep grazing and remove once we are well past the sheep as do most other decent dog owners. The sheep are moved around regularly meaning there's often lots of fields empty and no harm to be caused should a dog be off the lead.

I would like to see more parks with protected spaces as most dog owners tend to be ignorant to other park users (even when dog is on lead) such as children, people with anxiety or people with animal allergies.... everyone should be able to enjoy sometime in some open spaces without fearing some dog jumping / humping / chasing / leaving faeces & urine that causes eye infections etc... Many thanks in advance 😊

If the sheep are kept in fields away from the walkway, or a fence is put up to prevent the attacks this would be better than nothing. Some people do not know their countryside code, perhaps an education programme in the schools, and a leaflet drop on the new estates may help?

Makes sense to keep risks to sheep that are often in surrounding fields minimised

I have doubts as to whether this is an effective use of an PSPO. There are increasing numbers of dog owners and we need to be sure that we are meeting the needs of those owners and dogs. A free run off a lead is a very different experience for a dog to being confined by being on a lead - is there any area which is being set aside which would be a safe area for dogs to be let off the lead. No one wants conflict between dogs, their owners and sheep/other wildlife but education and proactive provision of facilities to meet need are better routes than a PSPO which will feel like a negative response by authority, difficult to enforce and do nothing to encourage positive dog ownership behaviour. It feels as though there could be better compromises to make.

I walk my dogs in other areas of the County and always put leads on when sheep or other animals are present. This is common sense. A fine is suitable for people who break the rules on this matter.

It is only fair to keep dogs on leads in areas where there are wildlife such as sheep. Sheep deserve a safe place in which to graze.

Can we also have a regulation to remove horse manure from the footpaths?

In some places the main pathway is separated from the fields where sheep graze by fencing. When this is the case I don't think there should be restriction or enforcement on the fenced sections. Where paths/tracks are unfenced on grazing land I think the restriction should be enforced.

How will it be enforced as some members of the public will not adhere to the order.

There are lots of dogs of their leads that annoy the general public and other dogs
This is needed. There are too many off leads dogs. Notwithstanding the issue of bites happening the roads adjacent to the park are fast moving roads, a loose dog could cause a serious accident. Dogs should be leashed in the park.

There are 2 paths of this area, one where it is clearly the main route around and there are no access to the sheep and the second one which are accessed by gates, I have hardly used the 2nd route (the access to the gates) so can't comment on that route but although it is clearly marked, I do see many dogs without leads on the main path, maybe because you can't reach the sheep due to the fencing or people can't read! Maybe changing the signage to warn and show people where exactly to keep the dogs on their leads and the fine!

It's not only the sheep but some dogs run fast and are frightening. Also young children cannot get out of the way for the dogs that come running at them

No.

I completely appreciate that dogs should be on lead in areas where sheep are not separated by a fence. But, on those areas where there is sturdy fencing and a clear separation I just don't understand the need for this. by all means, enforce where there is no separation (I like to think most responsible dog owners would out their dogs on leads in these cases), but to enforce across the entire park will just put families and walkers off coming to the country park, which I'm sure wasn't the point when extending it!

I am not entirely sure if the whole route as I can't make it out clearly on the map. Where I walk my dog there wouldn't be roaming sheep as there is nothing stopping them accessing the road. I wouldn't dream of going into the grazing area with my dog at all as she isn't stock proof.

Ineffective unless someone monitors and enforces it

It's common sense to keep dogs on leads here. The sheep were there first!

As a regular user of both phases of Upton Country Park, I think all dogs should be on a lead at all times. If nothing else this would make dog owners more aware of the fouling that their animals do in the area as well as making it safer for all with behaviour issues with animals.
Sad it has to be proposed.

If you are with your dog IN the fields with livestock, the dog MUST be on a lead. However, on the paths round the sides, which are fenced off from the fields, it is fine to allow the dog off the lead. Maintain the fences to ensure the sheep can't get out of their fields.

I agree that dogs should be on leads to protect livestock, however, areas where livestock are kept should be fenced off. And equally dog owners should be more aware and place dogs on leads when passing through open areas.

Whilst there may be a very small number of dogs which are allowed to run free and are poorly disciplined, most dog walkers have control over their dogs on or off the lead. In parts where sheep are loose dogs should be kept on leads but the main path is fenced off from the sheep fields. I think any enforcement must be limited to the open fields.

