

Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the guidance on the intranet.

Initial Information

Name:	Jane Williams
Job Title:	Team Leader Environmental Protection
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Members of the assessment team:	Jane Williams & Janet Moore
Date assessment started:	1 August 2020
Date of completion:	18 September 2020
Review	26 April 2021
Version Number:	3

Part 1: Background Information

Is this (please tick or expand the box to explain)

Existing	
Changing, updating or revision	X
New or proposed	
Other	

Is this (please tick or expand the box to explain)

Internal (employees only)	
External (residents, communities, partners)	X
Both of the above	

What is the name of your policy, strategy, project or service being assessed?

Dog-related Public Spaces Protection Order (PSPO), made under the Anti-social Behaviour, Crime and Policing Act 2014

What is the policy, strategy, project or service designed to do? (Include the aims, purpose and intended outcomes of the policy)

To protect public health and public safety from the adverse actions of dogs and less responsible dog owners. To protect the welfare of animals including dogs. To support the welfare of people through responsible dog ownership.

What is the background or context to the proposal?

The former district and borough councils had a range of legislative controls (including Public Spaces Protection Orders (PSPOs) to control the behaviour/actions of dogs and owners in public spaces. These requirements impose controls on dog owner's in order to safeguard public health and safety, the

safety of animals and maintain the quality of the environment for the local residents. These have carried through into Dorset Council and are now due for review. It is proposed to introduce a harmonised and simplified single Dog-related PSPO to give greater consistency and clarity about the control of dogs in public spaces which will benefit residents and visitors.

Types of controls can include;

- Removal of dog fouling
- Exclusion of dogs from certain public spaces either permanently or during specified periods
- Requirement for dogs to be kept on-lead permanently or during specified periods
- Requirement for dogs to be on-lead when required by an Authorised Officer of the council
- Specifying the maximum lead length where on-lead controls exist
- Specifying the number of dogs to be walked at any one time (usually used for commercial walkers where large numbers exists – usually in urban parks)
- Any other dog related restriction that meets the legal test and ensures the control of a dog in a specified area or controls antisocial behaviour from dogs and less responsible owners.

The Order will be in force for a period of 3-years after which it is due for statutory review.

The enforcement of this is Order is via fixed penalty notice currently set by central government within the Antisocial Behaviour Crime and Policing Act 2014 at £100 to be paid within 28 days, reduced to £75.00 if paid within 14.

Part 2: Gathering information

What sources of data, information, evidence and research was used to inform you about the people your proposal will have an impact on?

Data from the following sources:

- Census 2011
- Index of Multiple Deprivation 2019
- ONS Neighbourhood Statistics
- Public Health England – Health Profiles 2017
- Dorset Statistics via [GeoWessex](#) - **Appendix A** gives the appropriate data on age, sex and disability as percentages of the population in Dorset.
- [Assistance Dogs UK](#)
- Equality & Human Rights Commission

Consultation has also taken place with the following organisations;

- The Kennel Club – attached at **Appendix B**
- Guide Dogs for the Blind
- Assistance Dogs UK

Dogs are used to assist owners with various disabilities by guiding and/or performing tasks. There is no data on numbers of dog owners or specifically accredited assistance dogs, but it is appreciated that their needs must be considered as part of this process. This is a legal requirement of the Equality Act 2010.

The Equality & Human Rights Commission (EHRC) define an assistance dog as dogs that are trained to help people with hearing difficulties, epilepsy, diabetes, physical mobility problems and more. Assistance dogs carry out a variety of practical tasks for people as well as supporting their independence and confidence. Assistance dogs are not pets and are treated as 'auxiliary aids'. Assistance dogs are highly trained which means they:

- will not wander freely around the premises
- will sit or lie quietly on the floor next to their owner
- are unlikely to foul in a public place

Most are instantly recognisable by a harness or jacket. However, the law does not require the dog to wear a harness or jacket to identify it as an assistance dog.

Some, but not all assistance dog users, will carry an ID book giving information about the assistance dog and the training organisation together with other useful information, again, this is not a legal requirement.

