



**Devon Countryside Access Forum
c/o Public Rights of Way team
Great Moor House
Bittern Road
Sowton
EXETER EX2 7NL**

**Tel: 07837 171000
01392 382771**

devoncaf@devon.gov.uk

www.devon.gov.uk/dcaf

Countryside Code Team
Natural England
County Hall
Spetchley Road
Worcester WR5 2NP

10 August 2022

Dear Sir/Madam

Dog control and advice

The Devon Countryside Access Forum met on 25 April 2022. One of the items discussed was Natural England's response (11.04.22) to an earlier email requesting clarity on dog control matters on different types of land.

Members agreed that it was an ideal opportunity to amend or improve messages so that members of the public have a much clearer understanding of their responsibilities. Dog ownership and recreational access to the countryside and green space are increasing, the Countryside Code has been published and the England Coast Path is nearing completion. The Forum acknowledges that dog walking is very important to the health and wellbeing of their owners and areas where dogs can be walked off-lead are much valued. Hence the request is for increased clarity where there are restrictions on dogs.

Many members of the public do not understand the subtle distinctions between different types of land and the varying dog legislation that results. For example, someone may be walking their dog on an area of open access land that leads within a short distance to coastal margin. Their perception may be that the land is very similar yet on open access they are supposed to keep their dog on a short lead (2 metres) between 1st March and 31st July yet on coastal margin only under effective control. If the aim is to protect ground nesting birds, then these would also be in evidence in the coastal margin where no on-lead ruling applies. Similarly around livestock, the phraseology under open access refers to a short lead at all times, under coastal margin to effective control, and under the Countryside Code to it being good practice wherever you are to keep your dog

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.

supported by
Devon
County Council

on a lead around livestock. The Countryside Code does not refer to lead length on open access land which is stated elsewhere on a different Government website [Open access land and the coastal margin: how to restrict public access - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/open-access-land-and-the-coastal-margin-how-to-restrict-public-access) Likewise, this website refers to dogs being under effective control near livestock in the coastal margin whereas the Countryside Code states “on Open Access land and **at the coast**, you must put your dog on a lead around livestock.” The Devon Countryside Access Forum advises that it would be very helpful for the information to be aligned and clearly laid out on all appropriate websites.

The situation is confused still further by an additional level of dog control orders (under Public Spaces Protection Orders) laid down by district, borough or city councils. These may refer to a lead length requirement and a dogs on leads by direction order whereby an authorised officer or Police Officer can ask for a dog to be put on a lead to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance. However, there is no consistency across council areas so, for example, in one authority, Teignbridge, the PSPO states “ Keep your dog on a fixed lead (which includes a fixed extendable lead), of no more than 1 metre in length, when on or adjacent to the public highway, a footway, footpath or cycle track.” yet another authority, West Devon, does not specify a lead length and adds additional areas where a lead is required. For details of just some of the council PSPOs in Devon see the attached appendix. There is also a lack of consistency governing the number of dogs that can be walked and categories of people or dog users exempt from the orders.

Areas of coastal margin under the England Coast Path extend to beaches. Here again, there are a number of Public Spaces Protection Orders which may restrict dogs at differing times of day or by season at certain beaches.

Members of the public are not generally aware when they have walked from one area of land to another, or from one council area to another. It is not surprising, given the variation in legislation, that dog owners are confused – despite the majority having the best intentions to act responsibly.

The Devon Countryside Access Forum would urge Natural England to seek some clarity and consistency in this important area so that wildlife, livestock and people are protected, and dog owners and dog walkers are clear about their responsibilities and can enjoy the countryside and green space. Ideally, messages should be clear, simple and visual and applicable in a consistent way across the country.

The Devon Countryside Access Forum would be willing to work with Natural England to help it improve messages.

The Devon Countryside Access Forum would appreciate feedback on its comments

Yours faithfully



Hilary Winter, Forum Officer

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

Dogs on leads. The legal situation on different types of land and by district areas in Devon.

Type of land	Bird nesting season	Other times	Around livestock (& grouse moors)	Elsewhere
Open access	1 March – 31 July – 2m lead length.	No restriction.	At all times. Short lead. 2m unclear from the website. 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).	At all times. Under effective control. Open access land and the coastal margin: how to restrict public access - GOV.UK (www.gov.uk)	
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 	It is good practice wherever you are to keep your dog on a lead around livestock.	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

		<p>where you have right of access</p> <p>Always check local signs as there are situations when you must keep your dog on a lead for all or part of the year. Local areas may also ban dogs completely, except for assistance dogs. Signs will tell you about these local restrictions.</p>		<p>Always check local signs as there are situations when you must keep your dog on a lead for all or part of the year. Local areas may also ban dogs completely, except for assistance dogs. Signs will tell you about these local restrictions.</p>
<p>Dartmoor National Park (outside access land)</p>	<p>Request to put dog on a lead during the lambing and ground nesting bird season 1 March – 31 July. No lead length specified. (Lead length part of the current Bylaw review being carried out by the National Park and, if approved, will bring in line with 2m length for open access land).</p>	<p>Not specified.</p>	<p>Request to put dog on a lead at all times when near or around livestock. No lead length specified.</p>	<p>Not specified.</p>
<p>East Devon Public Spaces Protection Order (PSPO)</p>	<p>May be lead by direction by authorised officer or Police Officer if worrying or disturbance to any animal or bird.</p>	<p>May be lead by direction by authorised officer or Police Officer if worrying or disturbance to any animal or bird.</p>	<p>May be lead by direction by authorised officer or Police Officer if worrying or disturbance to any animal or bird.</p>	<p>1m lead length on any road and pavement. Dogs on lead areas (no lead length specified) for some specified playing fields, car parks and footpaths. Not all of such areas.</p>
<p>Exeter Dog Control Order</p>	<p>An authorised officer of the Authority may only give this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or</p>	<p>Putting/keeping a dog on a lead when directed to do so by an authorised officer</p>	<p>Putting/keeping a dog on a lead when directed to do so by an authorised officer</p>	<p>Dog on a lead on roads, pavements, footpaths and designated parks</p>

