



Public Spaces Protection Order: Dogs

Consultation report

February 2017

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Consultation on proposed new Public Spaces Protection Orders (PSPOs) in Havant

Introduction

This report considers the results of the consultation carried out by Havant Borough Council from 2nd January 2017 to 10th February 2017, concerning legislation relating to dogs in the borough.

Background

Havant Borough Council have a number of byelaws regarding dogs. This current legislation does not allow for the issue of fixed penalty notices for all relevant offences.

In order to prevent offences of this nature and enable actions to be taken against offenders in a manner that is easy for all to understand, Havant Borough Council propose to put into place a Public Spaces Protection Order (PSPO) to replace the current byelaws for the regulation of dogs.

Havant Borough Council are considering adopting the powers provided by the Police and Anti Social Behaviour Bill 2014, these powers could include:

- Replacing existing dog control orders in relation to dog fouling, making it an offence to fail to clear up after your dog and would enable the issue of an FPN for offences.
- As a result of a number of concerns raised in the past by residents and Councillors, Havant are also considering the implementation of orders requiring dogs to be on a lead in areas specifically designated as children's plays areas within parks and effectively banning dogs from tennis courts and other fenced in sports areas.
- Ensuring that there was a suitable order in place to effectively ban dogs from within the Blue Flag areas of Hayling whilst the zone is in place.

Consultation Objectives

The objectives of the consultation were to ensure that:

- The Council provided information on the current dog byelaws and the new powers being considered;
- The local community, special interest groups and other relevant stakeholders had the opportunity to feedback on proposals to change the current dog byelaws.

Methodology

A methodology was designed and agreed by Gary Morton (Neighbourhood Quality Officer).

Initially a stakeholder analysis was undertaken to ascertain stakeholders who needed to be notified of and included in the consultation. This list of stakeholders included:

- Havant Borough Residents
- Hayling Island Residents (pedestrians, cyclists and motorists)
- Dog owners and walkers including those with seeing and hearing dogs
- The Kennel Club
- Friends of Parks Groups
- Walking Clubs
- Beach Hut owners
- Event Organisers
- Those involved in sailing / watersports on Hayling island
- Children and parents
- Sports Clubs

In order to reach the relevant stakeholders with the limited resources available, an online survey was designed. This was shared with the Kennel Club for their input and the final draft was agreed by Gary Morton.

Publicity of the consultation took place through the following methods:

- Communications Plan promoting the questionnaire along with a link for people to use for online responses, including a notice about the consultation made available on the HBC website, Twitter and Facebook page.
- Press release sent to local papers
- Survey Link sent to Havant Borough Council Councillors
- Paper questionnaires were made available at the Havant Plaza Office.

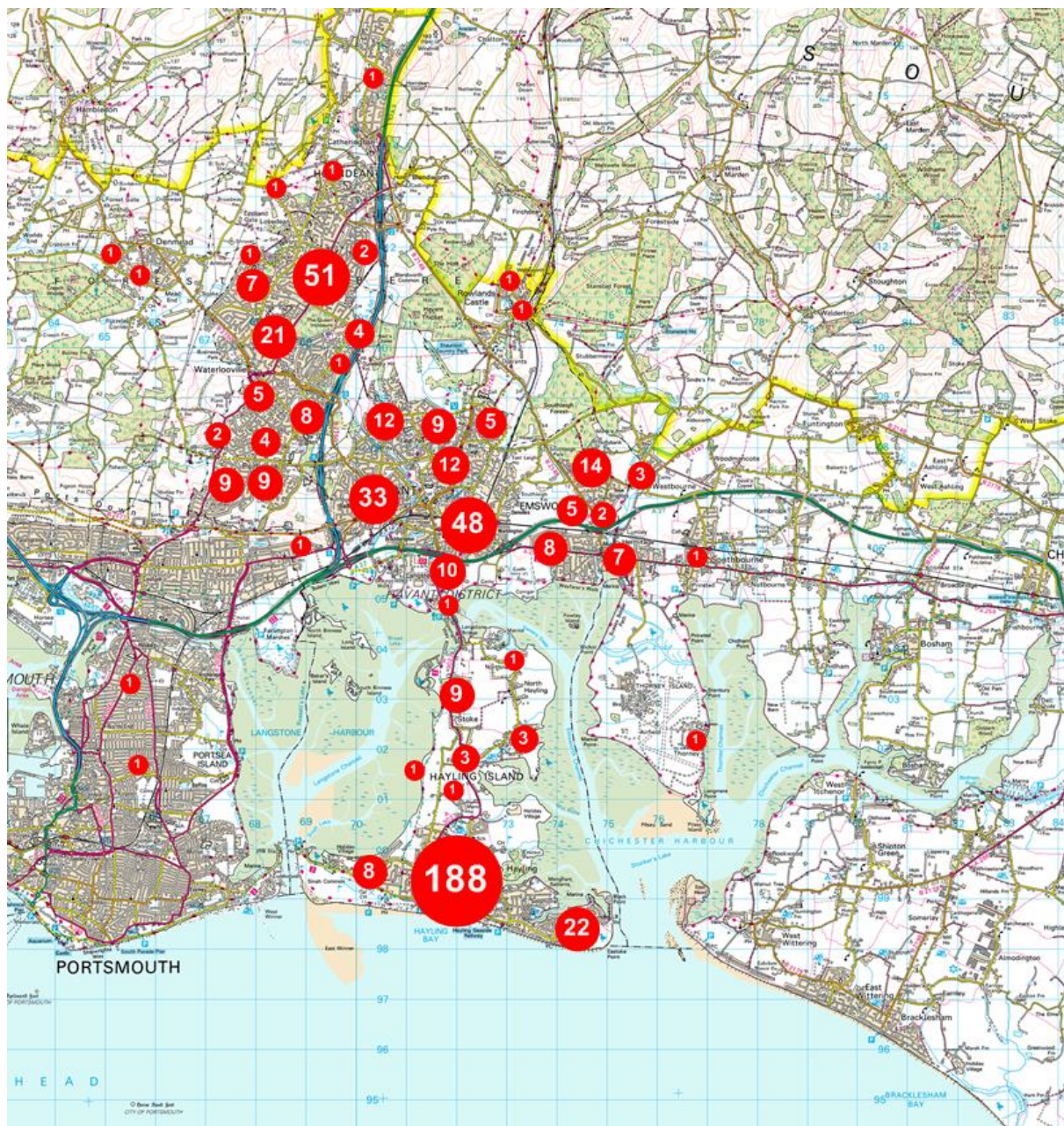
Returned questionnaires were inputted into Snap software. Responses have been collated and summarised.

