

DORSET COUNCIL - PLACE AND RESOURCES OVERVIEW COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 21 SEPTEMBER 2020

Present: Cllrs Daryl Turner (Chairman), Les Fry (Vice-Chairman), Pauline Batstone, Ryan Hope, Sherry Jespersen, Carole Jones, Val Potheary, Andrew Starr, Roland Tarr and David Taylor

Apologies: None

Also present: Cllr Ray Bryan, Cllr Spencer Flower, Cllr Simon Gibson, Cllr Nick Ireland, Cllr Rebecca Knox and Cllr Jane Somper

Officers present (for all or part of the meeting):

John Sellgren (Executive Director, Place), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), Graham Duggan (Head of Community & Public Protection), Janet Moore (Environmental Health Team Leader and Health Projects Manager), Jane Williams (Team Leader - Public Protection) and Lindsey Watson (Senior Democratic Services Officer)

1. Minutes of former scrutiny committees - for information only

All present noted the minutes of the former Place Scrutiny Committee and Resources Scrutiny Committee included on the agenda for information only.

2. Declarations of interest

There were no declarations of interest.

The Chairman, D Turner noted that as a dog owner, he walked his dogs on the beaches in the Dorset Council area.

3. Chairman's Update

The Chairman highlighted the committee's terms of reference, which had been included on the agenda for information. He noted that the committee had a role in formulating policies and processes for the council but that the committee had the ability to look at any issue that affected the council area or residents or groups within the area. He reported that the chairmen and vice-chairmen of the overview and scrutiny committees would be meeting on a regular basis to discuss forward plans and how the committees operated moving forward. Work to be undertaken by the committee would include a look at the policies contained within the Policy Library, which was an amalgamation of policies brought forward from the previous councils. In addition, he asked committee members to give some thought to any training requirements.

4. Public Participation

3 statements were received from the public and local organisations.

The statements were read out by Lindsey Watson (Senior Democratic Services Officer) and noted by the committee. A copy of the statements are set out in Appendix 1 these minutes.

5. Dog-related Public Space Protection Order

The committee received a report which summarised the findings from a Dog-related Public Space Protection Order consultation undertaken between January and May 2020. Informed by the consultation, the report proposed a draft Dog-related Public Spaces Protection Order (PSPO) to replace and consolidate existing PSPO's and byelaws for the Council area for a period of 3 years. The Place and Resources Overview Committee were invited to consider the matters within the report, make any comments on the draft Order and recommend the draft Order (as amended) to Cabinet at their meeting on 6 October 2020.

The Chairman highlighted the importance of having a single PSPO for Dorset Council and that the measures needed to be fair and proportionate to both dog owners and non dog owners. The consultation drew in views from a large number and wide range of people and the Chairman thanked all that had participated. In addition, he noted representations from the Kennel Club, Guide Dogs for the Blind and assistance dogs and also reminded members that issues around enforcement were not for consideration at this meeting.

The Head of Community and Public Protection noted that officers had worked to consolidate existing provisions where possible but with an aim to achieve a single PSPO for the whole Dorset Council area for greater consistency. Some issues raised during the consultation would be considered as part of the 3 year review of the PSPO and this would include dog exercise areas on beaches. He offered his thanks to Mark Simons for his work on the consultation report.

Councillors considered general issues arising from the report and during discussion the following points were raised:

- Councillors congratulated officers on their work on the successful consultation exercise. It was noted that consultation had been extensive and included vets and the RSPCA
- The importance of clear signage was highlighted which it was suggested could include the use of visual mapping, colour coding and detail and what was allowed and not allowed in a particular areas. Including a telephone number for reporting incidents and a QR code to provide access to the council's website for relevant information were both also suggested as potential additions to signage