(Source: Assistance Dogs: a guide for all businesses, EHRC; 2018)

Assistance dogs are usually qualified by one of the charitable organisations registered as members of Assistance Dogs UK and as such an assistance dog is legally permitted to accompany its client, owner, or partner, at all times and in all places within the United Kingdom.

The Society for Companion Animal Studies define a therapy dog as a dog that is used to benefit people in a therapeutic way. This incorporates wide range of potential activities with a wide range of people e.g. some pets take part in visiting programmes, whilst others take part in structured activities as part of a therapeutic programme. Therapy dogs in the UK are not considered to be assistance dogs and do not have the same legal privileges.

(Source: www.scas.org.uk)

The Department of Work and Pensions is formulating a definition. We will take account of its findings which may impact the EqIA and shape future Orders.

The Dorset Council Dog related PSPO 2020 is attached at **Appendix C**.

Information on certain definitions is attached at **Appendix D**.

What did this data, information, evidence and research tell you?

Data and service knowledge/information suggested that;

1. The most impacted protected characteristics are age and disability, with some impact likely for race and ethnicity, and those suffering social & economic deprivation:
2. Attitudes towards dogs and dog ownership can often be polarised and the actions of the council need to achieve a balance between public health and safety and, the benefits to owners especially those with key protected characteristics that may rely upon their dogs for assistance in their everyday lives.

Is further information needed to help inform this proposal?

No

Part 3: Engagement and Consultation

What engagement or consultation has taken place as part of this proposal?

A public consultation to help the preparation of the draft Order was undertaken for 15-weeks, with response received from over 8,600 people, extended due to the implications of Covid-19. A separate EqIA was carried out for the consultation process. The consultation report, Appendix B, can be accessed on the consultation tracker webpages [the webpage](#).

Consultation has also taken place with the following organisations;

- The Kennel Club
- Guide Dogs for the Blind
- Assistance Dogs UK

How will the outcome of consultation be fed back to those who you consulted with?

A consultation report has been produced and has been published on the council's website. The consultation report will also form part of reports to Place & Resources Overview Committee and Cabinet presenting the draft Order for approval.

Please refer to the Equality Impact Assessment Guidance before completing this section.

Not every proposal will require an EqIA. If you decide that your proposal does **not** require an EqIA, it is important to show that you have given this adequate consideration. The data and research that you have used to inform you about the people who will be affected by the policy should enable you to make this decision and whether you need to continue with the EqIA.

Please tick the appropriate option:

An EqIA is required (please continue to Part 4 of this document)	X
An EqIA is not required (please complete the box below)	

This policy, strategy, project or service does not require an EqIA because:

n/a

Name: Jane Williams
Date: 24 April 2021

Job Title: Team Leader Environmental Protection

Please send a copy of this document to [Diversity & Inclusion Officer](#)

Next Steps:

- The EqIA will be reviewed by Business Intelligence & Communications and if in agreement, your EqIA will be signed off.
- If not, we will get in touch to chat further about the EqIA, to get a better understanding.

Part 4: Analysing the impact

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the ‘Please provide details’ box.

Positive Impact	<ul style="list-style-type: none"> • the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.
Negative Impact	<ul style="list-style-type: none"> • Protected characteristic group(s) could be disadvantaged or discriminated against
Neutral Impact	<ul style="list-style-type: none"> • No change/ no assessed significant impact of protected characteristic groups
Unclear	<ul style="list-style-type: none"> • Not enough data/evidence has been collected to make an informed decision.

Age:	Negative and Positive Impact
What age bracket does this affect?	Older people with reduced mobility and dexterity All ages
Please provide details:	Negative: Inability to remove dog fouling. Reduced ability to restrain a dog on lead.

