



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Public Spaces Protection Orders Consultation Report

The Spinney – Market Deeping Cemetery -

September 2024



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Introduction

1. Public Spaces Protection Orders (PSPOs) are powers given to local councils and were introduced as part of the Anti-Social Behaviour Act 2014. Designed to target a particular nuisance in a defined area, they work by prohibiting certain things or requiring that specific things should be done, by law. Failure to comply with a PSPO can result in a fine.
2. The orders are time limited and can only last for up to three years. They can be extended by the Council at any point prior to their expiry date by up to three years.
3. Unfortunately, due to an administrative oversight, the Public Spaces Protection Order the Council had in place which required anyone walking a dog to always keep it on a lead whilst in the Spinney in Market Deeping Cemetery, lapsed. Because it was not renewed within the time frame specified (which is three years), it has been necessary to consult on the implementation of the order again, despite it being the subject of consultation during August and the early part of September last year.
4. The decision was taken to consult on this proposed Public Spaces Protection Order separately, due to its specific nature. If approved, the PSPO would apply to those walking a dog/dogs in one specific location in the district, and not to anywhere else.
5. This report outlines the results of the consultation undertaken in respect of this proposal.

Purpose of this consultation

6. The purpose of this consultation is to inform the decision SKDC will make in respect of a Public Spaces Protection Order (PSPO) which will require people to always keep their dog on a fixed length lead whilst in the Spinney, Market Deeping Cemetery.
7. The results of the consultation are contained within this report. They will be reviewed by SKDC's Environment Overview and Scrutiny Committee and considered by the Council's Cabinet - informing the decision they will take about whether to approve the implementation of a PSPO requiring dog walkers to keep their animals on a fixed length lead whilst in the Spinney in Market Deeping Cemetery.

Scope

8. The scope of this consultation:
 - Is focused on the re-establishment of the order in its current form (which unfortunately, because of an administrative error, was allowed to lapse)

- Ensures that the views of those who may be affected by the proposed restriction are reflected in the responses, as well as those who would like to see the order re-established

9. Because the focus of this consultation was purely to establish the extent of support for the re-introduction of a Public Spaces Protection Order for the Spinney in Market Deeping Cemetery, it does not include any proposals relating to the approval of additional PSPOs or the amendment of existing orders as these were subject to a separate consultation process.

Objectives

10. The primary objective of the consultation was to ensure that various stakeholders were given the opportunity to comment on this proposal. The secondary objectives of the consultation were to:

- Demonstrate SKDC have met the requirements as set out in s72 of the Anti-Social Behaviour Crime, Policing Act 2014. These are to carry out the necessary consultation, publicity, and notification before making, varying or extending a PSPO
- Inform the decision that will be taken by SKDC in respect of the proposal to re-establish the PSPO
- Measure the degree of support or otherwise for the proposal
- Understand and be aware of the impact taking this decision may have on specific stakeholders
- Assess any potential impact of the PSPO on the community including demonstrating that the Council has had due regard to compliance with the Equality Act 2010

Timescales

11. Preparatory work was undertaken during July 2024. The consultation opened on 31 July 2024 for a period of four weeks. Analysis of results took place once the consultation closed on 28th August 2024. The results of the consultation will then be presented to SKDC's Environment Overview and Scrutiny Committee on 7th October with a final decision on whether to approve the proposed PSPO or not, being made by Cabinet on 5th November 2024.

Stakeholders

12. The stakeholders were identified as follows:

- Any individual or body who visits, lives or works near the area referred to in the PSPO, or has an opinion on the proposed PSPO, who wanted to make a representation
- The Police; to include the Chief Officer of Lincolnshire Police and the Neighbourhood Policing Team for the Deepings area
- The Police and Crime Commissioner for Lincolnshire
- Parish, town, district and county councillors for Market Deeping

- Other community representatives. These include resident associations, local businesses, any commissioned service providers, charities and other relevant interest groups