- It was noted that officers would be working with town and parish councils to agree the most appropriate signage for particular areas
- The council had the power to place a PSPO on any public land irrespective of ownership
- A point was raised that there was a need to take a balanced approach in this area and that there should not be a complete ban on dogs being allowed on beaches
- A discussion was held in respect of whether timings could be placed on when dogs could be exercised on a particular area such as a beach when covered by an exclusion period. It was noted that there could be an issue with the cleaning of beaches if dogs were allowed
- Issues around enforcement were raised and the Head of Community and Public Protection noted that the use of enforcement resources, including potentially sharing resources between services, would be looked at over the coming months
- The important role of education and awareness raising in this area was recognised and this would include the use of a social media campaign
- Reference was made to restrictions proposed for the Rodwell Trail in Weymouth and it was noted that as no strong preference had been expressed during the consultation, officers had looked to maintain the current provisions in order to strike a balance for different users of the area
- A suggestion was made that dog waste bags could be handed out by volunteers at particular times
- Health issues around dog waste were highlighted
- It was recognised that the vast majority of dog owners were responsible and that issues were caused by a minority
- Reference was made to the role of dog friendly groups and the example provided of the group in Weymouth. Councillor Hope expressed his thanks to this group
- Issues around enforcement could be looked at by the Place and Resources Scrutiny Committee.

The committee discussed the recommendations contained within the report in turn. Comments and recommendations were made as follows:

Recommendation to Cabinet (including comments where relevant)

Proposed Provisions

- Clearance of dog fouling and appropriate disposal from public open spaces.** Referenced on page 12 of the consultation report and the proposed open spaces listed in Schedule 1 of the draft Order. This received significant support and is a current requirement in all predecessor council areas.

Recommended for inclusion.

- b. **Maximum lead length of 2m where required.** Referenced on page 15 of the consultation report and the areas are listed in Schedule 3 of the draft Order. This received significant support and is a current requirement of both West Dorset and Weymouth and Portland Councils PSPOs.

Councillors discussed the proposed restriction on lead length and whilst some councillors did not want to see a restriction, some comments were also made in support in having a measure in place, which could be enforced if required.

Upon being put to the vote it was

Recommended for inclusion.

- c. **Dogs on lead as directed by an authorised officer, maximum lead length 2m.** Referenced on page 21 of the consultation report. This received significant support and is a current requirement of West Dorset, Weymouth and Portland and North Dorset Councils PSPOs.

Recommended for inclusion.

- d. **Dogs on leads, generic locations.** Referenced on page 23 of the consultation report.

All roadways and footways in areas of vehicle speed limits up to and including 30mph. Whilst this received significant support there is concern that the enforcement of such a restriction is difficult, along with very high signage requirements. A current requirement only of Weymouth & Portland Council PSPO.

Not recommended for inclusion.

Municipal cemeteries, church and graveyards, where dog are permitted. Received significant support and is a current requirement of both West Dorset and Weymouth and Portland Councils PSPOs.

A point was raised by one councillor that this could not be supported as it was felt to be an open space to be used by all.

The Chairman noted that the provision allowed for dogs on leads in these areas.

Recommended for inclusion.

Public formal gardens. Received significant support and is a current requirement of both West Dorset and Weymouth and Portland Councils PSPOs.

A comment was made that some measures were being put in place in order to deal with the minority causing issues.

Recommended for inclusion.

Council owned allotments, where permitted. 59% supported the restriction however there was comment about individual allotments bounded by fencing where dogs could be off-lead. This would be difficult to enforce having different requirements on the same land. A current requirement of both West Dorset and Weymouth and Portland Councils PSPOs.

It was noted that this measure provided for dogs to be on leads in those allotments where dogs were permitted.

Recommended for inclusion.

Council owned car parks. Received significant support and a current requirement of some beachside car parks.

Recommended for inclusion.

Within 5m of marked sports pitches - 70% supported the restriction. Dog fouling on and around sports pitches is highly objectionable and a risk to public health. Dogs need to be under control for owners to remove fouling. Significant support and is a current requirement of both West Dorset and Weymouth and Portland Councils PSPOs.

Recommended for inclusion.

- e. **Dogs on leads, specific locations.** Referenced on page 35 onwards of the consultation report.

Rodwell Trail, Weymouth. An urban cycle and footway connecting the outlying wards to Weymouth town. The responses were divided. Dog owners were less supportive of dogs being on a lead. Support for the restriction has come from the Police, Dorset Waste, local dog organisations, Weymouth Town Council, cycling groups and 60% of the responding residents. This is a very popular location, and it would be more difficult to find and remove dog fouling if off-lead. A current requirement.