I think that a review after a year would be beneficial to see if these incidents have reduced and if the scheme has been successful. Possibly the introduction of some CCTV would be helpful to try and identify those responsible for the horrific attacks but I appreciate facilitating this would, logistically be challenging and a cost.

The Sheep must be protected against irresponsible owners who have no control over their dogs !! Fully appreciate this is concerning the awful attacks on the sheep but I've also witnessed (& experienced) 'Lively' dogs approaching walkers/those exercising - the owners have no control of their dogs. Scary and intimidating at times!

Dogs in this highly populated area should always be on a lead. For the dogs sake, other people who maybe scared of dogs, for cyclists and for livestock protection

Stop taking places away from us to let our dogs off the lead.

It is a standard ruling to put your dog on a lead if there is livestock to ensure the safety of the livestock. The only exception to this is if a person is endangered by keeping the dog on the lead i.e with aggressive cattle. It is obvious to put your dog on a lead where there is sheep but if there are no sheep grazing then the dog can be let off. This should be reflected in the PSPO in any case. It is my plan to visit Upton Park but unsure now where you would be able to let off your dog? I think this consultation should have shown the area that you can walk your dog off lead. I haven't visited Upton Park but I live in Northampton and it is my intention to visit but this is unclear, as a dog walker, what you are able to do? Are you meaning to enforce dogs on leads in the whole of the park? If so wouldn't it be a good idea to fence in the sheep? The majority of people with dogs are responsible but it is the minority that causes all the trouble and those people will not be worried about a PSPO and so I think you would be better off finding another solution.

Could possibly be OK on the main pathways without a lead as there are no sheep. I am a cyclist and twice this year dogs off leads have attacked us in the country park. One owner said their dog was scared of bikes, the other was too busy on her phone to speak to us.

Too many public places we use have too many dogs off of leads. These places are there to be used safely by all without being intimidated by lots of the dogs that we meet. They are not all going to attack people, other dogs or livestock but unfortunately some do. I wish more areas were made PSPO to make it safer for all. This may also make dog owners more responsible for there dogs. After all there are plenty of other quiet areas dogs can be let off of leads.

Responsible dog owners put them on leads around livestock.

Dogs should be under control at all times and responsible dog owners should already be enforcing this when sheep are grazing. They are not there all the time as they are moved around into different fields during the seasons. We appreciate during lambing season this might be more appropriate and if there is an issue then consider fencing off the areas where sheep graze to protect them and satisfy the farmers requests.

I feel that the safety of all park users including animals should be paramount and therefore believe that dogs should be kept on leads.

This should be the case in ALL public parks throughout the Borough

I walk my dogs in phase 1. I feel that with the sheep roaming freely in phase 2 that dogs should be

kept on leads in that area, for the safety of the sheep and also the safety of the dogs.

Several times I have encountered inconsiderate dog owners who have have their dogs off the lead, a number of times in front of the sign that says to "keep your dogs on a lead" . I think the fine should be higher too with the possibility of it rising with each offence. It is not hard to keep a dog on the lead. Sensible dog owners would control their dogs and ensure no harm comes to other animals. It should be fines for those who don't control their animals

I have a Border Collie and always keep him on a lead if near to livestock. Upton Park is not far from me, although too far for me to walk to due to disability. However, I have been considering driving there to walk my dog when restrictions allow. I love seeing the sheep grazing when we drive past and would be horrified to see them chased by a dog off lead, or worse - attacked! I used to live in the countryside and worked on farms. Town people, and even some who have moved to the countryside, do not understand the need to protect livestock and keep their dogs on a lead. Therefore, it is vital that the PSPO is brought in to protect these sheep!

Some days there are too many dogs running loose and with people, children, bikes and on occasion horses being ridden in the park which might be dangerous with so many people children and dogs running around.

I think this is a much needed amendment, I regularly encounter irresponsible dog owners in the country park and around the village generally. I hope this will encourage them to be more in control of their dogs.

It is imperative that sheep are not put at risk by dogs off leads. I cycle through the park fairly often and have been chased by a dog off a lead yapping at my feet more than once while its owner seemed unable to get it under control. Not pleasant for me but far more serious for sheep if they have to cope with similar.

