



## **Public Spaces Protection Order (PSPO) Dog Survey**

### **Background information**

A report including the findings from the consultation will be presented to the Strategy and Resources Committee on the 4th December 2023.

Nothing in this order shall apply to a person who –

- a) is registered as a blind person on 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 physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any current or future members of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he relies for assistance
- d) has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability, or that of North Devon Council

The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”.

### **About You**

Please note that any reference to 'North Devon' means that of the area covered by North Devon Council.

1 Are you a dog-owner? Yes / No: .....**Not applicable**

2 Are you answering this survey as (select all that apply)

- A resident of North Devon

- A visitor (leisure/work) to North Devon
- A Councillor in North Devon (town/parish/district/county)
- A dog-walking business operator in North Devon
- A representative of an organisation (please specify below)

3 Please provide the name of that organisation if applicable.

### **Devon Countryside Access Forum**

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...” Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, and this includes county and district councils.

The DCAF currently has seventeen 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.

4 Please provide us with your post code (or that of your business if applicable)

**EX2 7NL**

### **Dog Fouling**

Please note that 'Authorised officer' means an employee, partnership agency or contractor of North Devon Council, who is authorised in writing by the Council for the purposes of giving directions under the order.

5 The current PSPO requires the clearing up and appropriate disposal of dog fouling in public spaces. Do you think this should be retained?

**Yes**

6 Do you agree that North Devon Council should be providing more delegated authority to third parties to help improve the efficiency and effectiveness of enforcing measures to prevent dog-fouling?

**Yes**

7 Please provide any additional comments with regards to dog fouling.

**Consistency in the message to dog owners from district to district is essential.**

**Dog fouling is unsightly and a health issue. Once dog fouling starts then some others take this almost as permission to also allow fouling so quick removal is a good action, along with education and proper enforcement of any penalties.**

## Lead Requirements

- 8 The current PSPO requires a dog to be on a lead, either by direction by an authorised officer, or when entering a specified area. Do you think this should be retained?

**Yes**

- 9 Dogs on lead by direction allows an authorised officer to require the person in charge of a dog to put it on a lead in any public space if they believe there is a potential threat, harm or risk. Do you think this should be retained?

**Yes**

- 10 Do you support an expansion in the number of authorised officers who would be able to instruct a dog to be placed on a lead?

**Yes**

- 11 There are only a very limited number of locations and areas where dogs are required to be kept on a lead at all times. Please indicate whether you think this should be retained at the following locations:

	Retain	Review	Don't know
Municipal cemeteries, churchyards, and graveyards	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Croyde Bay dunes (between 1st May and 30th September)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

- 12 Would you support an extension for 'Dogs on lead' in the following areas?

	Support	Not support	Don't know
Council-owned car parks	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ornamental and formal gardens	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Support	Not support	Don't know
Footpaths around lakes and ponds	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council-owned allotments	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

13 Under these restrictions, the maximum length of a lead is currently stipulated as two metres (six-feet six inches). We are considering reducing the lead length to 1.5 metres (four-feet eleven inches) to ensure tighter control of a dog and the protection of pedestrians, cyclists, dogs, or other animals, as well as the environment. Do you support this proposal?

**Support**

14 Where there are high incidences of dog-related anti-social behaviour or fouling this would be referred to as a 'Hotspot'. Do you support the proposal of imposing temporary restrictions of 'dogs on lead' in such an area if standard interventions are failing to have an effect?

**Support**

15 If you have confirmed your support for the above (Question 14), please confirm what you think would be an appropriate length of time for a temporary restriction to be imposed.

- 1 Month
- 2 Months
- 3 Months
- At the Council's discretion
- Other: .....

16 Please provide any additional comments about 'Lead Requirements'

**Consistency from district to district on lead length is important. Whilst a reduction to the shorter length appears desirable it may not accord with lead lengths or requirements in adjoining districts or on specific types of land, for example open access land on Exmoor. The discrepancy across council**

boundaries does provide uncertainty for members of the public and tourists to Devon.

East Devon District Council's PSPO specifies a lead length of 1m whilst on a public road or on a pavement adjacent to a road. Teignbridge District Council's PSPO specifies a 2m length whilst on the public highway, a footway, footpath or cycle track.

Extendable leads are a particular problem on multi-use or shared routes and the 1.5 m limit, or any limit set in the PSPO, should be clearly indicated on these routes.

Again, consistency between districts would be immensely helpful as the dog legislation is complex. For example, the majority of Devon Countryside Access Forum would support dogs on leads on footpaths around lakes and ponds, but some districts define this rather more closely, for example a fenced, walled or hedged area of water or nature reserve.

In any urban environment or where there are significant numbers of people and/or where livestock or wildfowl are present, having dogs on lead is preferable. Requesting a dog to be 'under control' is too vague and difficult to enforce.

When seeking to put a dogs on leads restriction in public spaces, the Forum advises that there is a need to consider a fair balance between rights of owners and non-dog owners, particularly in urban areas where the restrictions can be extensive. This could have the effect of forcing dog owners into cars to go to rural areas with public rights of way and other public space not affected by restrictions. Alternatively, owners may ignore the legislation if they believe it to be unreasonable.

Dog owning is important to health and wellbeing and the major reason why people go out. For successful management of dogs, it is important that there are places where they are able to do things legitimately such as run freely off-lead and access water. The council should consider and consult on suitable, appropriate locations for this.