Recommended for inclusion.

West Bay Harbour side and Esplanades. Received significant support and is a current requirement.

A question was raised as to whether specific timings could be applied to this measure.

It was noted that this was a current requirement and that as this was in relation to roads, car parks and access routes to the beach, it was felt right that dogs should be on a lead.

Recommended for inclusion.

Lyme Regis pathways etc. adjacent to the Front/Town Beach. Received significant support and is a current requirement.

Recommended for inclusion.

Weymouth Esplanade. Received significant support and is a current requirement.

Recommended for inclusion.

Swanage. The Parade and adjacent roads leading to the Beach. Received significant support and is a current requirement.

Recommended for inclusion.

Studland, access to South Beach and Car Park. Received significant support and is a current requirement.

Recommended for inclusion.

Studland, Shell Beach. 58% supported no restriction. However, the land is owned by the National Trust and they have expressed a view for dogs to be on lead as is the current requirement in Purbeck DC's byelaw in order to protect the local habitat. It is therefore recommended that no change is made to the current position.

Clarification was sought on the area covered by the provision and the relevant map was displayed to the committee.

It was confirmed that the land either side of the road was owned by the National Trust. Natural England had made a request for dogs to be kept on leads in order to protect the local habitat.

A point was made that both the National Trust and Natural England had their own byelaws and that their request should therefore be met. It was highlighted that this was a world famous reserve and that dogs should be prevented from going into the area.

It was noted that 58% of consultee respondents supported no restriction in this area.

Councillors discussed the issues arising and reference was made to whether restrictions could be applied at particular times of the day only and whether signage could be installed to set out no access areas?

If respect of signage, a point was made that there were many access points to the reserve and therefore it was not practical to put notices up at all locations.

The Portfolio Holder for Customer and Community Services highlighted the importance of dogs being kept on a lead in the area between the road and the beach. Most species of wildlife in the area lived in this area. Dogs could then be exercised off lead on the beach.

With the consultation responses in mind, a point was made that dogs should be kept on a lead until they reached the beach. It was felt that people could understand the difference between the beach area and the scrubland and that people were capable of understanding signage directing this.

Councillors supported dogs being kept on lead in all areas of Studland (including access roads, car park, pathways and scrubland) with dogs being permitted to be off lead on the beach.

On being put to the vote this was Agreed.

The Chairman asked that officers re-word this part of the recommendation before the report was submitted to Cabinet on 6 October 2020. Members of the committee to be sent the updated wording prior to the report being considered.

Charmouth, Lower Sea Lane Car Parks and surrounding areas leading to the Beach. Received significant support and is a current requirement.

Recommended for inclusion.

Charmouth Beach area - to either side of the proposed beach exclusion area and extending to the parish boundary. The exclusion area is marked as red on the map (page 63). This was requested for inclusion by the Parish Council. 58% supported no restriction. There is no current requirement for dogs on lead.

It was noted that this was in relation to areas leading to the beach.

Not recommended for inclusion.

- f. **Dog exclusion areas – generic.** Referenced on page 65 onwards of the consultation report.

Marked sports pitches and recreation areas – 55% supported exclusion from these areas including the majority of responding Town and Parish Councils. However, 40%, including the Police, supported an on-lead restriction as a better provision. On grounds of public health; public safety and as a current requirement of West Dorset, Weymouth and Portland and North Dorset Councils PSPOs it is recommended for inclusion.

Recommended for inclusion.

Enclosed children's play areas – received significant support and a current requirement in West Dorset, Weymouth and Portland, North Dorset and some locations in East Dorset.

Recommended for inclusion

- g. **Beach restrictions** – Referenced on page 71 onwards of the consultation document.
(Maps are produced to support the Order by clearly delineating areas where restrictions apply).

Harmonisation of a beach exclusion period - received significant support with the highest level of support given to 1 May to 30 September (the shortest exclusion period).