A copy of the questionnaire is attached at [Appendix A](#).

Consultation with Local Residents

We had a very good response to our questionnaire with 606 completed returns.

Respondents were asked to supply their full post code; responses from those who answered have been plotted on the map below. The majority of respondents were from the Havant Borough, with a large proportion of respondents from the Hayling Island area. The questionnaire asks for comments on the continuation of the seasonal exclusion of dogs from the blue flag beaches on Hayling Island which may explain why such a high response was achieved from this area.



Do you live or work in the Borough of Havant?

Yes  583 (96%)

No  23 (4%)

If yes do you live, work or both?

Of those who answered (578):

Live  358 (62%)

Both  202 (35%)

Work  18 (3%)

Are you a dog owner?

Of those who answered (602):

Yes  383 (64%)

No  219 (36%)

Do you regularly walk a dog / dogs?

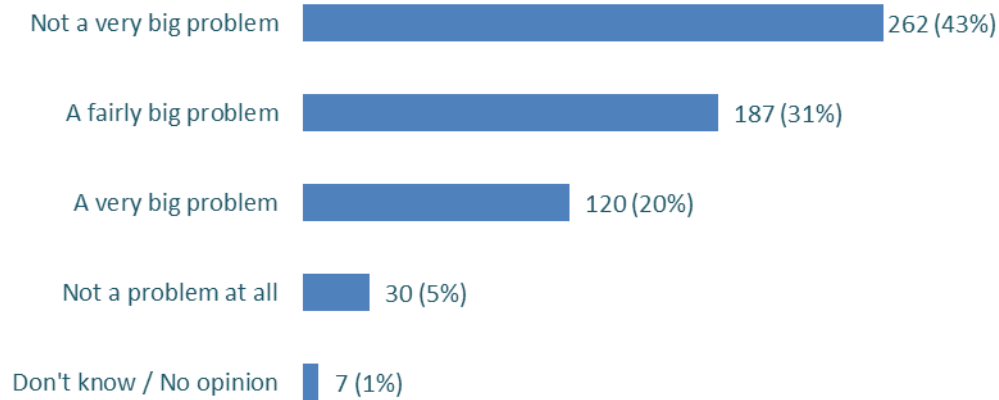
Of those who answered (598)

Yes  398 (67%)

No  200 (33%)