### **Dog Exclusions**

The current PSPO excludes dogs from a limited number of public areas. These are clearly marked 'No Dogs' (or have signage/symbols to that effect).

17 Would you like the following areas to have this restriction retained?

Retain   Review   Don't Know

Designated Sports Pitches



Retain   Review   Don't Know

Enclosed Childrens' Play Areas	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Land used as High Tide Roosting sites (Between 1st October and 31st March)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Croyde Beach (Between 1st May and 30th September)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Combe Martin Beach (Between 1st May and 30th September)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

18 Where there are high incidences of dog related anti-social behaviour or fouling this would be referred to as a 'Hotspot'. Do you support the proposal of imposing temporary restrictions of 'Dog Exclusion' in such an area if standard interventions are failing to have an effect, and a temporary restriction for "dogs on a lead" has not brought about a change in behaviour?

**Support**

19 If you have confirmed your support for the above, please confirm what you think would be an appropriate length of time for a temporary restriction to be imposed.

- 1 Month
- 2 Months
- 3 Months
- At the Council's discretion
- Other: .....

20 Please provide any additional comments about 'Dog Exclusions'.

**Sports fields is an area which is difficult and there appears to be no consistency across districts. Overall, the Forum would support an exclusion, but North Devon should seek to ensure there is readily accessible alternative green space in the local area nearby where people can walk their dogs.**

For reasons of wildlife protection and to avoid disturbance, the Forum supports proposals for dog exclusions at certain times of the year. However, the Forum is aware that Natural England in its initial consultation on the England Coast Path proposed that a more extended area than the High Tide Roosting Sites map should have long-term access exclusions, and for one location a long-term dog exclusion. It is important that North Devon Council consults with Natural England and managers of sites in that area, such as the Devon Wildlife Trust, to ensure there is no confusion. Designation of the England Coast Path for the section between Combe Martin and Marsland Mouth by the Secretary of State is anticipated in mid-2024.

### **New Proposed Limits**

These are new proposals being considered by North Devon Council for inclusion in our 2024 PSPO. We would welcome any additional comments or thoughts in the boxes provided below each of the questions in this part.

21 We are considering setting a limit on the maximum number of dogs ONE PERSON can walk at any time. There are concerns that it becomes increasingly difficult to manage and scrutinise the behaviour as the numbers of dogs increase. What do you think is reasonable?

- 6 dogs per person
- 5 dogs per person
- 4 dogs per person
- 3 dogs per person
- Don't know

22 Do you have any other comments in relation to question 21?

**Consistency between districts is very important so that dog owners have a better understanding of requirements. A lower limit of 3 or 4 may be preferable but most districts in Devon, where a limit has been applied, have opted for 6, for example Mid Devon. However, Mid Devon's PSPO is up for review in 2024.**

**There may be a case for registered commercial dog walking organisations having up to 6 dogs provided it is clear that control of dogs and fouling is critical.**

**People should be encouraged to put dogs on lead when in the vicinity of other people, children or dogs.**

23 We are considering a limit to the maximum number of dogs which can be exercised 'off lead' or on extendable leads at any time in the restricted area. This does not mean those under 'immediate control and close

control'. The restriction is being considered as monitoring behaviours and reacting to triggers becomes more challenging with a larger group of dogs. Do you support this restriction?

- Yes**
- No
- Don't know
- Don't mind / ambivalent

24 If you answered yes to Question 23, what do you feel would be the appropriate limit to the number of dogs which can be exercised 'off-lead' or on extendable leads at any time in a public space?

- 6
- 5
- 4
- 3

25 Please provide any additional comments in relation to 'Proposed Limits'.

**If the area is restricted it is not clear why any dogs should off the lead. As mentioned before the concept of immediate control or close control is hard to define and even harder to police.**

**This comment is made on the basis that the restricted area refers to Croyde Beach and Combe Martin beach.**

### **Paw Print Signs**

In order to improve visibility in our signage, we are looking to adopt a new traffic light approach in relation to our Dogs on Lead and Dog Exclusion zones. Below are samples of signage being considered.



## Paw Prints



Dogs are free to run and play whilst receptive to immediate control  
Show additional care and consideration for livestock and nature  
Respect the sensitivities of others



Dogs are permitted if kept on a lead and under control  
A fixed lead of not more than 2m in length  
Respect the sensitivities of others



Dogs are excluded from the area (This may be temporary, seasonal or permanent)  
Assistance dogs may be exempt  
Respect the sensitivities of others

26 Do you feel this signage would be appropriate and easy to understand?

**Yes – but see comments below.**

27 Please provide any comments regarding the proposed signage?

**The Devon Countryside Access Forum welcomes visual signs to encourage people to act responsibly with their dogs.**

**The wording on the green space is wrong. “whilst receptive to immediate control” should be replaced by wording that is clearer such as “must return to handler immediately when called”**

**It is not clear whether the sub-text will appear on the signs. If not, an educational campaign will be required to encourage understanding of the signs. The amber sign could include the lead length or state “dogs on short leads.”**

**The Devon Countryside Access Forum would welcome clarity about where the new signs will be erected, particularly the green one. There would be a concern if these were put up on public rights of way, for example, due to incidents of livestock worrying and livestock diseases associated with dog mess. A proliferation of signs in the countryside would also be detrimental to the landscape. The signs may be more appropriate in urban and larger settlements.**