	<p>Having to travel further to exercise their dog on foot or by vehicle. Difficulty with access on to land where exercise can be undertaken.</p> <p>Positive:</p> <p>People (in particular under 5) will have less potential to be harmed by un-cleared faeces or distressed by coming into contact with it.</p> <p>Accidental trips from uncontrolled dogs may be reduced</p>
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Disability: (including physical, mental, sensory and progressive conditions)	Negative and Positive Impact
Does this affect a specific disability group?	Those with physical disabilities & mental impairment.
Please provide details:	<p>Negative:</p> <p>Inability to remove dog fouling (physical impairment). Having to travel further to exercise their dog. Reduced ability to restrain a dog on lead. Ability to know about the restrictions (sensory and cognitive impairment). Reduced ability to communicate (i.e. hearing impairment, speech impairment). Ability to understand the restrictions (mental impairment). Difficulty with access on to land where exercise can be undertaken (mobility impairment), this may be due to steps, rough or soft ground, camber or gradient.</p> <p>Positive:</p> <p>The PSPO exempts assistance dogs in certain circumstances Prevents working assistance dogs from being distracted by other dogs wishing to interact.</p>

Gender Reassignment & Gender Identity:	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Pregnancy and maternity:	Unclear Impact
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Please provide details:	Any heavily pregnant individuals may be less able to remove dog fouling and to travel further to exercise their dogs.
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Race and Ethnicity:	Negative Impact
Please provide details:	Understanding of written English used on signage to mitigate this Dorset Council uses symbols and translation software can be put on mobile telephones Understanding Animal Welfare & Dog Control Officers or authorised officers (Enforcement Officers) in conversation. Where a Fixed Penalty Notice (FPN) is served, understanding the content of such a penalty.

Religion or belief:	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Sexual orientation:	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Sex (consider both men and women):	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Marriage or civil partnership:	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Carers:	Positive impact
Please provide details:	With the controls in place in some public open spaces the caring of an individual may be made easier.

Rural isolation:	Neutral
Please provide details:	Likely that in rural areas there will be more places to exercise dogs and this can be a social activity.

Single parent families:	Neutral
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Social & economic deprivation:	Unclear
Please provide details:	No access to private transport may restrict the ability to travel further to exercise a dog. Ability to meet needs of dog (veterinary requirements and vaccinations) Ability to provide a suitable lead

Armed Forces communities	Neutral Impact
Please provide details:	Not anticipated at this stage that there are any impacts on this group.

Part 5: Action Plan

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
Dog owner due to age/mobility/latter stages of pregnancy is unable to clear fouling or comply with any other restriction	<p>Officers receive training about this aspect of enforcement.</p> <p>A FPN can be appealed and information submitted about mitigating circumstances. Appeals are determined by the service manager.</p> <p>A letter can be provided for the dog owner to carry to present if approached again by an officer.</p> <p>The FPN procedure will be reviewed to ensure that the above provisions are suitably clear.</p>	Jane Williams	December 2020
Dog owner has sensory or mobility disabilities	The Order will exempt people with certain characteristics from complying with relevant restrictions.	Jane Williams	At the time the Order is made – suggested wording attached as Appendix D
Dog owner has un-liveried assistance dog and is unable to clear fouling or comply	<p>Officers receive training about this aspect of enforcement.</p> <p>A FPN can be appealed and information submitted about mitigating circumstances. Appeals are determined by the service manager.</p>	Jane Williams	December 2020

with any other restriction	<p>A letter can be provided for the dog owner to carry to present if approached again by an officer.</p> <p>Dog owner will be supported in gaining appropriate livery for their dog.</p> <p>The FPN procedure will be reviewed to ensure that the above provisions are suitably clear.</p>		
Dog owner has a liveried assistance dog and is unable to clear fouling or comply with any other restriction	<p>The dog owner will not be challenged by the authorised officer other than to offer assistance.</p> <p>The FPN procedure will be reviewed to ensure that the above provisions are suitably clear.</p>	Jane Williams	December 2020
Dog owner with limited understanding of written English	<p>Review to provide clear unambiguous signage, suitably located and in adequate numbers using internationally recognised symbols. Simple clear font of a suitable and appropriate size will be used.</p> <p>Provision of information on website and leaflets which are easy to understand. Website also has Read Speak facility.</p>	Jane Williams	April 2021
Dog Owner with limited understanding of English (where English may not be their first language)	<p>Authorised Officers that carry work owned mobile phones will be asked to obtain the speak and translate style app for use in such circumstances</p>	Jane Williams	December 2020