Today (28/12/20) I observed a single cyclist riding his bike through a field full of sheep with a dog. The dog was running freely and it was clear that the cyclist had no control over his dog. It will soon be lambing season and it is imperative that dog owners are "forced" to put their animals on a lead. Keeping a dog under control / on a lead when sheep are around is a given and should be left to peoples common sense rather than be enforced by law. Sheep are not present in all areas of phase 2 and when not present it should be allowed to walk dogs off the lead. The perimeter paths in particular are inaccessible to sheep (or should be if the gates to and from the meadows are kept shut) so surely it should be ok to walk dogs off the lead in these perimeter areas. In my opinion the signage is in the wrong place. It should be relocated and placed at the entrances to the gated meadows where the sheep do roam instead of at the entrances to phase 2 of the park. A blanket ban on walking dogs off the lead in the entire phase 2 area will make the park unattractive for many dog walkers, many of whom will be responsible and will keep their dogs under control if necessary, i.e. if sheep are around. Many dogs aren't even interested in sheep. If the PSPO is amended it will be the case of a few irresponsible dog owners spoiling it for the many!!! I for one do not wish to live in a Nanny State and object to the amendment which is ill thought out!!!

Bloody good idea to have dogs on leads. Without (and to be honest with) they're a menace to other users of the park - particularly the footpaths and cycleways - especially those not fond of dogs for whatever reason (fear, allergies, and excrement).

I feel making everyone keeping their dogs on the lead is punishing people who have control of their pets. I don't make my dog off because he's still a puppy.

It is vital. We have seen so many people allowing their dogs to run free we have been very concerned. It must be addressed.

I walk around Upton Country Park phase 1 regularly and always put my dogs on the lead as we approach the double gates where the sheep are often grazing. One of the reasons I do not walk Phase 2 is because I have 2 Border Collies and they would not be easy to manage on lead around sheep (for obvious reasons) I would also not have them off lead around sheep. I think it is absolutely the right thing to do to enforce dogs to be on lead around sheep. What would be useful to consider is whether there could be an area where dogs could be off lead and sheep not permitted.

Yes I definitely agree with this proposal. As a regular jogger through the park I too have had problems with dogs not on a lead jumping up at me!! The poor sheep need protecting.

Numerous times seen dogs allowed to run into field of sheep. These dogs are also a danger to other walkers especially children

I visit other 'dog on lead' areas - Stanwick Lakes & Rushden Lakes - and find the rule is ignored. How will the rule be policed? I want to go where off lead dogs don't run up to mine but no matter how many signs you put up, they will be ignored.

It's a difficult one as we have one dog on a lead (as he would potentially chase birds and rabbits which would mean he'd then be running through the sheep fields. He wouldn't chase sheep but to any onlookers that's what it would look like, hence we don't take that risk. Our other dog however is great off lead. He's very toy orientated so walks with a ball or a Frisby and is always under control. He hates being on a lead we love the fact we can walk from Upton to Kislingbury with Charlie off lead. The problem is some people don't have control over their dogs and should have the sense to keep them on lead near the sheep. I think it's a shame for all dogs to be on leads when they don't need to be, however there are always dog owners who let others down!

Too many dog owners let their dogs off the lead even in the fields with sheep which is totally irresponsible. Also some people are nervous of dogs and to have a dog jump up at them can be quite concerning. The important thing is that the regulations need to be properly enforced as too many owners completely disregard the warning signs about keeping dogs on a lead. This equally applies to the original country park area.

In the areas where the sheep graze and they are in clear view then I agree that dogs should be kept on the lead but if there are no sheep anywhere in the vicinity then I see no need to keep dogs on a lead. What is the rationale for keeping dogs on a lead when walking on the main tarmac footpaths within Phase 2 which are fenced either side and are not accessible to the sheep?

Upton Park has become quite a problem area for off lead dogs everywhere. Often dogs are off lead and not under control, resulting in livestock, people and other dogs being attacked due to said off lead dogs. A lovely place to walk, if only people actually kept their dogs under control.

The world where we fine law-abiding citizens with well-behaved dogs would be a sad money making one please don't

Whilst I prefer to have my dogs off lead, they are always on lead if we are near any livestock, including parts of phase 1 at Upton where the sheep are fenced off. I do this as it's the responsible thing to do and in the phase 1 area, if the sheep are by the path side fences they do get spooked by the dogs even on leads. As well behaved as some owners believe their dogs are; no dog, unless very specifically trained for that purpose (being around livestock) can be trusted off the lead in the same area as the livestock. There are too many owners who are not fully in control of their dogs who take them off the lead and if fines change this then I'm all for it.

No.