Methodology

13. The table below identifies the method(s) that were used to contact each of the stakeholder types:

Stakeholders	Method(s)	Details
Members of the public - general	<p>Members of the public were made aware of the consultation through the following channels:</p> <p>SKDC web site</p> <p>Market Deeping Parish Council web site</p>	<p>Potential respondents were referred online to participate in the consultation.</p> <p>Webpage contained the information needed as part of the consultation including a map detailing the area covered by the order.</p> <p>Survey included link to webpage.</p> <p>Copy of poster on parish council website</p> <p>Printed copies of survey were made available on request for those who did not want/ were unable to submit an online response. Respondents asked to contact the Neighbourhoods Team.</p>
Members of the public – specific. Those who visit the Spinney – Market Deeping Cemetery	<p>Posters displayed around the perimeter of the Spinney, Market Deeping Cemetery. These promoted the opportunity to take part in the consultation.</p> <p>Business cards promoting the consultation also available.</p>	<p>Poster included link to survey, QR code and also how to take part if no access to the internet.</p> <p>Posters were put up by Market Deeping Parish Council's clerk.</p> <p>She also promoted the consultation on the parish's website.</p>
The Police – Neighbourhood Team and the Lincolnshire Police and Crime Commissioner	Neighbourhoods Team for Lincolnshire Police and the Police and Crime Commissioner contacted	<p>AB contacted the Neighbourhoods Team for Lincolnshire Police (Deepings area) and also the Police and Crime Commissioner for Lincolnshire by email:</p> <p>NEIGHBOURHOODS TEAM – DEEPINGS AREA:</p> <p>Mark Hillson - Inspector</p> <p>Emma-Jane Crisp – Sergeant</p> <p>Claire Wilson – Police Constable</p> <p>Police and Crime Commissioner:</p> <p>mailto:lincolnshire-pcc@lincs.pnn.police.uk</p>

County/district and parish councillors	<p>Parish Clerk for Market Deeping Parish Council informed of the consultation via email. She was asked to forward the survey to all parish council members. Copies of the poster were sent to the clerk for her to display on any noticeboards</p> <p>District Councillors for Market Deeping were informed of the consultation via email</p> <p>County councillors were informed of the consultation via email.</p>	<p>SKDC's Neighbourhoods Team contacted.</p> <p>Market Deeping Town Council:</p> <p>Gail Darnes – Town Clerk</p> <p>townclerk@marketdeeping-tc.gov.uk</p> <p>District Councillors for Market and West Deeping:</p> <p>Cllr Ashley Baxter ashley.baxter@southkesteven.gov.uk</p> <p>Cllr Pam Byrd pam.byrd@southkesteven.gov.uk</p> <p>Cllr Virginia Moran</p> <p>virginia.moran@southkesteven.gov.uk</p> <p>County Councillors for Deepings East and Deepings West and Rural:</p> <p>Cllr Phil Dilks cllp.dilks@lincolnshire.gov.uk</p> <p>Cllr Ashley Baxter clla.baxter@lincolnshire.gov.uk</p>
Lincolnshire County Council		Neighbourhoods Team contacted LCC.
Those representing community groups/ other organisations		AB asked CD if there were any voluntary or community groups on the Community Engagement database that might be interested in participating in this consultation - either because they are based in this area or have an interest in this topic. There were not any.

14. The opportunity to participate in the consultation was promoted on the Council's website and posters and business cards – both of which contained the web link to the survey. Due to the specific nature of the consultation, the consultation was not promoted more widely on either SKDC's social media channels or by distributing a press release.

