



**Devon Countryside Access Forum
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Trudy Harrison MP
Parliamentary Under Secretary of State
(Minister for Natural Environment and Land Use)
House of Commons
London SW1A 0AA

3 March 2023

Dear Under-Secretary

Dog Legislation

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” The Act specifies section(94)4 bodies that the forum has a duty to advise and these include the Secretary of State for any Government department, Natural England and the Forestry Commission.

The DCAF currently has nineteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

Over the last few years, the Devon Countryside Access Forum has on many occasions discussed dog issues. Forum members recognise the importance of dog walking to health and well-being as evidenced by statistics from the People and Nature Survey (Natural England). However, the Forum is well aware that a number of irresponsible dog owners cause issues in terms of dog fouling, stock worrying, disturbance to ground-nesting birds, and injury or intimidation of other dogs or people, particularly children.

This situation is exacerbated by the lack of consistency in terms of dog legislation, as indicated on the attached annex. Dog control laws are established under Public Spaces Protection Orders by lower tier or unitary authorities and, even within one County, these

The Devon Countryside Access Forum is a local access forum. It is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

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can be markedly different. Differences may be around where dogs are required to be on a lead, the length of lead, how many dogs can be walked, who is exempt from the rules, which land any restrictions apply to, and dog fouling. In addition, requirements associated with access land, coastal access, the Countryside Code, specific local site codes, and bylaws associated with seasonal dog restrictions on beaches add a further layer of complexity particularly when it comes to dogs on leads. This lack of consistency makes it very difficult for dog owners to be fully conversant with the legal requirements and to be aware when they are walking from one type of land to another, or indeed from one council area to another.

Dog ownership has increased by an estimated 3.5m from 2020 to 2021 and was estimated to be 12 million in 2021 [Dog ownership in the UK 2022 | Statista](#) Equally, there has been an increase in numbers of people using the countryside and areas of green space.

Data published recently by NFU Mutual Insurance includes some concerning survey statistics about irresponsible dog walkers in the countryside. The key facts state that 64% admit their dogs chase animals; almost half (46%) believe that their dog was not capable of injuring or killing livestock; nearly two thirds of owners let their dog roam off-lead in the countryside and 39% admit their pets do not always come back when called. These statistics add further weight to the importance of simplifying legislation around dogs and recreational access. Educating and informing people about the damage dogs can cause if not under proper control is crucial, yet very difficult to achieve with the current plethora of rules.

The Devon Countryside Access Forum advises that a review of dog legislation is urgently required so that nationally applicable rules can be put in place which are clear and simple to understand. This would enable a dog owner from one area of the country visiting or holidaying elsewhere to have confidence and surety that the dog rules in a different part of the country were the same as those local to them. Such rules could be reinforced by advertising or social media. The Forum accepts that some rules governing dog access to beaches would still need to be determined locally. Having nationally agreed rules would also make it easier for the Police, Dog Wardens and other empowered officers to implement legislation.

This letter constitutes formal advice from the Devon Countryside Access Forum. Defra is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this Forum in carrying out its functions. The Forum looks forward to receiving feedback on this letter and the accompanying annex.

Yours sincerely



Hilary Winter
Forum Officer

Letter sent on behalf of the Devon Countryside Access Forum
Chair: Sarah Slade
Vice Chair: Chris Cole

ANNEX

Dog legislation

(Devon Countryside Access Forum – January 2023)

Legislation or Code	Ground-nesting birds	Around livestock	Dog fouling	On trails/paths/pavements and rights of way.	Number of dogs	Other matters
Countryside Code	On Open Access land and at the coast, you must put your dog on a lead around livestock. Between 1 March and 31 July, you must have your dog on a lead on Open Access land, even if there is no livestock on the land.	Keep your dog under effective control to make sure it stays away from wildlife, livestock, horses and other people unless invited. You should: <ul style="list-style-type: none"> • always keep your dog on a lead or in sight • be confident your dog will return on command • make sure your dog does not stray from the path or area where you have right of access 				
Countryside & Rights of Way Act 2000	Visitors using their open access rights must keep dogs on a short lead of no more than 2 metres between 1 March and 31 July each year (except in the coastal margin) and at all times near livestock.	Visitors using their open access rights must keep dogs on a short lead of no more than 2 metres between 1 March and 31 July each year (except in the coastal margin) and at all times near livestock. In the coastal margin, dogs must be under effective control at all times.				