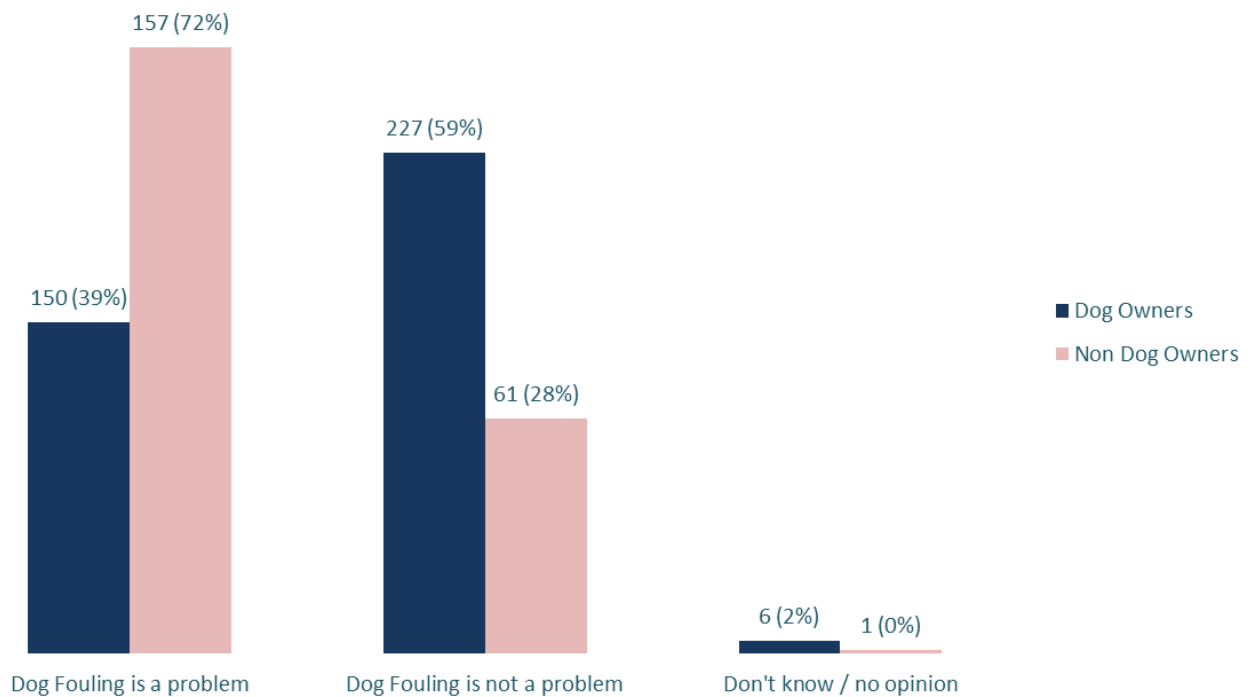
How much of a problem do you think dog fouling is in the borough of Havant?

All respondents answered this question. 51% felt that dog fouling was either a fairly big or very big problem. 48% felt that it was either not a very big problem or not a problem at all.



Comparison between dog owners and non dog owners

Clearly the perception of dog owners and non dog owners are very different. Those who own dogs appear to view dog fouling as less of a problem than those who do not own them.



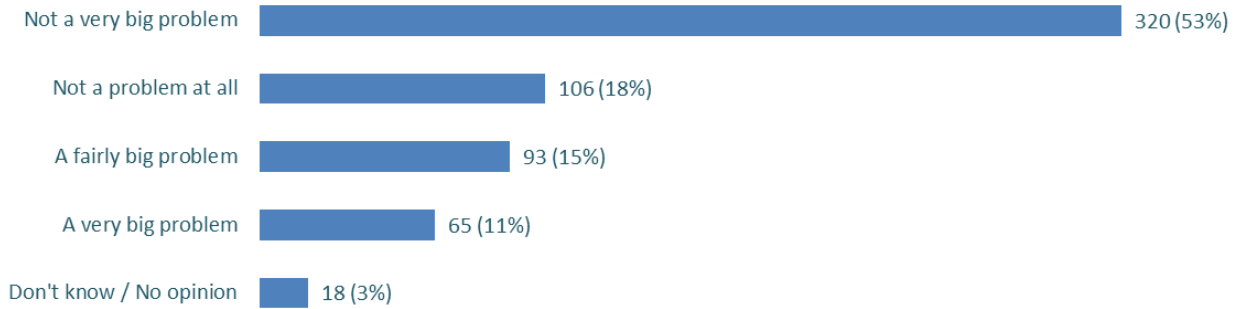
If you answered that dog fouling was a problem, please could you identify ONE area where you think this is an issue. Please be as specific as possible.

Responses have been broken down into the following themes:

- *Hayling Island*
126 respondents stated that dog fouling was a problem in Hayling Island (either generally or in specific areas such as the beach / seafront, parks, named roads, and common areas). The seafront / promenade was named by 95 respondents as being a bad area for dog fouling.
- *Hayling Billy Trail*
32 respondents stated that dog fouling was a problem around the Hayling Billy Trail area.
- *Parks*
22 respondents either cited a particular park or felt that dog fouling was a problem in parks generally.
- *Pavements / Roads in Havant*
20 respondents cited particular roads within Havant as having a problem with dog fouling.
- *Green Areas*
15 respondents either cited a particular park or felt that dog fouling was a problem in green areas generally.
- *Bins*
14 respondents felt that the problem occurred where there were not enough bins provided.
- *Emsworth / Hampshire Farm*
13 respondents stated that dog fouling was a problem in either Emsworth generally or in Hampshire Farm meadows.
- *Pavements / Roads in Waterlooville*
12 respondents cited area within Waterlooville as having a particular problem.
- *General Areas*
11 respondents felt dog fouling was a problem generally.
- *Everywhere*
10 respondents did not cite a particular place but felt there was a problem generally.
- *Pavements / Roads Purbrook*
4 areas within Purbrook were cited as having a problem.