<p>Achieving consistent enforcement</p>	<p>Ensure all officers involved in enforcement activities are familiar with requirements of the PSPO. That they are confident and suitably trained in dealing with vulnerable people and/or those with disabilities and understand when discretion should be applied in order to achieve fair and consistent outcomes</p> <p>Regular training of all authorised officers including equalities (last training February 2020).</p>	<p>Jane Williams</p>	<p>On-going</p>
<p>Use of bins, their location, height and emptying</p>	<p>Dorset Council litter bins are signed to advise they can be used for the disposal of wrapped dog fouling. Signage will be checked as part of implementing the PSPO</p> <p>The PSPO requirement is that the fouling should be cleared and adequately disposed of. This can include taking home and disposing of in the household waste stream.</p> <p>The provision of bins for dog fouling only is undertaken by some Parish and Town Councils under separate emptying and disposal arrangements.</p> <p>Information about the disposal of dog fouling is provided on the council's website.</p>	<p>Dorset Waste, Parish and Town Councils</p>	<p>On-going</p>
<p>Inability to exercise dog in locality due to PSPO restrictions. May be exacerbated by reduced mobility; lack of transport etc.</p>	<p>Meeting a dogs welfare needs includes providing the necessary amount of exercise each day, which in many cases will require dogs to be let off the lead whilst still under control. However, on-lead exercise and home play are as equally important, both of which have been used to significantly during the Covid-19 lockdown period.</p>	<p>Jane Williams</p>	<p>On-going</p>

	<p>A dog can be walked under control on any pathway, footpath etc. in order to provide exercise.</p> <p>Proposed exclusion areas are only in locations where public safety is required due to the number of people who may be present and due to public health considerations e.g. beaches/play areas/sports pitches.</p> <p>Most of these excluded areas have nearby options for off-lead exercise.</p> <p>Any locations where issues do become apparent will be reviewed when the next PSPO consultation takes place (maximum 3 years)</p>		
<p>Receipt of a number of emailed concerns on accessibility to Front Town Beach, Lyme Regis during winter months by Dog Owners with mobility issues and the lack of alternative locations for off lead exercise.</p>	<p>Officer to undertake a review of Lyme Regis beaches and surrounding area for accessible locations.</p> <p>Attached is Appendix E – a report on the beaches of Lyme Regis and some alternative nearby locations for exercising a dog off lead. Dependent on the nature of mobility, and tide, some options will suit better than others.</p> <p>Many of the emails were also concerned about the inability to obtain mental wellbeing. The dog owner will still have the ability to receive mental wellbeing by</p>	<p>Jane Williams</p>	<p>November 2020</p>

	<p>walking in the location whilst the dog will be stimulated by sights, sounds and odours, even if on a lead.</p> <p>Front Town beach still remains open to all dog owners (and other users) albeit dogs must be kept on lead.</p> <p>Assistance dog owners are likely to have their dog on lead to aid transition on the beach slopes and changes in path way height.</p>		
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EqIA Sign Off

Officer completing this EqIA:	Jane Williams	Date:	17/11/2020
Equality Lead:	Susan Ward-Rice	Date:	20/11/2020
Equality & Diversity Action Group Chair:	Pete Bartlett	Date:	20/11/2020

Census data – Dorset Council area

Population figures

	Dorset Council area	
		%
All males	184,100	48.9
All females	192,380	51.1
0-15 years	59,930	15.9
16-64 years	208,740	55.4
65+ years	107,810	28.6
	376,480	

Source: 2011 Census, Office for national Statistics

Diversity

- 95.6% White British
- 4.4% BME
- 1.7% main language not English

Source: 2011 Census, Office for national Statistics

Disability

4.6% of the population based on those claiming Disability Living Allowance, Personal Independence Payments or Attendance Allowance in the Dorset Council area.

Additionally:

Long term health problem or disability	Total	%
Day-to-day activities limited a lot	6315	9.69
Day-to-day activities limited a little	7786	11.95
Day-to-day activities not limited	51066	78.36

	Total	%
Very good health	27,562	42.29
Good health	23,933	36.73
Fair health	9,802	15.04
Bad health	2,952	4.53
Very bad health	918	1.40

Source: 2011 Census, Office for national Statistics

Kennel Club Consultation response



Kennel Club response to Dorset Council Public Spaces Protection Order consultation

Submitted on 13th September 2019 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 KC Dog, 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 of 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.