Councillors considered the dates proposed for the beach exclusion period. In respect of the dates given, it was noted that a later start date had not been included in the consultation.

A question was raised as to whether daily timings could be applied in order to allow dogs at specific times of the day. In response it was noted that in order for a beach to have a blue flag award, dogs had to be excluded from the beach. This was an important factor for those beaches that carried the blue flag award or for those hoping to achieve it.

Recommended for inclusion

Swanage, Central Beach (931 respondents). Continued exclusion in the current area was supported by 60% of overall respondents. Many dog owners disagreed and were keen for the provision of a dog exercise area. The majority of respondents agreed for the beach to be off-lead outside of the exclusion period.

It is recommended that dogs are excluded from this beach between 1 May and 30 September and may be exercised off-lead at other times.

Agreed.

Charmouth Beaches (855 respondents). Beaches East and West of stream and adjoining the Car Park. There is a current requirement on both beaches for exclusion in the summer period, however 52% of overall respondents did not support this continuing and wanted unrestricted use of the beach throughout the year. Charmouth Parish Council have requested some restriction to be placed on the beaches.

It is recommended to include East Beach (under Evans Cliff) as an exclusion area between 1 May and 30 September with dog's exercised off-lead at other times. West Beach to have no restrictions.

Agreed.

Lyme Regis, Front/Town Beach (1175 respondents). Significant support received for an exclusion period. Lyme Regis Town Council indicated that they would prefer an all year-round exclusion. There is a current requirement for exclusion on the beach in the summer period and no restriction for the remaining of the year.

There was no clear support for the position to change. However, there has been significant complaint about dogs being off-lead and the Town Council would prefer an on-lead restriction for the remainder of the year on the beach. The adjoining beaches have no restrictions and can be used for exercise off lead.

It is recommended that dogs are excluded from this beach between 1 May and 30 September and on-lead at all other times.

Agreed.

Chideock, Seatown Beach (623 respondents). No majority for exclusion. 56% in favour of off-lead restriction at all other times. Currently, dogs are excluded all year as a requirement of the PSPO and at the request of the landowner, The Wraxall Estate. Chideock Parish Council would prefer exclusion to continue in the summer period.

It is recommended that dogs are excluded from this beach between 1 May and 30 September and off-lead at all other times.

As a correction to the information included in the report, it was noted that this was only a restriction during the summer months and reflected the current position.

Agreed.

Studland Beach, also known as Knoll Beach and Middle Beach (1398 respondents). There is a current requirement for dogs on-lead at all times but no exclusion period. There was significant support (70%) for no exclusion period to continue, furthermore 67% did not want an on-lead restriction. However, the landowner Natural England would prefer an all year round on-lead restriction in relation to protection of habitats.

It is recommended that as currently, there will be no exclusion period but dogs shall be on-lead at all times.

Councillors sought clarification on the current position with regard to this area and what was proposed. Councillors reflected on the impact of the discussion earlier in the meeting with regard to this area.

The Chairman asked that officers reworded this provision and that this was sent to committee members for clarity before the report was considered at Cabinet on 6 October 2020.

West Bay, East Beach and West Beach (1093 respondents). Currently, there are exclusion periods on both beaches. A small majority supported an exclusion on both beaches and did not want a dog on-lead restriction for the remainder of year. A further question asked if East Beach only should have an exclusion period. 55% of respondents supported this.

It is recommended that dogs are excluded from East and West Beaches between 1 May and 30 September and may be exercised off- lead at all other times.

Agreed.

Weymouth, Central and Greenhill Beaches (1818 respondents). Significant support for an exclusion period (59%) and exercise area to continue (62%). Majority of support for dogs to be allowed off-lead outside the exclusion period (as currently).

Weymouth Town Council and others have requested a review for the repositioning of the exercise area further up the beach. It is recommended that a specific proposal be included in the next consultation.

It is recommended that dogs are excluded from the beach between 1 May and 30 September and may be exercised off-lead at all other times.

A point of support was noted in respect of the change in time period.

Agreed.