Rules need to be in place to prevent any harm coming to any person or animal and the fine should also higher £250. The problem is how to enforce or police this.

I cycle through the park several times a week and always make my presence known well in advance to owners and their dogs but have still had snapping and snarling dogs try to attack me as I pass. Most owners are responsible but my concern is for young children cycling with their parents where the children may be at risk when they don't know how to anticipate the danger leading to injury from a dog or from falling to avoid a dog.

Dogs should be on the leads in the fields but not on the paths

On the main footpath round phase 2, everything is fenced in, (lakes, fields where sheep roam) I cannot see why dogs cannot be of leads. This is also used by joggers and cyclists of which we share. The paths that you access via the gates to areas of where sheep are roaming, yes, dogs should be on leads, that is what I do. I do think you need to look at the position of signs, I only see 1 of your signs in the correct place just the other side of a gate as you enter where sheep roam.

Perhaps the council should take time to look at the signs. I let my dog off the lead in the fenced of area, and on the lead if going into the fields where sheep are grazing. The signs have been put up randomly with no thought. If the sign are sorted out by some one with a bit of experience, Then by all means prosecute the owners who ruin it for the rest of us.

I think it's sad that it has come to this.

A blanket ban affects good dog owners. If this is going to be policed, then a more guided approach would be more appropriate.

I have ticked "Yes" to the question about dogs being on leads in phase 2 of UCP. However, I would qualify that with the following comments. If I am on the main pathway that links the old part of UCP with Kislingbury, I don't keep my dog on a lead. The same goes for the stony pathway that goes past the lake on the way back to the old part of UCP from Kisle. The reason is the sheep are behind fences, not on the paths. The fences are well made and keep sheep from getting onto the main paths, and dogs from getting into the sheep fields. This is quite logical to me. There are sheep in fields behind fences all over the country. Having said that, it is a totally different situation if I go into the fields where the sheep are. For instance if I go onto the new path that starts on the outskirts of Kisle (just over the road from the Cromwell) then of course I keep my dog on a lead. Even if there are no sheep in that huge field, I keep him on a lead. I consider that to be a "sheep field" and I always have him on a lead. But I don't consider the fenced off pathways to be a place where sheep are found, therefore I let him run off the lead. Incidentally my dog is a Golder Retriever with no interest in sheep, although I realise you can't have one rule for one dog breed and a different rule for another. To sum up, I fully support enforcing dogs on leads in the sheep fields. I don't support enforcing dogs on leads on the paths outside of the sheep fields.

As an animal lover I absolutely hate to hear about attacks on livestock, however there is a minority of people who are negligent and careless dog owners spoiling it for the rest of us. I believe dogs need time off the lead to run and explore for the sake of their health and well-being, and the areas in which this is allowed is rapidly disappearing. It's a travesty and a massive inconvenience for thoughtful dog owners. To have lead-only areas where sheep roam free is absolutely necessary and common sense. But to make entire park areas where there are swathes of land that livestock do not roam lead-only is ridiculous and a huge let down for dogs and their owners. Please let people use common sense, and come down hard on those that are negligent without restricting the wider community.

Whilst some dog owners have adequate control of their dogs, it is clear that many have issues with recalling their dog away from other dogs, let alone sheep. I have personally witnessed on multiple

occasions dogs and children freely chasing sheep in full view of their responsible adults. What's worse when confronted you get told "Well it's not against the law is it" "Oh well your dog is just dangerous and shouldn't be allowed out" "My dog is just being playful", there's a horrendous disregard for the safety of their own animals, let alone others

Most dog owners are so inconsiderate of others, they seem to think their dogs take priority over fellow humans.

I don't think you should make enforce this proposal as there will be many dogs unable to get proper exercise (running off lead) which will lead more issues with dogs. Please consult some experienced dog behaviour experts who will tell you that to have balanced and obedient dog, the dog needs to get enough exercise. I would suggest to make compulsory to take puppy training when getting a dog or if adopted have some certificate to say the dog is allowed off lead as they had enough recall / ignoring other animals training. I would not punish all dogs and owners just for a minority, as that will cause more issues.

Essential that dog owners are made to act responsibly towards livestock and other members of the public.

£100 is not enough to hit people where it hurts.

I think the ignorance of people is totally unbelievable. I would raise the fine to £10,000 like breaking some covid-19 rules. and put cameras up with the cash made by the fines... sorry to hear this. Failure to comply 2nd time jail, thanks. Poor sheep.