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. The exception to this is when there is a clear indication from the landowner to the contrary. Therefore we welcome the wording of the proposed PSPO which provides for landowner/occupier discretion.

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 does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

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, or on pavements in proximity to cars and other road traffic.

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.

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.

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.

The Government provided clear instructions to local authorities that they must provide restriction free sites for dog walkers to exercise their dogs. This message was contained in the guidance document for DCOs, and has been retained in both the Defra/Welsh Government and Home Office PSPO guidance documents, with the Defra guidance for PSPOs stating ‘local authorities should ensure there are suitable alternatives for dogs to be exercised without restrictions’.

With regards to playing fields, we ask local authorities to consider whether or not access restrictions are absolutely necessary. If they are deemed to be needed, whether time/season limited restrictions would be more appropriate than a continuous exclusion order. We are aware in many areas, dog walkers do allow their dogs to exercise on playing fields when they are not in use.

Of course, we understand the safety reasons behind a restriction while in use. It is also worth noting that compliance with such an order can be difficult for a dog walker if there are no boundaries around the playing field as when exercising their dogs off lead, dogs will not recognise the difference between playing fields and other grassed areas.

In Schedule 2: Exclusion of dogs in West Dorset, North Dorset and Weymouth PSPOs, we have a concern about the wording of the order. *“All land within the administrative area of the council which comprises of... any other fenced (and/or hedged and/or walled) park, sporting or recreational facility signed at its entrance(s) as a ‘dog exclusion area’ (where the sign uses those particular words or uses words and/or symbols having a like effect)”*. This would suggest that any enclosed park with an appropriate sign could become an exclusion area at any point after the order was made, even if it has not been outlined in a consultation. It also does not indicate whether the signage needs to be provided by Dorset Council. We would be concerned that a parish council may read this and interpret it as them having the authority to designate a park as dog exclusion, if it is enclosed and they put up signage.

Seasonal Exclusions

Where a seasonal restriction has been proposed we would ask the council to consider whether a time restriction would be an appropriate addition. We have received feedback and evidence that many beaches are empty in the early mornings and late evenings, a key time for many dog owners to exercise their dogs. Beaches can be an important local resource for owners to make sure their dogs get the required daily off lead exercise and we see no reason why it should be restricted at times of the day when it is little used, even in the high season.

With regard to the proposed dog exclusion orders on Weymouth beach, the Kennel Club believes that the dates should be 1st May – 30th September, as with the West Dorset PSPO. This coincides with the current bathing season of 15th May to 30th September. We oppose restrictions that commence on Good Friday (or dates linked to Easter) and continue to a set date in the autumn. Over the next three years, Easter varies by up to 17 days.

Taking the example of the proposed Weymouth Beach restriction from Good Friday to 31st October, walking your dog would be perfectly legal on the beach before 10th April 2020 but would be an illegal activity, with a potential £1,000 fine, on the same date the following year.

We are not aware of any evidence that the Easter break is an annual trigger for ongoing anti-social behaviour, which calls into question the need for restrictions to run from Easter to a set date in the autumn. We would question whether such a range in start dates for a PSPO meets the Anti-Social Behaviour, Crime and Policing Act's defined legal test.

If there is evidence of a spike in detrimental activity over the Easter weekend due to an increased usage of recreation spots, then a restriction for the busy Easter period would be justified. A separate restriction could then be introduced to address the busier summer months.

Dogs on lead by direction

The Kennel Club strongly welcomes 'dogs on lead by direction' orders, as these allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst allowing the local authority powers to restrict dogs not under control.

We would recommend that the authorised officer enforcing the order is familiar with dog behaviour in order to determine whether restraint is necessary. There is a danger that, through no fault of its own, a dog could be a 'nuisance' or 'annoyance' to another person who simply does not like dogs.

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 reliable recall.