Details

15. Several actions were identified. These included:

- The preparation and approval of content for the survey
- Setting up the survey
- Determining the content for webpage. This included a copy of the map identifying the area which the order would apply to, if approved.
- Drafting an email to stakeholders
- The design, printing and display of posters and business cards to promote the consultation

16. The survey included the following sections:

- An introduction to the consultation, why SKDC needed their help and how their feedback will be used to inform the decision that will be taken in respect of a PSPO to apply to those walking dogs in the Spinney - Market Deeping Cemetery
- Details of the proposal and a copy of the map illustrating the area covered by the restriction
- A question to ascertain the degree of support for the proposal to re-introduce the PSPO which requires anyone walking a dog to always keep it on a lead whilst in the Spinney, Market Deeping Cemetery
- A space for them to suggest any amendments to the proposed PSPO
- A space for them to detail any negative impacts approving the proposal may have
- An option for them to ask questions or make further observations about the proposal
- An opportunity for them to supply their details so that they can be contacted in relation to their query
- A statement on how any personal data they supply will be treated
- A question to identify their gender, age, and postcode
- A thank you and closing date

17. The webpage included:

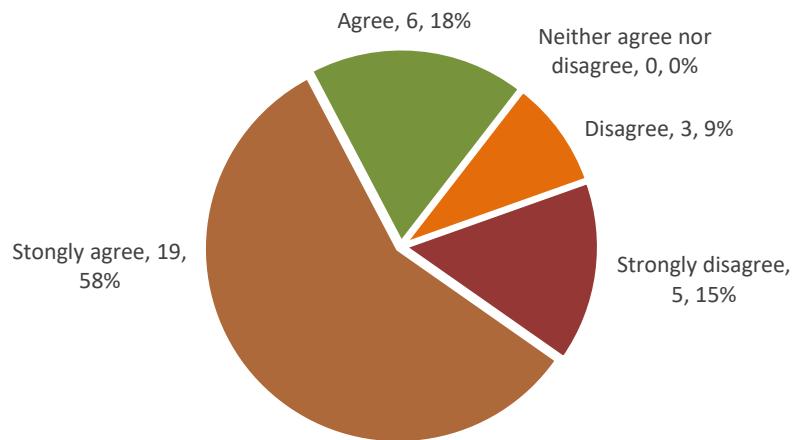
- An introduction to the consultation, why we need their help and how their feedback will be used to inform the decision that will be taken in respect of a Public Spaces Protection Order for the Spinney in Market Deeping Cemetery which requires anyone with a dog to always have that dog on a fixed length lead
- Details of the proposal along with the draft Order and associated map of the restricted area

18. The consultation closed on 28th August 2024. 33 responses were received.

The results

19. Those participating in the consultation were asked if they agreed or disagreed with the proposal to re-instate a Public Spaces Protection Order (PSPO) which, if approved, will require people to always keep their dog on a fixed length lead whilst in the Spinney, Market Deeping Cemetery. Three quarters of them (25 or 75.8%) supported the proposal. A quarter of them (8 or 24.2%) didn't. This is illustrated in the pie chart overleaf:

Q1. To what extent do you agree or disagree with this proposal?



20. When asked to substantiate why they had answered in this way, the responses fell into two main categories - those who don't think dogs should be restrained if they are under control and those who believe dogs should be kept on a lead as a sign of respect whilst walking in or near an area where ashes have been scattered. These opposing viewpoints are illustrated in the quotes below:

“These places are for quiet reflection, as a dog owner I would want my dog to be on a lead to show respect for my (& others) loved ones who have their ashes there.”

“I understand that the area is used for the sprinkling of ashes and therefore would be inappropriate for dogs to be walked other than on a lead.”

“Under control off lead should be allowed, no issues for 8 years walking 4 dogs off lead. If responsible dog owner should be no problem.”

21. The third question on the survey asked respondents if implementing the Public Spaces Protection Order would have a negative impact on them. If approved, the PSPO would require a person in charge of a dog to put and keep that dog on a lead of no more than 1 metre in length whilst walking in the Spinney, Market Deeping Cemetery. Three quarters of those responding (21 or 75.0%) didn't think the implementation of the PSPO would have a negative impact on them, as shown here:

“No. I am happy to continue putting my dog on a lead when walking in this area.”

Four respondents were against the proposal. The quote below is indicative of the comments made:

“Yes, it would. I would avoid the area.”

Three individuals expressed other concerns about the PSPO - including the length of the lead, as illustrated here:

“It would cause me concern over the welfare of the dogs which were subject to this lead length restriction.”