There are too many irresponsible dog owners which have ruined it for the well-trained dogs. I keep my dogs on the lead and they often get bothered by other uncontrolled dogs off the lead. I also feel strongly that sheep have been injured, not acceptable. Make it a rule, all remain safe
Penalising responsible dog owners for the minority of irresponsible dog owners who cannot control their dog.

Too many irresponsible dog owners so agree that this is a good idea to be enforced.

Most of the paths have fences which are sufficient to stop dogs going towards the sheep. Where the land is open, the signs that tell owners to keep dogs on leads are too words and too high. Imposing fines is fine if you must but that doesn't solve the problem. Make it clear where sheep are at risk. There should be areas in the park where dogs can go off leads, not a total ban. Sheep should also be protected by electric fence

I have let me dog off the lead only when there are no other dogs, people or livestock. If your dog is under control and you respect the livestock I don't see a problem with them being off the lead. Obviously if your dog is being a nuisance and Chadian sheep etc then a fine would be appropriate. I have never seen any unruly dogs whilst walking there in the last year

No excuse for dogs off leads whilst livestock are present.

Very good idea. We have experienced dogs off leads and they not only frighten sheep but children as well.

The reason I have not been is I would like to walk my two little dogs on their leads in a safe place without fear of other dogs coming up to them. I would come to this area often if the lead rules were enforced as I can't find anywhere safe to walk them.

If people don't like it then ban dogs completely from the park

I think it's a great idea. In fact I'd say both phases as the dogs are not under control when they are off leads. My daughter always gets dogs running up to her which petrifies her. Plus when I had a dog he was attacked twice by the same dog who just ran away from its owner. The sheep and people deserve to be safe.

Dogs should be on a lead, and owners should do as they are told.

This should have been done from the start

Its a great proposal, myself and family all support this. Some dog owners do not take responsibility and clearly this now needs to be enforced.

No objection to dogs on leads in this area, on the paths that run through the fields that livestock are in. Do not see why they need to be on a lead along the bridal way running between the fishing lakes and the adjacent lane towards Kislingbury

About time for it to be introduced. Would appreciate if more enforcement as well for not cleaning up their dog mess, especially on the sports fields and paths

The sooner the better for all concerned

I think dogs should be on leads at all times as I walk my 2 year old daughter there and have had lots of dogs not on leads jump at us and it only takes the wrong dog for something bad to happen

Allow dogs of leads on the green areas either side of the car park - enforce leads once you leave that area which is where the sheep are

Too often there are dogs running amok in out park. Usually from owners travelling into the area.

I think the dogs should be on the leads. Its vital this happens for the safety of the sheep.

I walk my two dogs off the lead along the tarmac path from Southview (nr Kislingbury) to Upton Park and back several mornings a week. I never go through a gate onto the fields where sheep are but if i did i would keep my dogs on the lead as the signs tell me. Along this tarmac path, there are 3 signs requiring dogs to be on leads that are in the wrong place. They suggest dogs need to be on the lead on the tarmac path though there are never any sheep on the tarmac path, obviously. I have been shouted at by cyclists, some of whom use the tarmac path as a racetrack, even though there are often young children walking. These 3 signs should be re-positioned so people know it's ok to walk dogs off the lead on the tarmac path. The good cyclists who have lights and a bell give me plenty of warning so I hold the dogs as they cycle past. Simple etiquette I think, both ways. Please consider moving these 3 signs so it's clear my dogs can be off the lead on the tarmac path. I expect to be told off and/or fined if i let my dogs off in an area with sheep

This makes sense, you cannot have dogs killing Sheep!!!!

I think this is an excellent idea and I would extend it to Phase 1 of the country park too. I am a runner who uses this area several times a week and I am frankly fed up of seeing dogs off leads terrorising sheep, runners or other park users with owners who think it's ok and are not in control of their animals.

We have a border collie. She has fantastic recall. It would seem almost cruel to put her on a lead. In open fields with sheep absolutely on a lead but in the paths where the sheep are behind fences them if the owners can control them then it's sad to make them be forced to be on a lead. Out of control dogs should never be off lead. I understand that. But it just doesn't t see fair to force the

majority to keep dogs on lead because if a few selfish owners. But the sheep need protecting. Open field. Dogs on lead. Fenced paths. Well behaved dogs can be off the lead.

I would like this to be extended so that dogs have to be on leads throughout the country park, not just in phase 2.