Registered Assistance Dogs

We would strongly suggest you use the exemptions outlined in the North Dorset PSPO for all four extensions, with the suggested amendments. We welcome the reference to Assistance Dogs UK and the inclusion of all registered charities, however, it is important to note it does not provide for owner trained assistance dogs. We would therefore encourage the Council to allow some flexibility when considering whether a disabled person's dog is acting as an assistance dog and recognise that many disabled people enjoy the company of a pet dog (i.e. not acting as an assistance dog).

We would urge the Council to review the Equality and Human Rights Commission guidance for businesses and service providers –

<https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>. The Council could consider adopting the definitions of assistance dogs as used by Mole Valley District Council which can be found on page 4 of this document - https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

Appropriate signage

It is important to note that in relation to PSPOs 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 the requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation

Dorset Council Dog-related Public Space Protection Order

Appendix D

Definition to be used in the PSPO's with regard to disability and assistance dogs.

- A. This Order shall NOT apply with regard to **disposal of faeces** where a person;
- a) is registered as a blind person and uses a dog trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of assistance dogs and upon which they rely for assistance; or
 - b) has a physical or mental disability which has a substantial and long term effect on their ability to carry out normal day-to-day activities, in respect of a dog trained by a member of Assistance Dogs UK or any other registered charity whose activities include the training of assistance dogs and upon which they rely for assistance; or
 - c) has a physical or mental disability which has a substantial and long term effect on their ability to carry out normal day-to-day activities in respect of a dog upon which they rely for assistance in connection with their disability; or
[Evidence of the nature of the assistance dog may be requested by an authorised officer]
 - d) who has a physical or mental disability which has a substantial and long term effect on their ability to carry out normal day-to-day activities and on the basis of appropriate medical certification produced to the Council, cannot collect faeces from where it is deposited.
[i.e. a FPN may be served but written mitigation may be supplied for consideration to seek it's withdrawal]
- B. This Order shall NOT apply with regard to complying to a **direction by an authorised officer to put their dog on a lead**, where a person
- a) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance.
- C. This Order shall NOT apply with regard to complying **with exclusion of dogs from identified land**, where a person
- a) is registered as a blind person and uses a dog trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of assistance dogs upon which they rely for assistance; or
 - b) has a physical or mental disability which has a substantial and long term effect on their ability to carry out normal day-to-day activities, in respect of a dog trained by a member of Assistance Dogs UK or any other UK registered charity whose activities include the training of assistance dogs and upon which they rely for assistance.

Definitions:

'working', in the context of this Order, means the dog is operating in its capacity as an accredited assistance dog. This would normally be 'on lead' or in a harness. The operator is likely to carry an ID book related to the dogs working capacity and notification of the training organisation. This should be presented to the authorised officer on request or be able to be presented at a later date.

'liveried' means that the dog is wearing an instantly recognisable harness or identifying coat as being associated with its function as an accredited assistance dog.

Please note that the numbering may appear different in the actual PSPO Order documentation.