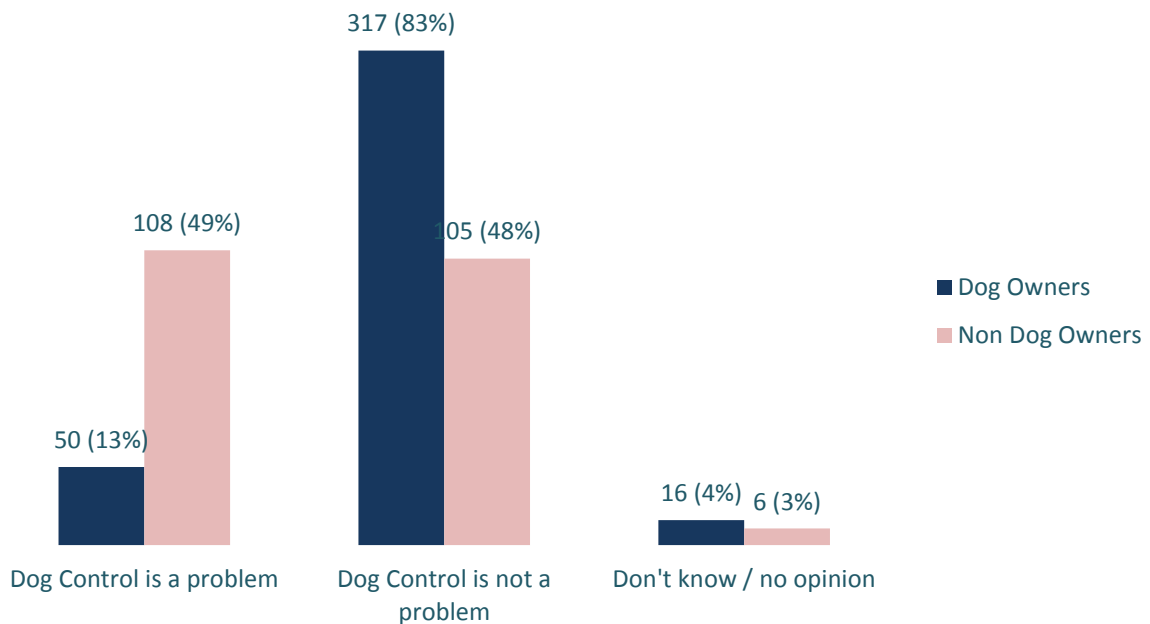
How much of a problem do you think dogs not being kept under control is in the borough of Havant?

Of those who responded (602), 71% of respondents stated that dogs not being kept under control was either not a very big problem or not a problem at all. 26% of respondents stated that this was either a fairly big or very big problem.



Comparison between dog owners and non dog owners

Again the perceptions of dog owners and non dog owners differ. Those who do own dogs appear to view dogs being kept under control as much less of a problem than those who do not own them.



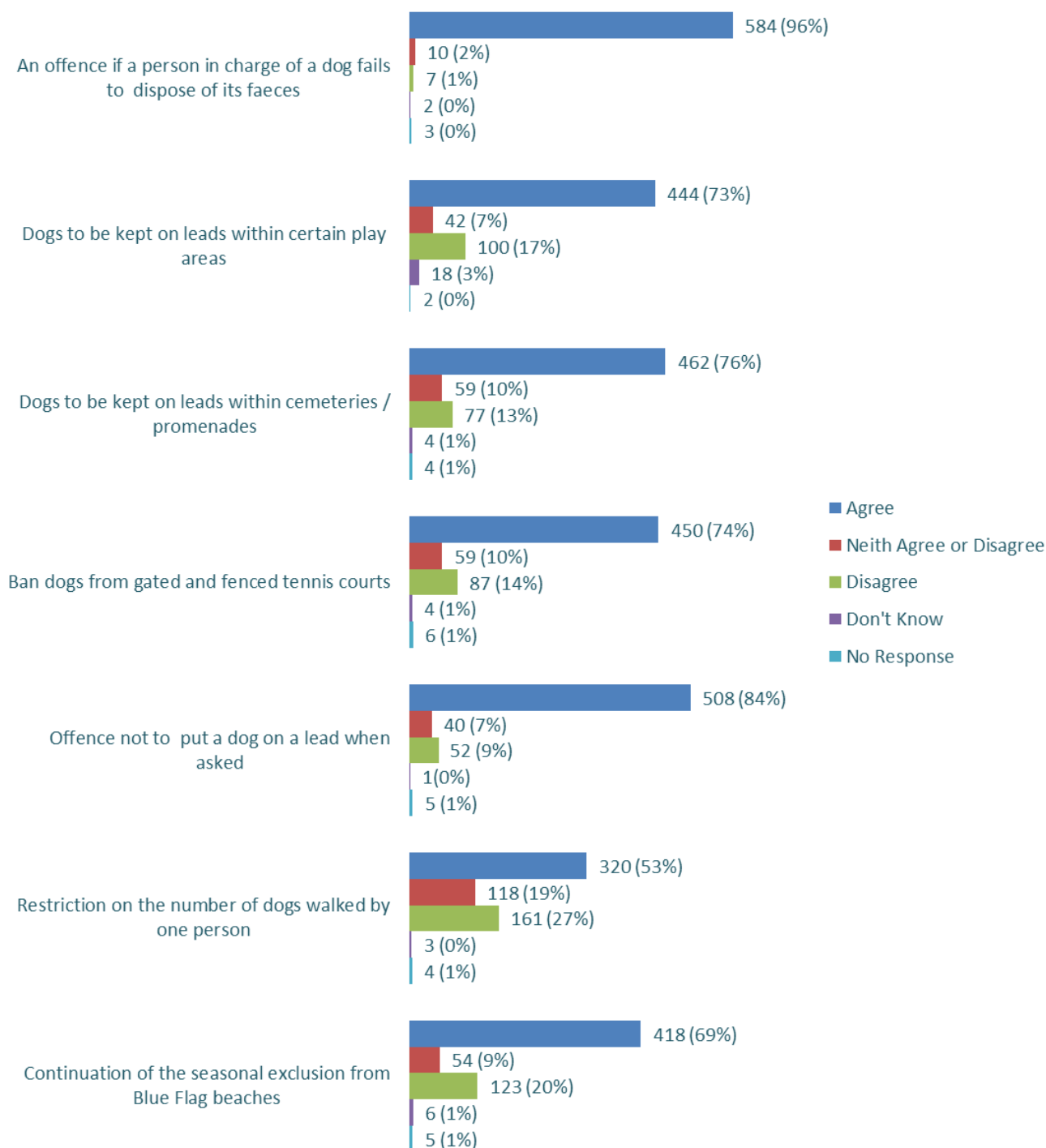
If you answered that dogs not being kept under control was a problem, please could you identify ONE area where you think this is an issue. Please be as specific as possible.

