
Executive Decision Report

Extension & Exclusion Variations of Public Spaces Protection Order for Dog Control

Decision to be taken by: Deputy City Mayor - Housing,
Economy, and Neighbourhoods

Decision to be taken on: 29 October 2025

Lead director/officer: Sean Atterbury

Useful information

- Ward(s) affected: All
- Report author: Kevin Southerill
- Author contact details: 0116 4543771
- Report version number: 1

1. Summary

Previously used legislation, The Clean Neighbourhoods and Environment Act 2005, The Dog Control Orders (DCO) used by Leicester City Council to undertake enforcement to ensure responsible dog ownership in the city expired on the 07 August 2016.

In December 2016 Leicester City Council transferred its legal enforcement powers from the DCO to a PSPO (Public Spaces Protection Order) due to the reform of Anti-Social Behaviour Policing Powers under the Anti-Social Behaviour, Crime and Policing Act 2014.

Three PSPOs were made to address the control of dogs on public land. These were:

- *Dogs on leads*
- *Dog fouling*
- *Dog exclusion*

The PSPO for Dog Control and associated enforcement powers remained live under the previous adoption until 01 December 2019. This Order, comprising its three distinct aspects, was subsequently extended to November 30th, 2022, then to November 30th 2025.

2. Variation – Dog Exclusion

Section 61(1)(a) of the Anti-Social Behaviour, Crime and Policing Act 2014 enables a local authority to vary an existing PSPO by increasing or reducing the size of the restricted area. Section 61(2) of the 2014 Act provides that if a variation results in the order applying to an area to which it did not previously then the authority must consider the two-stage test for making a PSPO.

The first condition is that—

- (a) 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, or
- (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities—

- (a) is, or is likely to be, of a persistent or continuing nature,
- (b) is, or is likely to be, such as to make the activities unreasonable, and
- (c) justifies the restrictions imposed by the notice

2.1 it is proposed to vary the PSPO – Dog Exclusion to add the following areas not previously included:

College Green MUGA, Hallaton Rd.
Rally Park new ballcourt
Hadrian Open Space Ballcourt, Bewcastle Rd.
Victoria Park Muga

St Margaret's Pastures skatepark
Onyx Crescent, Troon, Play area
Fosse Recreation Ground ballcourt
Vernon Street play area

2.2 Reasons and Evidence

College Green MUGA, Hallaton Rd.

The MUGA affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing balls and those moving within the court, increasing risks to both users and animals. Additional noise would prove detrimental to those residences nearby, with most occupying space within 26 to 48 metres from the court.

Rally Park new ballcourt

The ballcourt affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing balls and those moving within the court, increasing risks to both users and animals. Rally Park has experienced high numbers of users exercising dogs and is likely to see the court misused for exercise alongside the open areas where this is accepted as normal.

Hadrian Open Space Ballcourt, Bewcastle Rd.

The ballcourt affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing balls and those moving within the court, increasing risks to both users and animals. The increased noise from excited dogs running loose within the context of attempted ball-play would also prove detrimental to the adjacent Home for the Elderly within a short distance from the facility.

Victoria Park Muga

The MUGA affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing balls and those moving within the court, increasing risks to both users and animals. Existing courts already benefit from this exclusion and adding this additional facility will bring it into line with present restrictions.

St Margaret's Pastures skatepark

The enclosed skatepark area affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing skateboards and those moving within the court, increasing risks to both users and animals. The area of the build was previously used as an unofficial dog exercise area and owners are reluctant to surrender this use. The inclusion of this facility brings it into line with the restriction already in place at Western Park skate park.

Onyx Crescent, Troon, Play area.

Play areas are enclosed to safeguard children and users from potential harm, both from dogs lacking effective control and potential faecal contamination which can foster vision blindness in some cases where contact during play with the ground is likely. Enclosed play sites are all included within the exclusion and this brings Onyx into line with other facilities.

Fosse Recreation Ground ballcourt

The court affords an easily utilised enclosed space favourable to owners who wish to exercise animals otherwise lacking socialisation. The presence of dogs would compromise and hinder the prescribed use of the facility and introduce risks to those present from animals chasing balls and those moving within the court, increasing risks to both users and animals. Fosse Recreation Ground has a high dog exercise use which has included group dog training attendances. These would be likely to be drawn towards the now enclosed ballcourt for aspects of this training and the exercise of otherwise poorly socialised animals. Additional noise generated by excited dogs in such a facility would be detrimental to the proximity of residential housing within a short distance.

Vernon Street play area

The reinstatement of this facility for play, and the enclosure benefiting from six-foot-high perimeter fencing, encourages the significant local dog-owning community to use this for exercise. In common with like facilities, the need to safeguard children from unwanted risks supports the restriction.