Review of the impact of Dogs on Leads, Front Town Beach, Lyme Regis

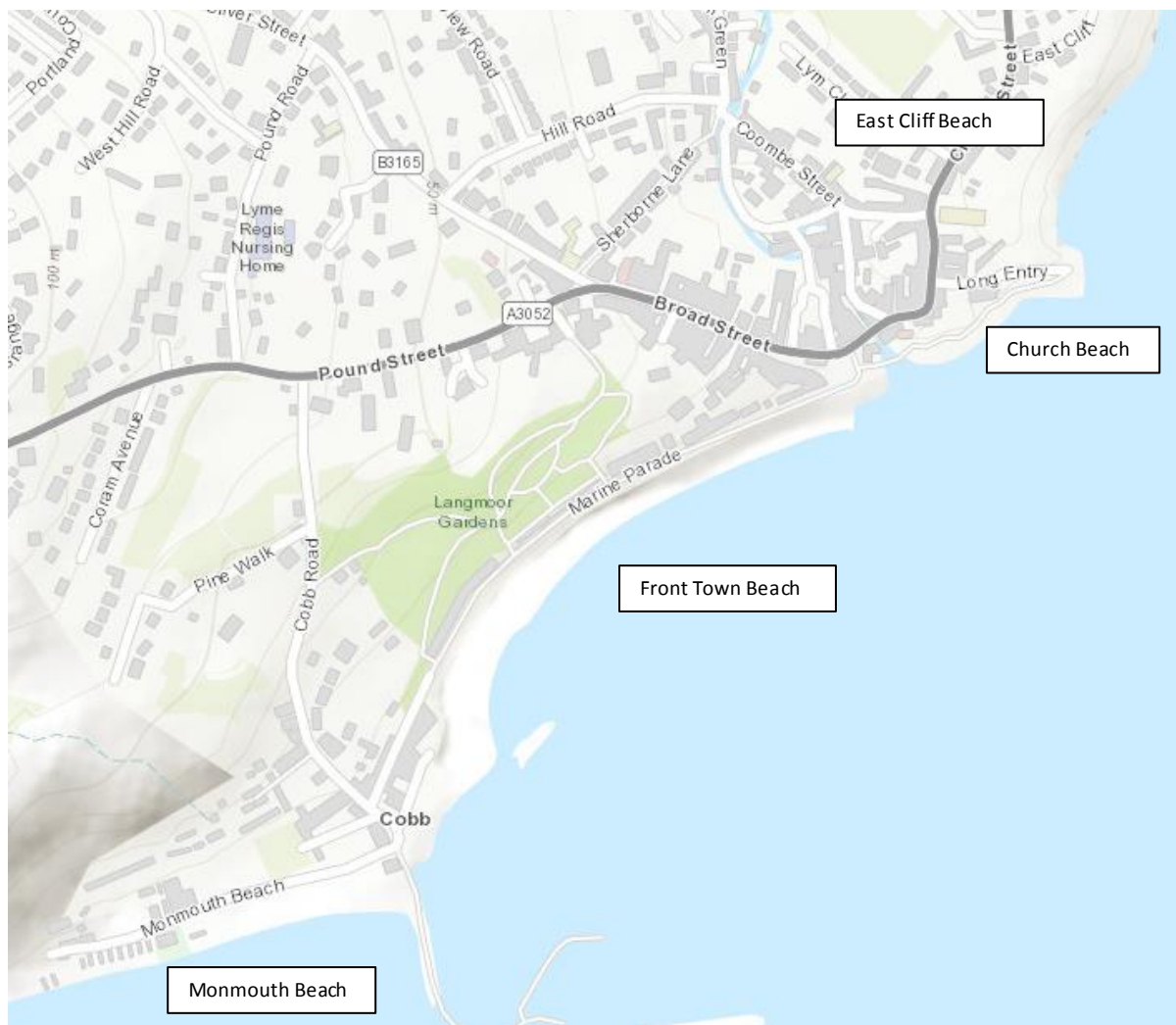


Figure 1 – Map of Lyme Regis showing beaches at high tide

Above shows a map of Lyme Regis beaches when the tide is high. This means that Monmouth Beach and Front Town Beach are the only beaches that are exposed in this period and that these beaches are not ‘cleansed’ by the tide.

Front Town Beach

Front town beach is approx. one third sand close to the harbour and 2 thirds large cobble. The beach profile is undulating with 2 major tiers. When at the water’s edge at low tide you cannot view the upper tier, and there is some difficulty in viewing the mid one, particularly if the dog is small. This makes it difficult for any dog off lead to be seen when fouling or causing a problem to other beach/hut users, and prevents dog owners from having appropriate control over their dog(s). Additionally distractions of additional dogs, conversation, mobile devices etc. can prevent appropriate control when it is necessary to do so.

This beach at high tide remains exposed for use by visitors and residents. The beach has a single step from Marine Parade/Cart Road at the beach or a ramp to access, so those with assistance dogs can continue to use this area. It is recommended that they are clearly liveried to prevent being approached and receiving undue remarks.

Between 1st May – 30th Sept dogs are excluded from this area except assistance dogs. From 1st October – 31st April all dogs must be kept on a lead.