On the concrete paths where the sheep are not kept I think it's reasonable to have dogs off the lead, but once inside the gated areas / fields with sheep in its reasonable to enforce fines. Its difficult at the moment as those that are not moving into the fields and are just using the paths alongside the fields it doesn't seem reasonable to keep dogs on leads there as they aren't affecting the livestock. Any time you're in a field with livestock dogs should be on leads and fines enforced.

On stretches of the new paths there is fencing so no access to the sheep but once you go through gates there are roaming sheep. The fixed penalty area should be where there is direct access to the sheep, not the entire pathway.

I get very cross at large dogs that are off the lead and knock my two children off their feet. My children are terrified of them. I understand that dogs need to be walked and let of some steam. But they should be on a lead- I worry a dog will attack my daughter as she screams and I worry it would spook a dog and attack as a result. It's a problem that we only really have at country parks.

It is reasonable to expect dogs to be on leads when livestock is present. Loose dogs also disrupt wildlife in the form of small mammals and nesting birds. Loose dogs on shared use paths cause issues with walkers and cyclists. Not everyone is a dog lover!

The area proposed appears to be quite a vast space, it must be signposted sufficiently to ensure that users are aware of the requirements.

Appreciate dogs like to run off the lead. It is okay within the football ground area but not outside.

This survey does not give the option to expand. I feel the path to the north of phase 2 which is fenced off from the sheep field is a safe place for dogs to be off the lead whereas I feel inside the sheep fields they should be on a lead. This is how I walk my dogs. Your map does not give clear details of the extent of the PSPO area. I feel that I would agree with the PSPO for the area inside the fields but not the path outside the fenced off area.

APPENDIX 4 - Equality Impact Assessment.

Part 1: Screening

When reviewing, planning or providing services Northampton Borough Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “**Equality Impact Assessments**” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A helpful guide to equalities law is available at: www.northampton.gov.uk/equality. A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

1 Name of policy/activity/project/practice	Amendment to PSPO 2020 to prohibit dogs off their leads in the Phase 2 area of Upton Country Park
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2. Screening undertaken (please complete as appropriate)	
Director of Service	Marian Goodman
Lead Officer for developing the policy/activity/practice	Peter Hackett
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	Legal Services Finance, LGSS Environmental Health & Licensing Manager, NBC Community Safety & Engagement Manager, NBC

	<p>Northants Police</p> <p>Cabinet Member for The Environment, NBC</p>
<p>3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.</p> <ul style="list-style-type: none"> • A Public Spaces Protection Order (PSPO) allows a local authority to introduce a series of measures into a defined locality. • The proposed PSPO will allow the prohibition of dogs off their leads in the Phase 2 area of Upton Country park. • This is a legal order that can last for up to three years and it will help prevent dog attacks on the sheep grazed in the area. • If an element of this order is breached, the outcome could be that the individual is issued with a fixed penalty notice for £100 or fined up to a maximum of £1000 if at court. 	
<p>4 Relevance to Equality and Diversity Duties</p> <p>A Public Spaces Protection Order is designed to stop all individuals or a specific group of persons committing anti-social behaviour in a public space. This Order allows the prohibition of dogs off their leads in the Phase 2 area of Upton Country Park.</p> <p>If you have indicated there is a negative impact on any group, is that impact:</p> <p>No – all individuals/sections of the community will be dealt with in the same manner. Incidents will continue to be dealt with in line with our equalities framework</p> <p>Legal?</p>	

N/A

Please explain:

5 Evidence Base for Screening

Equality Human Rights Commission

<http://www.equalityhumanrights.com/resources/case-studies-of-how-organisations-are-using-the-duties/case-studies-equality-impact-assessments/>

Section 72 of the Anti-Social Behaviour and Policing Act 2014 requires the Cabinet as decision maker to pay particular regard to rights of freedom of expression and freedom of assembly set out in articles 10 (the right to freedom of expression) and 11 (freedom of assembly and association) of the European Convention on Human Rights in considering the making any such order. The making of the said order is considered to be proportionate and will fulfil a legitimate aim of curbing anti-social behaviour in public places for the benefit of the law abiding majority and hence will not infringe article 11 ECHR.

6 Requirements of the equality duties:

(remember there's a note to remind you what they are at the end of this form and more detailed information at www.northampton.gov.uk/equality)

Will there be/has there been consultation with all interested parties?