3. Extension

The Anti-Social Behaviour, Crime and Policing Act 2014 provides that a PSPO may not have effect for more than 3 years, unless extended under the provision set out in Section 60 of that Act.

S60(2) states that before the time when a PSPO is due to expire, a local authority may extend the period for which it has effect, if satisfied on reasonable grounds, that doing so is necessary to prevent –

- Occurrence or recurrence after that time of the activities identified in the order, or
- An increase in the frequency or seriousness of those activities after that time

An extension cannot be for a period of more than three years and must be published in accordance with regulations laid down by the Secretary of State (Anti-social Behaviour, Crime and Policing Act 2014(Publication of PSPOs) Regulations 2014/2591)

A PSPO may be extended more than once.

Section 72 of the Act requires a local authority, in deciding whether to extend the period for which a PSPO has effect and if so for how long, must have regard to the rights of freedom of expression and freedom of Assembly set out in articles 10 and 11 of the Convention.

Section 72(3) states that a local authority must carry out the necessary consultation and the necessary publicity and the necessary notification (if any) before extending the period for which a PSPO has effect.

'the necessary consultation' means consulting with the Chief Officer of Police and the local policing body, for the police area that includes the restricted area and whatever community representatives the local authority thinks it is appropriate to consult.

'the necessary publicity' means in the case of a proposed extension, publicising the proposal.

4. Recommended actions/decision

4.1 Approve the variation to the PSPO – Dog Exclusion to include new areas/spaces

4.2 Approve a three-year extension to the Public Spaces Protection Orders for Dog Control in relation to Dog Fouling, Dogs on Leads and Dog Exclusion Zones from 1st December 2025 at midnight to 30th November 2028 at 11.59pm

5. Scrutiny / stakeholder engagement

A full copy of the public and stakeholder consultation report required under the 2014 Act is included in the attachments.

This document includes all key documentation,

- Evidence report of need.
- Consultation summary report including LCC responses to those opposed.
- Confirmation of Leicestershire Police approval.
- 2025 - 2028 PSPO Dog Control Orders
- Equality Impact Assessment.

6. Background and options with supporting evidence

As above inclusions.

7. Financial, legal, equalities, climate emergency and other implications

7.1 Financial implications

There are no significant financial implications associated with the recommendations in this report.

Signed: Stuart McAvoy – Head of Finance

Dated: 22nd September 2025

7.2 Legal implications

1. The legal tests for varying the PSPO – Dog Exclusion and extending all three-dog control PSPOs are set out in the body of the report.
2. The authority must also have due regard to the Statutory Guidance issued by the Home Office.
3. The authority must consider the evidence and information regarding the addition of 8 new areas to the PSPO-Dog Exclusion and be satisfied that the legal test is met and that the restrictions imposed under the order are necessary to address the detrimental effect on the quality of life of those seeking to use the play areas or ball parks.
4. The decision maker must consider both the evidence and the consultation responses before approving the extension of the dog control PSPO relating to dogs on leads, dog exclusion and dog fouling. The authority must be satisfied that the restrictions imposed under the dog control PSPOs continues to be a legitimate aim to restrict problem behaviour
5. A lawful consultation requires the council to observe the ‘gunning principles’ of particular importance here is whether sufficient information was provided to the public to allow intelligent considerations to be given to the proposal to vary the dog exclusion PSPO and extend all 3 PSPOs. The authority must give conscientious consideration to the consultation responses before making the decision to vary and extend the dog control PSPOs

Signed: F Hajat

Dated: 8th October 2025

7.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't. Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The 3-year extension of existing city wide Public Spaces protection Order for Dog Control in relation to Dog Fouling, Dogs on Leads and Dog exclusion Zones will apply to park users from across all protected characteristics and affect anyone who is in control of a dog(s). In order to demonstrate that the consideration of equalities impacts has been taken into account in the development of the proposals and as an integral part of the decision-making process, an Equalities Impact Assessment has been carried out. There are exceptions in place for those with disabilities where their manual dexterity is affected, there are also exceptions for blind and partially sighted people and those using assistance dogs.

Signed: Equalities Officer, Surinder Singh, Ext 37 4148

Dated: 22 September 2025

7.4 Climate Emergency implications

There are no direct climate emergency implications associated with this report.

Signed: Phil Ball, Sustainability Officer, Ext 372246

Dated: 22 September 2025

7.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

Other implications would be the impact on the public from discontinuing dog control within the city. The supporting consultation clearly indicates support for this to continue.

8. Background information and other papers: None

9. Summary of appendices: Public Consultation Results (with comments from stakeholders including Police)

10. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)? N/A

No

11. Is this a “key decision”? If so, why? No

No