Responses have been broken down into the following themes:

- *Hayling Beach*
60 respondents stated that this was an issue in Hayling beach areas.
- *Parks generally*
This theme was cited 17 times.
- *Hayling Billy Trail*
The Hayling Billy Trail was cited 11 times as a hot spot.
- *Hampshire Farm*
5 respondents cited this area as having an issue with dogs not being kept under control.
- *Pavements / Roads*
5 pavements / roads were identified.
- *Leigh Park*
Leigh Park was cited by 4 respondents.
- *Grass Areas*
4 grass areas were cited.
- *Emsworth*
2 areas within Emsworth were cited.

Under the new PSPO, Havant Borough Council propose a number of orders and requirements. To what extent do you agree or disagree with these proposals?

In the main, most respondents appear to agree with the new proposals. The proposal which respondents disagreed with the most was the proposal to place a restriction on the number of dogs that can be walked by one person.



Any other comments or suggestions you may have.

The comments left have been broken down into key themes, the main themes are:

- *Punishment*

Several respondents stated that dog owners should be punished /penalised for failing to adhere to rules regarding dogs in public areas. A large number of respondents advocated the greater use of fines for those not adhering to laws relating to dogs.

- *Signage*

A popular theme was that of more signage needed. Many felt that current signage stipulating rules was inadequate.

- *Bins*

A very common theme arising from the respondents was the need for more bins. There seemed a large support for a greater number of dog bins to be provided.

- *Dog Warden*

Several respondents stated that more dog wardens should be in place to address problems with dogs in public spaces.

- *Dog Licenses*

A suggestion made by some respondents was that dog licenses should be introduced.

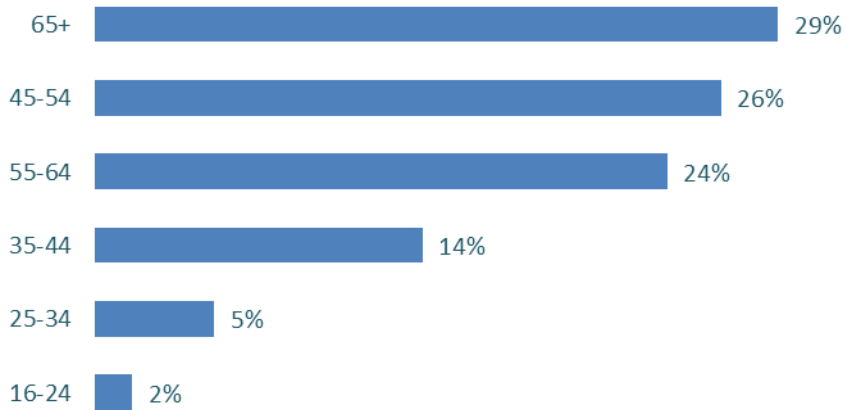
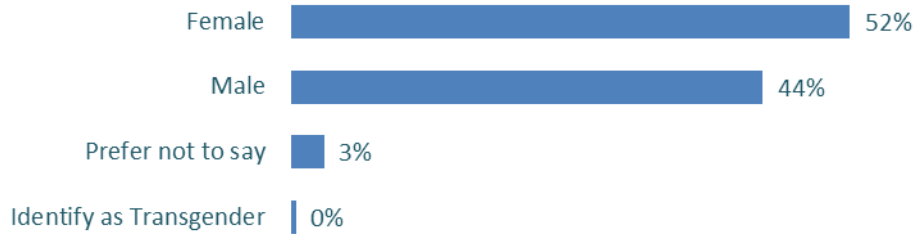
- *Fenced Dog Areas*

A number of respondents suggested that the borough could assign fenced dog areas. It was felt by some that owners / walkers needed somewhere safe and secure to exercise their dogs.