6. **Draft Place and Resources Overview Committee Forward Plan**

The committee noted the draft forward plan which incorporated items brought forward from the former Place Scrutiny Committee and Resources Scrutiny Committee. The Chairman noted that there was much work to be done and that there needed to be consideration as to the way work was approached and how items were selected in order to make a real difference to residents. The Chairman welcomed ideas from councillors for future subjects to review.

The committee considered the draft forward plan and during discussion the following points were raised:

- Highways issues such as road side cleaning needed to be looked at including taking a more proactive approach. It was understood that the Lead Member for this area, Councillor Brooks, had been doing some work in this area

- A request was made for a review of grid capacity. The Leader reported that he had taken this issue up through the Local Enterprise Partnership (LEP)
- It was noted that licensing and gambling policies would be reviewed at the next meeting
- A request was made to include the draft Local Plan on the agenda for an appropriate meeting
- In response to a comment, the Corporate Director (Legal and Democratic Services) noted that development of new policy was a matter for the overview committees and that the review of how existing policy and services were operating was a matter for the scrutiny committees
- The Corporate Director also highlighted the role of looking back at decisions made by Cabinet and how effective they had been, which was a role for the scrutiny committees. The overview committees were more forward looking
- Councillors noted a list of Executive Advisory Panels. The Leader informed the committee that a couple of these would continue their work, however some areas may be passed over to the overview committees in order to develop policy work. Discussions would be held with chairmen as forward plans were developed
- The issue of procurement would need to be reviewed by one of the committees.

The Leader offered his congratulations to the Chairman and committee on their first meeting and for a useful debate and consideration of the Dog-related Public Space Protection Order item.

7. Urgent items

There were no urgent items.

8. Exempt Business

There was no exempt business.

APPENDIX 1 - PUBLIC PARTICIPATION

Agenda item 5 – Public Participation

Statement from Lyme Regis Town Council

Lyme Regis Town Council is resolved:

“that the town council takes all opportunities available to express its wish to see a dog ban on the Front Beach all-year-round”

The town council is extremely proud of the front beaches in Lyme Regis, particularly the smaller sandy front beach and believe they should be enjoyed by members of the public without dogs present all year round. Dogs can be walked along the parade on a lead or on other beaches either side of the

town where there is no restriction, which are within easy walking distance of the front beaches.

Events where dogs have attacked children on the beach and defecated/urinated on the beach and belongings have informed the town council's view.

The shoulder months of April (Easter Term) and October (half term) need particular consideration when setting any dates. On a sunny day in those months the beaches in Lyme Regis fill up with children building sandcastles which are often then urinated on by dogs.

As the Pearl of Dorset we want to live up to that title and trust you will take our view into account when formulating the future PSPO to keep our Front beaches clean and safe.

Statement from Lorna Jenkin

I only have experience of conditions pertaining to dogs on the beaches of Lyme Regis, not the rest of West Dorset.

I am content with your proposal as far as the Front Beach and Harbour are concerned.

However I would hope that you will continue to allow dogs off leads on beaches to the east (Church Beach and to the boundary with Charmouth) and also continue to allow dogs off leads on Monmouth Beach all year round. I walk these areas frequently and there does not appear to be any conflict by allowing people to exercise themselves and their dogs in these areas.

However it is important to have the area of Front Beach, Sandy Beach and the harbour where families with young children (and adults fearful of dogs) may play and exercise without risk of stepping in dog faeces or meeting a dog not on a lead. I have an adult grandson with special needs who is terrified of energetic dogs and small children can be overwhelmed with meeting a dog which towers over them or appears unfriendly or undisciplined.

You will need to have more helpful signage alerting dog owners to the existence of dog-friendly beaches.

Thank you for your deliberations.

Statement from Charmouth Parish Council

The proposed recommendations will significantly change the current regulations, contrary to the initial question approved for inclusion in the proposal.

West Beach currently has complete dog exclusion from 1st May to 30th September.

East Beach currently has partial dog exclusion between 10am and 6pm from 1st July to 31st August.

The survey findings were without clear preference for change.

These are the facts and a definitive statement will be issued after the full Council meeting on Tuesday 22nd September.

Many thanks for your consideration.

Duration of meeting: 10.00 - 11.57 am

Chairman

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