A 6 week online public consultation via an open access online survey using 'Survey Monkey' Councils social media accounts was carried out.

- The owner of the sheep with the right to graze on the "Phase 2" area of Upton Country Park.
- Upton Country Park users – Signs will be displayed around the park inviting responses to the On-Line survey monkey questionnaire.
- Upton Parish Council
- Hunsbury Meadows Parish Council
- Marina Park Residents Association
- Community Spaces Northampton
- St James' Residents Association
- Upton Meadows Residents Association
- Friends of West Hunsbury Park
- Northamptonshire County Councillor (Sixfields) Pinder Chauhan
- Northamptonshire Police
- Northamptonshire County Council - corporately
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Are proposed actions necessary and proportionate to the desired outcomes?

Yes/No Public Spaces Protection Order is designed to stop all individuals or a specific group of persons committing anti-social behaviour in a public space

Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/practice/activity?

Yes/No The implementation of the PSPO can be challenged by any interested person within 6 weeks of the making of the Order, the challenge is made at the High Court. Anyone who is directly affected by the making of the PSPO can challenge the

order

Does the proposed policy/practice/activity have the ability to be tailored to fit different individual circumstances?

Yes/No Public Spaces Protection Orders provide the opportunity to address specific problems in specific areas and create an 'Order' to enable appropriate and proportionate action to be taken.

Where appropriate, can the policy/practice/activity exceed the minimum legal equality and human rights requirements, rather than merely complying with them?

The making of the said order is considered to be proportionate and will fulfil a legitimate aim of curbing anti-social behaviour in public places for the benefit of the law abiding majority and hence will not infringe article 11 ECHR.

From the evidence you have and strategic thinking, what are the key risks (the harm or 'adverse impacts') **and opportunities** (benefits and opportunities to promote equality) this policy/practice/activity might present?

	Risks (Negative)	Opportunities (Positive)
Race		There is no evidence that the 'Order' will impact on any specific person based on their race
Disability	Mental Health issues and physical disability will be taken into account by officers. The restriction on the consumption of alcohol could also affect those that are alcohol	There is no evidence that the 'Order' will impact on any specific person due to their disability.

	dependant. The proposed 'Order' will not bring in any new powers in this area and will simply replace the existing Designated Public Spaces Protection Order.	
Gender or Gender Identity/Gender Assignment		There is no evidence that the 'Order' will impact on any specific person based on their gender
Pregnancy and Maternity (including breastfeeding)		There is no evidence that the 'Order' will impact on any specific person based on pregnancy or maternity. If required pregnant women will be referred into safeguarding mechanisms
Sexual Orientation		There is no evidence that the 'Order' will impact on any specific person based on their sexual orientation
Age (including children, youth, midlife and older people)		Young people will be referred into safeguarding mechanisms. In some cases parent/guardian of under 16's will be spoken to
Religion, Faith and Belief		There is no evidence that the 'Order' will impact on any specific person based on their beliefs or religion
Human Rights	Some people may feel the consultation process will provide the opportunity	The 'Order' has been proposed due to there having been several dog

	to capture their views.	attacks which have resulted in serious injury and even death of sheep.
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7 Proportionality

All cases will be treated on an individual basis, and any decisions reached will be within existing legislative guidelines. Use of the PSPO powers and advice given will be recorded in pocket note books and on ECIN's data base. The information will be analysed to determine whether the implementation of the powers has had a disproportionate effect upon the equality factors.

Enforcement action will always be seen as a last resort. Through the multi-agency groups and individual case management, support and intervention will continue to be offered.

8 Decision

Set out the rationale for deciding whether or not to proceed to full impact assessment

Full Equality Impact Assessment is not required as all sections of the community are treated the same. The proposed restrictions will impact positively on people whose protective characteristics are impacted upon by the anti-social behaviour the order is designed to address

Date of Decision: 25 January 2021

We judge that a full impact assessment is not necessary since there are no identified groups affected by these changes.

1. Equality Duties to be taken into account in this screening include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf: (due to be effective from 4 April 2011)

*NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.*

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life.

Equality Impact Assessments remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

*This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding.***

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

2. National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

3. to improve how services identify and meet needs of adults with autism and their families.

4. Human Rights include:

5. *Rights under the European Convention include not to be subjected to degrading **treatment**; **right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education**; **right to hold free elections by secret ballot**. The European Convention is given effect in UK law by the Human Rights Act 1998.*