- *Hayling Beaches*

There were mixed views about allowing dogs on beaches. Respondents were split on whether rules should be in place prohibiting them from the beach at certain times.

Profile of Respondents



Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?



Consultation with Specialist Interest Groups

Written submissions in relation to the consultation were received by the Kennel Club and by the Dogs Trust.

The key issues raised have been summarised below.

The Dogs Trust

- *Fouling of dogs*

The DT support this order but urge the council to consider whether an adequate number of disposal points are provided, consider providing free disposal bags and ensure that there is sufficient signage.

- *Dog Exclusion Order*

The DT recommend that exclusion areas are kept to a minimum and restricted to enclosed areas with clear boundaries. They also highlight the need to provide plenty of signage for owners.

- *Dogs on Leads Order*

The DT urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') this includes the need for sufficient exercise including the need for dogs to run off lead in appropriate areas. Any orders should not restrict dog owners in complying with this. They ask the Council to ensure there are an adequate number of well sign posted areas dogs can be exercised off lead.

- *Dogs on Lead by Direction*

This order is supported by the DT and they state that they would be content if the others (other than the fouling order) were dropped in favour of this order.

- *Taking more than a specified number of dogs onto a land*

The DT disagree that there should be a limit on the number of dogs walked, they consider that proper use of a "Dogs on Leads by Direction" order, by authorised officers, would be a better solution and less restrictive on responsible owners.

The Kennel Club

- *Dog fouling*

The KC urge the Council to increase the number of bins available and run events / campaigns advising owners about responsible ownership.

- *Dog access*

The KC also highlight the Animal Welfare Act and the need for owners to exercise their dogs daily. The KC will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog controls should be the least restrictive. In many cases a seasonal or time of day restriction are most appropriate and the KC are very pleased to see that this has been the approach taken by the council.

- *Dogs on leads*

The KC welcome the provision but recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices

- *Maximum number of dogs a person can walk*

The KC feel this is an inappropriate approach to dog control. They recommend that the Council utilise “dogs on lead by direction” orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don’t have control of the dogs they are walking.

The KC raise concerns that limits might encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns. If the Council considers issues arising from commercial dog walkers, then the KC suggest the council looks at accreditation schemes.

- *Assistance dogs*

The KC request that appropriate exemptions are put in places for users of registered assistance dogs and state that ‘there are in total seven charities training registered assistance dogs in the UK that we submit should be included.’

- *Wording for proposals / signage*

In the KC’s submission they propose wording that should be adopted for the fouling order, dog access restrictions and appropriate signage. This should be considered when drafting any such proposals.

Consultation with Councillors

Havant Councillors were informed of the consultation via email communication. Whilst a number completed the online survey (and hence their responses were considered in the questionnaire section of this report), two councillors supplied written comments. The points raised were as follows:

- *Dog Fouling*

One councillor suggested that owners should take responsibility for their dogs and fines should be raised to deter this.

- *Dog Exclusion Order*

One councillor suggested that dogs should not be allowed in Children's play areas under any circumstances and that children's health is paramount. Another felt that the consultation should have been publicised in every park, open space and sports field in the borough. One councillor Whilst fully supporting Hayling Islands Blue Flag beaches, was unsure what changes were being proposed here.

- *Maximum Number of dogs a person can walk*

It was felt by one councillor that it was not the council's job to tell residents how many dogs they may walk.

Key Messages

- I. General*

The consultation garnered a high response, the issues raised were clearly emotive and any such response to the consultees should be dealt with sensitively. A number of extra responses were received to the consultation. The literal responses have been summarised in this report, full copies are available upon request. Consideration should be given to these comments before introducing any new orders/ policies.

- II. Dogs on Leads*

A number of respondents were concerned that responsible dog owners would be penalised. Submissions from stakeholders such as the Dogs Trust and the Kennel Club highlighted the need to balance any legislation against a dog's 'need for sufficient exercise', this is a requirement under the (Animal Welfare Act 2006). Therefore when drafting orders around dogs on leads this should be kept to a minimum where possible. The proposal regarding the proposed restriction of numbers of dogs on leads should

be considered in the context of responses and submissions from consultees. Consideration should be given to whether a 'Dogs on leads by Direction' Order would be a more appropriate option.

III. Exclusion Orders

When drafting orders around exclusion areas these should be kept to a minimum and dog owners / walkers should be made aware of clear boundaries so they can adhere to the rules. Appropriate signage should be displayed making owners / walkers aware of their responsibilities.

