



Report To:	Overview and Scrutiny Committee
Date:	4 th June 2026
Subject:	Public Spaces Protection Order for Dog Controls
Purpose:	To invite Committee to consider the extension of the dog controls Public Spaces Protection Order in Boston Borough Council
Key Decision:	No
Portfolio Holder:	Cllr Butler, Portfolio Holder for Environmental Services
Report Of:	Christian Allen, Service Director Regulatory
Report Author:	Donna Hall, Group Manager Public Protection
Ward(s) Affected:	All
Exempt Report:	No

Summary

This report sets out information about the current Public Spaces Protection Order for dog controls and asks members to consider the proposal to extend the Public Spaces Protection Order for a further three years.

A formal consultation has been carried out which invited feedback from members of the public and interested parties on the continuation of these controls. A clear majority of the respondents support the proposal.

Recommendations

That the Overview and Scrutiny Committee considers and provides feedback on the proposal to extend the Public Spaces Protection Order for a further three years under the Anti-social Behaviour, Crime and Policing Act 2014.

Reasons for Recommendations

To provide scrutiny on the proposal prior to a decision being made by Cabinet on 24th June 2026.

Other Options Considered

Do nothing.

1.0 Background

- 1.1 Public Spaces Protection Orders (PSPOs) were introduced under the Anti-social Behaviour, Crime and Policing Act 2014 to help local authorities tackle antisocial behaviour in public areas that is detrimental to the local community's way of life. They can last for up to three years and there is no limit on the number of times they can be reviewed.
- 1.2 The definition of a public space is wide and includes any place which the public or any section of the public has access, on payment or otherwise, as of right by virtue of express or implied permission.
- 1.3 Given that the effect of PSPOs is to restrict the behaviour of people using public places, it is important that the restrictions are focussed on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.
- 1.4 The Council can extend a PSPO by up to three years if they consider it necessary to prevent the original behaviour from occurring or recurring. They should also consult with the local police and other relevant organisations they think appropriate before doing so.
- 1.5 A PSPO relating to dog controls was first introduced by Boston Borough Council in 2017 and has been subsequently extended every three years following consultation.

2.0 Report

- 2.1 The Council recognises that owners of dogs are required to provide for the welfare and needs of their animals, including regular exercise. It is not the intention of the Council to impact upon this for the majority of dog owners who it is recognised act responsibly. The Council does however continue to receive complaints about dog fouling. In

2024/25 the Council received 40 complaints from members of the public, and in 2025/26 the Council received 25 complaints from members of the public.

- 2.2 It is proposed that the PSPO, which expires on 1st October 2026, is extended for a further three years with the same controls in place. These are outlined in the draft Order at **Appendix 1**, but in summary the PSPO implements controls to deal effectively with:
- Dog fouling
 - The exclusion of dogs from fenced off children's play areas
 - Comply with a direction to put dogs deemed to be out of control or causing alarm or distress to members of the public, on a lead
 - Provide evidence of the means of a suitable receptacle to pick up dog faeces
- 2.3 Exemptions are prescribed within the Order for a person who is registered as a blind person on a register compiled under section 29 of the National Assistance Act 1948, has a disability that requires assistance from a dog trained by any member organisation of Assistance Dogs UK, or can demonstrate that their dog is required to assist them due to a disability within the meaning under the Equality Act 2010.
- 2.4 The Council has undertaken extensive public consultation to gauge the views of the public and interested parties and to help inform the Council's decision on the possible extension of the PSPO. A public consultation was launched on 20th April and has been promoted on social media, through a press release and on the Council's website. In addition to this, two face to face events have been held, one at the market place and one at St Botolph's Church. Paper copies have also been made available from the Council reception at the Municipal Buildings.
- 2.5 In addition to the public consultation, direct consultation has taken place with Lincolnshire Police, The Office of the Police and Crime Commissioner, Lincolnshire County Council, the RSPCA, Dogs Trust and other interested parties.
- 2.6 A report of the consultation feedback is included in **Appendix 2** to this report. The findings of the consultation show public support for the PSPO. In summary:
- 98% support continuing to issue Fixed Penalty Notices for the offence of failing to remove dog faeces from land that the public have access to.
 - 95% support continuing to require dog owners to put their dog on a lead when requested to do so by an authorised officer.
 - 94% support continuing to ban dogs from fenced areas of children's play areas.
 - 85% agreed with the proposal to maintain the amount of the Fixed Penalty Notice charge at £100 for breaches of the PSPO. 13% disagreed, with the majority of comments suggesting it should be higher. This is not possible as the maximum fine in law for this is £100.
 - 87% supported continuing to issue Fixed Penalty Notices for the offence of failing to produce, on request, a means to pick up dog faeces. 11% objected.