	<p>behaviour by the dog likely to cause annoyance or disturbance to any other person (on any land to which this Order applies) or the worrying or disturbance of any animal or bird.</p> <p>Putting/keeping a dog on a lead when directed to do so by an authorised officer</p>			
Mid Devon PSPO	<p>For the purposes of Article 6.3, an Authorised Officer or Police Constable shall only give a direction to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause alarm, distress or disturbance to any other person or animal or bird on the land.</p>	<p>For the purposes of Article 6.3, an Authorised Officer or Police Constable shall only give a direction to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause alarm, distress or disturbance to any other person or animal or bird on the land.</p>	<p>For the purposes of Article 6.3, an Authorised Officer or Police Constable shall only give a direction to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause alarm, distress or disturbance to any other person or animal or bird on the land.</p>	<p>Dogs on leads (unspecified length) for identified churchyards and cemeteries and public parks.</p>
North Devon PSPO	<p>The terms of the order are as follows: (1) If a dog defecates at any time in any area of land to which the public have access, the person in charge of the dog shall remove the faeces immediately. (2) Where an authorised person is satisfied that a dog is out of control in a public area, being at large and not on a lead, and/or poses a nuisance or danger to people or other animals, the person in charge of the dog shall place the dog on a lead of 2.0m or less when directed by the authorised person.</p>			<p>On-lead restrictions in cemeteries and one identified dune area.</p>

<p>South Hams PSPO</p>	<p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird</p>	<p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird</p>	<p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird</p>	<p>Dogs on leads 1. This article applies to all areas covered by Rule 56 of the Highway Code i.e., on the road, or on the pavement, or on a path shared with cyclists or horse riders 2. Areas with retail premises designated as zone 1 under the Environmental Protection Act 1990 i.e., where there are 2 or more commercial / shop premises 3. Car Parks 4. Cemeteries and Churchyards 5. Any fenced, hedged or walled pond, area of water or nature reserve 6. Marked sports fields whilst organised sport is in progress 7. Areas delineated as formal gardens, and 8. Specifically the site known as Courtenay Park, Salcombe.</p>
<p>Teignbridge PSPO</p>	<p>Keep your dog on a lead when directed by an authorised Officer or Police Officer to prevent a nuisance or behaviour by the dog which is likely to cause annoyance or danger to any other person or animal.</p>	<p>Keep your dog on a lead when directed by an authorised Officer or Police Officer to prevent a nuisance or behaviour by the dog which is likely to cause annoyance or danger to any other person or animal.</p>	<p>Keep your dog on a lead when directed by an authorised Officer or Police Officer to prevent a nuisance or behaviour by the dog which is likely to cause annoyance or danger to any other person or animal.</p>	<p>Keep your dog on a fixed lead (which includes a fixed extendable lead), of no more than 1 metre in length, when on or adjacent to the public highway, a footway, footpath or cycle track. Keep your dog on a lead in areas with signs indicating a dogs on lead area.</p>
<p>Torrige PSPO</p>	<p>An authorised officer may only give a direction under this order if such restraint is reasonably necessary to prevent a</p>	<p>An authorised officer may only give a direction under this order if such restraint is</p>	<p>An authorised officer may only give a direction under this order if such restraint is reasonably</p>	<p>All year or seasonal dogs on leads requirement (no length specified)</p>

	nuisance or behaviour by the dog that is likely to cause harassment, alarm or distress to any other person, or to another animal, livestock or wildlife.	reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause harassment, alarm or distress to any other person, or to another animal, livestock or wildlife.	necessary to prevent a nuisance or behaviour by the dog that is likely to cause harassment, alarm or distress to any other person, or to another animal, livestock or wildlife.	for just five specified locations – a beach, a promenade and parks.
West Devon PSPO	<p>Except (ii) land that is placed at the disposal of the Forestry Commissioner under section 39(1) of the Forestry Act 1967 and Dartmoor National Park Common lands</p> <p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird.</p>	<p>Except (ii) land that is placed at the disposal of the Forestry Commissioner under section 39(1) of the Forestry Act 1967 and Dartmoor National Park Common lands</p> <p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird.</p>	<p>Except (ii) land that is placed at the disposal of the Forestry Commissioner under section 39(1) of the Forestry Act 1967 and Dartmoor National Park Common lands</p> <p>An Authorised Officer of the Council or a Police Officer may only give a direction under this Article to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog is likely to cause annoyance or disturbance to any other person (on any land to which this Article applies) or the worrying or disturbance of any animal or bird.</p>	<p>No lead length specified but leads on roads, pavements or on a path shared with cyclists or horse riders; within the 30 mph speed limit.</p> <p>All areas that are</p> <ol style="list-style-type: none"> 1. Areas with retail premises designated as zone 1 under the Environmental Protection Act 1990 i.e., where there are 2 or more commercial / shop premises 2. Car Parks 3. Cemeteries and Churchyards 4. Any fenced, hedged or walled pond, area of water or nature reserve 5. Marked sports fields whilst organised sport is in progress 6. Areas delineated as formal gardens.