22. The Neighbourhoods Team were contacted separately by one of the individuals responding to the consultation. The respondent did not support the proposed Public Spaces Protection Order for the area known as the Spinney in Market Deeping Cemetery, because he had concerns about the length of the lead referred to in the order. He has requested that the lead length referred to in the draft PSPO be amended from one metre in length to two metres, on animal welfare grounds. He attached two documents to substantiate his request, one being an article written by the RSPCA¹, and the other an extract from legislation – Schedule 2 of The Countryside and Rights of Way Act 2000². A separate request was also received from the same individual, asking if the wording for the draft order could be available to view as part of the consultation process.

Demographics

23. Responses were received from various stakeholders including residents, parish, town, district and county councillors and Lincolnshire Police. Most responses were received from local people (29 or 87.9%). Two responses were received from local councillors and one from Lincolnshire Police.

24. Three fifths of responses were from females (19 or 57.6%). Four out of ten responses (13 or 39.4%) were from males. One respondent preferred not to specify.

25. If the age distribution of the sample is compared to that of the district it becomes obvious immediately that there are elements of the population that are not represented. No responses were received from anyone under the age of 25. The sample was representative of those aged between 25 and 34 and those aged 45 and over were over-represented in the sample as illustrated in the table below:

	Number	%	Number	%	Weighting
Under 18	0	0	32,431	22.2	-
18 to 24	0	0	4,814	3.3	-
25 to 34	3	9.1	14,042	9.6	0.95
35 to 44	1	3.0	17,451	11.9	0.25
45 to 54	6	18.2	18,857	12.9	1.41
55 to 64	10	30.3	21,859	14.9	2.03
65 and over	11	33.3	36,907	25.2	1.32
Prefer not to say	2	6.1			
Total	33	100.0	146,361	100.0	

¹ [What equipment should I use when teaching my dog or puppy to walk on a leash? – RSPCA Knowledgebase](#)

² [countryside and rights of way act 2000 schedule 2.pdf](#)

Para 6 specifies that a short lead means a lead of fixed length and of no more than 2 metres

Whilst this may be due in part to the demography of dog owners³, it should be noted by those considering the responses to this consultation that the demographics of the sample for both age and gender are not representative of the wider population.

26. To ensure that those living locally were represented in the responses that were gathered, respondents were asked for their postcode. More than 80% of responses (28 or 84.8%) were from those living in the postcode area PE6 8, with the rest of the responses coming from the following postcode areas LE15 7, NG32 3, PE10 0 and PE4 7.

Anything else

27. The final question on the survey asked respondents if they had any questions or wanted to comment on anything included in the survey. A couple of respondents used the opportunity to reiterate the importance of dogs remaining on a lead whilst in the area. One referred to plans that she had outlined.⁴ Others thought that the PSPO should be targeted towards other types of anti-social behaviour including vandalism and smoking cannabis. One respondent asked if the wording of the draft order could be provided as part of the consultation whilst another asked if there would be any fines issued for non-compliance with the order. The main themes of their feedback are summarised below:



³National Dog Survey: Describing UK Dog and Ownership Demographics undertaken by the Dogs Trust during Sept and Oct 2021. 61.9% of owners were aged 45 or over, 16.9% were under 35.

⁴ Not submitted as part of consultation

Conclusion

28. Members are asked to note the results of this consultation. Responses were received from 33 participants, and responses were also received from both statutory and voluntary organisations, ensuring the legislative requirements as set out in s72 of the Anti-Social Behaviour Crime, Policing Act 2014 were fulfilled.
29. Members are also asked to note the response received separately from a district resident, and determine what course of action, if any, they think is appropriate. Disagreeing with the proposed Public Spaces Protection Order because he had concerns about the length of the lead being prescribed on animal welfare grounds, he has asked if the lead length cited in the Public Spaces Protection Order could be extended from one metre to two metres, if it is approved. He has also asked that the draft order be prepared and be available to view as part of the consultation process.

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