2.7 The breach of a PSPO is a criminal offence and a Fixed Penalty Notice (FPN) of up to £100 can be issued, or a fine of up to level 3 on conviction in court. An FPN can be issued by a police officer, Council officer or other person designated by the Council. In Boston Borough Council has authorised officers from Kingdom LA Support Services under the enforcement contract for this purpose. Payment of the FPN discharges liability for the offence, however payment not made within the required timescale could lead to court proceedings being initiated for the offence of failing to comply with the PSPO.

2.8 Enforcement of the PSPO is carried out through foot patrols and an intelligence led approach where complaints are received about high incidences of dog fouling. The below table illustrates the number of FPNs issued under the Order.

Year	FPN – Means to Pick Up	FPN - Fouling
2025/26	9	2
2024/25	15	1
2023/24	12	0

2.9 The Council also records the number of interactions with dog walkers where an authorised officer asks them to provide evidence of having a suitable means to pick up after their dog. These are set out below:

2024	66
2025	77
2026 (up to 14th May)	89

2.10 In accordance with the legislation, the Council has published the Order on its website for transparency. The Council also uses signage across the Borough to draw the attention of members of the public to the controls.

3.0 Conclusion

The PSPO which has been in place across the Borough since 2017 is an effective means of controlling dog related anti-social behaviour. A further three-year extension of the PSPO is considered a proportionate means to control these issues and prevent them from recurring. This is supported by the results of the public consultation.

Implications

South and East Lincolnshire Councils Partnership

South Holland District Council and East Lindsey District Council also have PSPOs in force in relation to dog controls.

Corporate Priorities

The PSPO supports the strategic priorities outlined in the South and East Lincolnshire Councils Partnership Sub-Regional Strategy of promoting healthy lives, safe and resilient communities and the environment. It also supports the Boston Borough Council local priority of improving street cleanliness.

Staffing

None, the Order is enforced through existing contractual arrangements.

Workforce Capacity Implications

None, the Order is enforced through existing contractual arrangements.

Constitutional and Legal Implications

Prosecutions may be taken where offenders have failed to discharge their liability by paying the Fixed Penalty Notice.

Legal advice has been sought on the drafting of the Order.

Data Protection

Enforcement activity is carried out in line with data protection legislation and is covered in the Environmental Crime Enforcement contract.

Financial

There is a small income associated with this activity which is derived from the income sharing arrangement with the enforcement contractor. This is re-invested into environmental crime prevention to cover associated costs, for example the maintenance of PSPO signage across the Borough.

Risk Management

None

Stakeholder / Consultation / Timescales

The Council has consulted directly with stakeholders as required by legislation. A public consultation was also publicised for residents, visitors, businesses, dog owners and dog-related charities including the RSPCA and Dogs Trust. The consultation was held from 20th April to 18th May.

Reputation

Failure to implement effective dog fouling and dog control measures could lead to reputational damage to the Council.

Contracts

This PSPO is primarily enforced through the South and East Lincolnshire Councils Partnership contract for enviro-crime enforcement.

Crime and Disorder

All breaches in relation to the controls under the PSPO are a criminal offence under the Anti-Social Behaviour Crime and Policing Act. Any action taken will be considered in line with the Council's Enforcement Policy.

Equality and Diversity / Human Rights / Safeguarding

The Environmental Crime Enforcement contract details compliance with Council policy in relation to Equality, Diversity, Human Rights and Safeguarding.

Health and Wellbeing

Maintaining a clean environment is known to contribute to the health and wellbeing of the community. There are many known health hazards associated with dog fouling.

Climate Change and Environment Impact Assessment

Dog fouling is detrimental to the natural environment. Encouraging the removal of dog fouling promotes a cleaner, safer environment for all.

Acronyms

FPN - Fixed Penalty Notice

PSPO – Public Spaces protection Order

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1	Draft Public Spaces Protection Order
Appendix 2	Consultation Feedback Report

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

Chronological History of this Report

A report on this item has not been previously considered by a Council body.

Report Approval

Report author: Donna Hall, Group Manager Public protection,
donna.hall@sholland.gov.uk

Signed off by: Christian Allen, Service Director Regulatory
Christian.allen@boston.gov.uk

Approved for publication: Cllr Callum Butler, Portfolio Holder for Environmental Services
Callum.Butler@boston.gov.uk