IV. 'Hot spot' areas

Hayling Island is the area most cited in the literal response questions as having a problem with dog fouling / dogs not being kept under control. Large numbers of respondents who felt dog fouling and dog control was a problem were residents from the Hayling Island area. Three key areas that were raised in the general comments section of the questionnaire and by the DT and KC were:

- **More signage**
- **Fenced Dog areas**
- **More bins – particularly along prominent areas**

It would be prudent to consider the possibility of these above suggestions, particularly in the Hayling Island area. These measures would form a proactive approach by Havant Borough Council in tackling issues arising from dogs in public spaces and may help to allay any concerns residents have about responsible dog owners being penalised.

V. Wording

When drafting proposals / signage, particular consideration should be given to the wording suggested by the Kennel Club, particularly with reference to exemptions of users of registered assistance dogs.

Appendix A: Questionnaire

Public Spaces Protection Order: Dogs....Have your say.

Dogs are a large and enjoyable part of everyday life for many of our residents and visitors, and the majority of those are responsible and caring owners. Havant Borough Council, in our role as stewards for our streets and open spaces is updating our byelaws to a Public Space Protection Order (PSPO) to:

- create a clearer, simpler system thereby making it easier for the public to understand
- provide a more comprehensive and consistent approach to the control of dogs in the borough
- increase the penalties for those committing offences
- balance the needs of dog owners and other members of the community

The council of course recognises the pleasure that dogs bring to individuals and families, and the desire and the legal requirement* to provide their dog with regular opportunities for exercise and play with people or other friendly dogs. A period of public consultation will ensure the views of those affected are taken into account.

Please note that a registered blind person, or a person with a disability affecting their mobility, manual dexterity, physical co-ordination or ability to lift, carry or move everyday objects and who relies upon a dog trained by a prescribed charity for assistance is exempt from this order.

* Defra 'Code of Practice for the Welfare of Dogs'

The public consultation will run from the 2nd January 2017 to Friday 10th February 2017.

If you need help with this questionnaire please contact Customer Services on 023 9244 6019.

01 Do you live or work in the Borough of Havant?
Yes
No.....

02 If yes do you
Live.....
Work.....
Both.....

03 Are you a dog owner?
Yes
No.....

04 Do you regularly walk a dog / dogs?
Yes
No.....

05 How much of a problem do you think dog fouling is in the borough of Havant?
A very big problem.....
A fairly big problem.....
Not a very big problem.....
Not a problem at all.....
Don't know / no opinion.....

06 If you answered that dog fouling was a problem, please could you identify ONE area where you think this is an issue. Please be as specific as possible.

07 How much of a problem do you think dogs not being kept under control is in the borough of Havant?
A very big problem.....
A fairly big problem.....
Not a very big problem.....
Not a problem at all.....
Don't know / no opinion.....

08 If you answered that dogs not being kept under control was a problem, please could you identify ONE area where you think this is an issue. Please be as specific as possible.

Q9 Under the new PSPO, Havant Borough Council propose a number of orders and requirements. To what extent do you agree or disagree with these proposals?

	Strongly	Neither	Agree or	Strongly	Don't
	Disagree	Disagree	Disagree	Disagree	Disagree
Making it an offence if a person in charge of a dog fails to remove and suitably dispose of its faeces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A requirement for dogs to be kept on leads within certain children's play areas (Bidbury Mead, Longwood Park, Cowplain Recreation, Front Lawn Recreation, Gauntlett's Park, Hampshire Farm Play Area and Hollybank	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A requirement for dogs to be kept on leads within cemeteries and specific promenades	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To ban dogs from gated and fenced tennis courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Making it an offence to fail to put a dog on a lead when directed to do so by an authorised officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A restriction on the number of dogs that one person may walk at one time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A continuation of the seasonal exclusion of dogs from the Blue Flag beaches on Hayling Island	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q10 Any other comments or suggestions you may have.

About you

Q11 Are you?

- Male.....
- Female
- Do you identify yourself as transgender?
- Prefer not to say

Q12 Which of the following age bands do you fall into?

16 - 24	<input type="checkbox"/>
25 - 34	<input type="checkbox"/>
35 - 44	<input type="checkbox"/>
45 - 54	<input type="checkbox"/>
55 - 64	<input type="checkbox"/>
65+	<input type="checkbox"/>
Prefer not to say	<input type="checkbox"/>

Q13 Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Yes, limited a lot	<input type="checkbox"/>
Yes, limited a little	<input type="checkbox"/>
No	<input type="checkbox"/>
Prefer not to say	<input type="checkbox"/>

Q14 Please supply your full postcode

Thank you for completing this questionnaire. When completed please return to:

Neighbourhood Support
 Havant Borough Council
 The Plaza

Civic Centre Road

Havant

PO9 2AX

Appendix B: Dogs Trust Submission



11 R. M. All. R. S. P. O. S.

Dear Havant Council,

As the largest dog welfare charity in the UK we are very pleased to have this opportunity to give our response to this consultation. Naturally, we don't have specific knowledge of the local area and so you will no doubt also wish to draw on the first-hand experience of dog owners who live and work in the area.

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance we urge the council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.