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	In the coastal margin, dogs must be under effective control at all times.	Landowners or farm tenants can exclude people with dogs from a field of up to 15 hectares used for lambing for one period of up to 6 weeks each calendar year. Landowners can exclude people with dogs from land managed as a grouse moor for up to 5 years at a time, except along public rights of way.				
Coastal margin	No restriction (effective control).	No restriction (effective control). The lambing and grouse moor restrictions do not apply				
Public Spaces Protection Orders under the Anti-social Behaviour, Crime and Policing Act 2014.	May be required to be put on a lead by direction by authorised officer or Police Officer if worrying or disturbance to any animal or bird. Lead length usually not specified but for some districts e.g.	May be required to be put on a lead by direction by authorised officer or Police Officer if worrying or disturbance to any animal or bird.	Forestry Commission land is exempt from dog fouling provisions in the majority of PSPOs but not all e.g. North Devon. PSPOs specify that blind, disabled and	Some districts specify a lead length when walking a dog on any road or pavement e.g. East Devon (1m) and Teignbridge (2m). Other authorities do not give a lead length.	Most authorities do not restrict the number of dogs a person can be in charge of. In Teignbridge and Mid Devon, for example, the number is capped at 6.	Imposition of seasonal dog restrictions on beaches or requirement for dogs to be on leads on beaches at certain times. May be additional conservation areas where there are

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	<p>North Devon a lead length of 2m is specified.</p>		<p>those with a prescribed charity dog are exempt. Some districts go further and exempt other categories for example Torridge also includes agriculture, hunting, pest control, the Police or rescue services.</p> <p>Some authorities include a requirement to have the means to pick up e.g. Teignbridge District Council. This is not included in the Public Spaces Protection Order for East Devon.</p>	<p>Some authorities have very few areas where leads are required, for example just a few parks. Others e.g. West Devon extend this further to include, for example car parks; cemeteries and churchyards; any fenced, hedged or walled pond, area of water or nature reserve; marked sports fields whilst organised sport is in progress.</p> <p>Some districts or areas e.g. Honiton in East Devon, there is a dogs on lead restriction on public rights of way footpaths in the town. Generally there is not a requirement to put dogs on leads on a public right of way.</p>		<p>seasonal dog restrictions or lead requirements.</p>
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<p>Highway Code</p>				<p>Rule 56 Dogs. Do not let a dog out on the road on its own. Keep it on a short lead when walking on the pavement, road or path shared with cyclists or horse riders.</p>		
<p>Comment</p>	<p>The phrase 'at the coast' (Countryside Code) is ambiguous. The Countryside Code does not specify a lead length whereas the access land requirements do.</p> <p>There are no lead requirements on 'coastal margin'. This assumes there are no ground-nesting birds in coastal margin.</p> <p>Has the phrase in the Countryside Code 'at the coast' superseded the 'coastal margin' statements? If so, this needs to be clear</p>	<p>It is not clear what effective control means.</p> <p>How do the public recognise the difference between coastal margin and access land?</p>	<p>Forestry Commission land appears to be exempt in some districts but not others.</p> <p>The question might be asked why Forestry Commission land is exempt. Other woodland areas are not.</p> <p>There is no overall consistency on the types of exemption other than for those blind, disabled or</p>	<p>There is a lead length imposed in some districts but not others. Even the lead length is not consistent. Members of the public would not be aware that they had walked from one district into another.</p> <p>Some areas have a dog on lead restriction on a public right of way. This is not consistently applied across the country.</p>	<p>Some districts impose a limit on the number of dogs walked but this is not applied nationally.</p>	<p>Members of the public are generally used to the range of dog requirements associated with beaches. Websites tend to provide good information.</p> <p>This difference nationally may be more acceptable. However, there is confusion and ambiguity between beach PSPOs/ bylaws and the stated situation on coastal margin i.e. no lead</p>

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	and amended on websites.		with a prescribed charity dog. There is a lack of consistency relating to having the means to pick up.	Where a public right of way crosses open access land, different rules apply depending on whether the dog owner is on the path, or steps off the path onto the adjoining open access land.		requirements, as coastal margin includes beaches.
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Issues particularly arise where there are several types of access land or access right in one location, or where multiple rules may apply (e.g. “at the coast” where land may be beach (and subject to byelaws), coastal margin, open access land, public right of way, or woodland).