Church Beach

Figure 2 shows the (level) access route from Cob Gate car park leading east. This car park has 4 disability spaces and toilets can be found across the road from the car park. The beach shown is Church Beach at low tide. This is a sandy cove, with little to no cobble, and is accessed by 2 sets of 10-12 relatively wide steps, and has a hand rail. The beach is sheltered by a stone groyne and has adjacent rock armour. The beach once on it can provide relatively sure footing. This may be suitable for dog exercise for those with poor mobility but not to those that have severe mobility issues due to the stair-ed access.



Figure 2 - from Cob Gate car park looking towards Church Beach showing the beach exposed at lower tide.

A very small beach may be exposed on high tide dependent on the state of the tide.

There are no restrictions on this beach except to collect and appropriate dispose of dog faeces some exemptions apply in the Order.

East Cliff beach

Figure 3 is East Cliff Beach at almost low tide and the exposed beach area, at the lowest tides the ledges are exposed. This beach will be exposed for approx. 2-3 hours and then recede as the tide comes in for the same period of time. This occurs during a 13 hour cycle, and will give a period of up to 5-6 hours dependent on the tide state, weather etc. The overall daily beach exposure may be more if 2 tides occur in the same 24 hours. In the summer this may give the opportunity for dog walking in the area for a longer period due to longer areas of daylight. Any one intending to use this beach is advised to be aware of tide state and understand the tide times as venturing too far from exit routes may lead to being cut off.



Figure 3 - East Cliff beach 1 hour before low tide showing the sloping access and the sea wall above. Stepped access can be seen a protrusion from the sea wall mid picture.

Access to this beach is either by ramp or steps. The ramp sweeps along the rear of the beach area (it being the last to be covered by the tide). As can be seen, there is a hand rail. Due to the nature of beaches and that this ramp is covered by the sea, each tide, there is also the possibility for seaweed and other detritus to appear on the ramp. This may cause the surface to become slippery and care should be taken. Stairs can be found further along the sea wall and again has a hand rail. Access for

those with severe mobility is not recommended. Mobility vehicles are unlikely to be able to traverse the ramp due to its incline.

There are no restrictions on this beach except to collect and appropriate dispose of dog faeces some exemptions apply in the Order



Figure 4 -Monmouth Beach 1 hour before low tide

Monmouth Beach

Monmouth beach is shown in figure 4 at low tide. The beach has 2 tiers of cobbles with the lower tier, exposed at low tide that has some sand. The beach is elongated and has car parking to the rear of it. Disabled car parking and toilets (key) are readily available. Access to this beach is between the 2 boat-parks via tarmac, or between beach huts, which are to the rear of the beach, and is without steps or ramps. Additional access could be sought from the harbour wall but this would require taking a small number of steps to get over the structure.

There are no restrictions on this beach except to collect and appropriate dispose of dog faeces some exemptions apply in the Order.

Other near off-lead options:

River Lym Walk, Lyme Regis, from Town Mill to The Glenn, Uplyme, wide path or a narrow road, slight inclines but no steps or steep access points, mainly on the level following the route of the river. Parts are closed to vehicular traffic enabling off lead or making long leash acceptable. Benches are provide along the route as rest stops. Mobility chairs/vehicles are likely to be able to take this route.

Pine Walk (off Holme Bush car park), Lyme Regis, road access for approx.100 m and then a woodland path on to National Trust land. Open

fields and walking area leading on to the Coast path etc. Undulating under foot, some slopes. Signage on the walk indicates 'dog friendly'.

Timber Hill, Lyme Regis – overlooking bay. Said to be moderate walking but is unlikely to be accessible for those with severe mobility issues.

Stonebarrow, Charmouth, land owned by National Trust, various routes some noted as 'easy', and dog friendly on their website. A 1.7km round route takes approx.40-60 mins.

Adjacent beaches (NB working assistance dogs are able to access dog exclusions areas):

SEATON, Devon – all year round dog exercise area available, restrictions in the summer months apply currently between 1st May and 30th Sept.

CHARMOUTH, Dorset – small identified area where dogs are excluded in front of the shop and café, between 1st May – 30th Sept, Dog on leads in the associated car parks and around the café and shop. The remaining beaches are available for off lead exercise.

Seaton beach, CHIDEOCK, Dorset – exclusion applies between 1st May and 30th September.

EYPE, Dorset - No restrictions.

Jane Williams

30 October 2020