2. Re; Dog Exclusion Order:

- Dogs Trust accepts that there are some areas where it is desirable that dogs should be excluded, such as children's play areas, however we would recommend that exclusion areas are kept to a minimum and that, for enforcement reasons, they are restricted to enclosed areas. We would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- Dogs Trust would highlight the need to provide plenty of signage to direct owners to alternative areas nearby in which to exercise dogs.

3. Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.
- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign-posted areas locally for owners to exercise their dog off-lead.

4. Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to be put on and kept on a lead when directed to do so by an authorised official).
- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

Dogs Trust

Clarissa Baldwin House
17 Wakley Street
London EC1V 7RQ

T 020 7837 0006

F 020 7833 2701

www.dogstrust.org.uk

Patron: Her Majesty The Queen

Registered Charity Numbers: 227523 & 5037843

5. Re; Taking more than a specified number of dogs onto a land:

- Dogs Trust does not agree that there should be a limit on the number of dogs walked as so much depends on the ability of the person to control the dogs. A good owner may be able to control large numbers of dogs while a less responsible person may be incapable of controlling one. While we accept the motivation for introducing this order, we consider that proper use of a "Dogs on Leads by Direction" order, by authorised officers, would be a better solution that is less restrictive on responsible owners.

Whilst we believe that the vast majority of dog owners are responsible, Dogs Trust would be happy to talk to the Council about ways we could work together to encourage responsible behaviour amongst the small minority of owners who may cause problems.

We would also be very grateful if you could inform us of the outcome of the consultation process and of subsequent decisions made in relation to the order.

Yours faithfully,



Lee Paris
Campaigns Officer
020 7837 7701

Appendix C: The Kennel Club Submission



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Havant Borough Council Public Spaces Protection Order Consultation

Submitted on 10th February by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, tel: 020 7518 1020, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities the Kennel Club runs a dog owners group KC Dog with approximately 5,000 members, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

We would very much like to thank the council for proactively consulting with us in relation to the proposed PSPO

Response to proposed measures

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Dog access

The Kennel Club can support reasonable "dogs on lead" orders, which can - when used in a proportionate and evidenced-based way - include areas such as cemeteries, picnic areas, sites where livestock may be present, or on pavements in proximity to cars and other road traffic.

The council should be aware that dog owners are required, under the Animal Welfare Act 2006, to provide for the welfare needs of their animals and this includes providing the necessary amount of exercise each day. Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including "regular opportunities to walk and run", which in most cases will be off lead while still under control. This is a provision of the Code of Practice for the Welfare of Dogs, which accompanies the Animal Welfare Act 2006.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance a "dogs on lead" order for a picnic area is unlikely to be necessary in mid-winter.

We are very pleased to see that this has been the approach taken by the council.

We welcome the inclusion of the "dog on lead by direction" provision, which should allow a more targeted approach to tackle the individuals who allow their dogs to run out of control. We would also recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can also help those people whose dogs run out of control due to them not having the ability to train a good recall.

Maximum number of dogs a person can walk

The Kennel Club feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that will often simply displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used and the location where the walking is taking place.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance, they cannot control that number of dogs.

We thus suggest that defined outcomes are used instead to influence people walking more than one dog, be that domestically or commercially, such as dogs always being under control, or not running up to people uninvited, on lead in certain areas etc.

For example, an experienced dog walker may be able to keep a large number of dogs under control during a walk, whereas an inexperienced private dog owner may struggle to keep a single dog under control. Equally the size and training of the dogs are key factors; this is why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses "dogs on lead by direction" orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don't have control of the dogs they are walking.

A further limitation of a maximum number of dogs per person is that that it does not stop people with multiple dogs walking together at a given time, while not exceeding the maximum number of dogs per person. Limits can also encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns.

If a maximum number of dogs is being considered due to issues arising from commercial dog walkers, we instead suggest councils look at accreditation schemes that have worked very successfully in places like the East Lothian council area. These can be far more effective than numerical limits, as they can promote wanted good practice, rather than just curb the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners. The Kennel Club is currently developing a national Code of Practice for Commercial Dog Walking for launch in 2017, alongside a national accreditation and training scheme that councils can work with us to apply and promote in their areas.

Assistance dogs

We would also request appropriate exemptions are put in places for users of registered assistance dogs. There are in total seven charities training registered assistance dogs in the UK that we submit should be included. We would suggest that to find out more information about the range of assistance dogs now legally recognised under disability legislation in the UK that need to be accommodated, go to www.assistedogs.org.uk.

For the proposed dog fouling up measure we suggest the Council adopts the following wording -

These offences does not apply to a person who –

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the dog access restrictions including dog exclusion and dogs on lead we submit the Council adopts the following wording -

- a) is registered as a blind person in 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 disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

Appropriate signage

It is important to note that in relation to PSPOs the "The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014" make it a legal requirement for local authorities to –

"cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to -

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be)."

With relation to dog access restrictions such as a "Dogs on Leads Order", on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, "You are entering [type of area]" and "You are leaving [type of area]" on the reverse of the sign.

While all dog walkers should be aware of their requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

