

Extract from draft minutes of Place and Resources Overview Committee on 5 October 2023

Report on the findings from the Public Consultation for the Dog Related Public Spaces Protection Order and draft Order

The committee considered a report of the Service Manager Environmental Protection, which summarised the findings from a Dog-related Public Spaces Protection Order public consultation undertaken between June and August 2023. Informed by the consultation, it proposed the new draft Dog-related Public Spaces Protection Order 2024 (PSPO) which would replace the existing PSPO. The report outlined the provisions for the Council area for a period of 3 years from 1 January 2024 until 31 December 2026. The committee was invited to consider the matters within the report, make any comments on the draft Order and recommend the draft Order to Cabinet at their meeting on 7 November 2023.

The committee discussed the recommendations (provisions) contained within the report in turn.

Recommendation to Cabinet (including comments where relevant)

That the draft Dog-related Public Spaces Protection Order be approved with comments and recommendations made as follows:

1.2 Proposed Provisions - generic provisions

1.2.1 Clearance of dog fouling and appropriate disposal from public open spaces. Page 7 of the consultation report and the proposed open spaces listed in Schedule 1 of the draft Order. This received almost universal support (99% 2023), (97% 2020).

Recommended for inclusion.

1.2.2 Maximum lead length of 2m where required, page 7 and the areas are listed in Schedule 3 of the draft Order. This received significant support (82% 2023), (75% 2020). There was some commentary suggesting that it should be considered on a site-by-site basis. A consistent approach is recommended as variations could be considerable and confusing to the public.

Recommended for inclusion.

1.2.3 Dogs on lead as directed by an authorised officer, maximum lead length 2m, page 8. This received almost universal support (96% 2023), (92% 2020).

Recommended for inclusion.

1.3 Proposed Provisions - dogs on leads, generic locations

1.3.1 Municipal cemeteries, church and graveyards, where dogs are permitted, page 9. Received almost universal support (91% 2023), (85% 2020)

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Recommended for inclusion.

- 1.3.2 **Public formal gardens**, page 10. Received significant support (80% 2023), (65% 2020). Some commentary was received on providing zoned areas and allowing off lead in part, however given the number of locations, this was considered a potentially confusing measure for the public and would require significant additional signage.

Recommended for inclusion.

- 1.3.3 **Council owned allotments where permitted**, page 11. Received significant support (75% 2023), (65% 2020).

It was noted that all town and parish councils had the opportunity to comment through the public consultation.

Recommended for inclusion.

- 1.3.4 **Council owned car parks**, page 12. Received significant support (92% 2023), (85% 2020)

Recommended for inclusion.

- 1.3.5 **Within 5m of marked sports pitches**, page 13. Received significant support (80% 2023), (70% 2020). There was some commentary about adopting a non-blanket approach - considering the restriction only when the pitch is being used for sport. However, the risk of residual dog fouling near to the pitch remains a concern.

Recommended for inclusion.

- 1.4 **Proposed Provisions - dogs on leads, specific locations**. Page 14 of the consultation report.

- 1.4.1 **Rodwell Trail, Weymouth**. A well-used urban cycle and footway connecting the outlying wards to Weymouth town. The responses were divided, 48% were in favour, 24% favoured no restriction and 28% didn't know. The majority were in favour of continuing the restriction. Dog owners were less supportive of dogs being on a lead but 52% of residents responding were in favour of retention. DCN, Cycling UK and West Dorset commented on a cleaner and safer space since the introduction of the requirement to keep dogs on lead. This is a very popular location, and the Order should reflect the necessity to reduce the risk of fouling to as low as possible.

Recommended for inclusion.

- 1.4.2 **West Bay Harbour side and Esplanades**. Received majority support (61% 2023), (67% 2020). No significant theme identified in open text commentary.

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Recommended for inclusion.

- 1.4.3 **Lyme Regis pathways etc. adjacent to the Front/Town Beach.** Received majority support (63% 2023), (68% 2020). No significant theme identified in open text commentary.

Recommended for inclusion.

- 1.4.4 **Weymouth Esplanade.** Received majority support (67% 2023), (77% 2020). No significant theme identified in open text commentary.

Recommended for inclusion.

- 1.4.5 **Swanage.** The Parade and adjacent roads leading to the Beach. Received majority support (60% 2023), (75% 2020). No significant theme identified in open text commentary.

Recommended for inclusion.

- 1.4.6 **Studland. Access to Knoll Beach and Middle Beach from the car park, including the car park and staircases.** Received majority support (57% 2023), (60% 2020). No responses were received from Studland Town Council.

Clarification was provided on the areas covered by the provision. It was noted that it was difficult to identify these areas on a map.

Recommended for inclusion.

- 1.4.7 **Studland beaches** are managed by the National Trust on behalf of Natural England. As agents of the land, they have requested that all of the Studland beaches are dogs on lead restricted. The consultation restricted the questions to just Shell Bay beach and Knoll Beach, to enable an area of these beaches to be restriction free in the summer months.

For Shell Bay beach (1st May to 30th September) the responses were divided, 49% in favour, in favour of no restriction 33% and 18% don't know. The majority was therefore in favour the retain the restriction. The opinion of dog-owners vs non-dog owners was stark. An overwhelming 84% of non-dog owners and only 30% of dog owners wanted the restriction retained.

Recommended for inclusion.

- 1.4.8 **Studland Beach known as Knoll Beach** (not including Middle Beach), (1st May to 30th September) The responses were the same as Studland Shell Beach above. This enables enforcement of the restricted beaches in the summer months to run from the entrance on Knoll beach by the National Trust Centre up to the ferry.

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Recommended for inclusion.

- 1.4.9 **Studland – Ferry Road, from Studland Beach car park to South Coast end marker, Shell beach National Trust Car Park and access routes to Shell Beach.** Received majority support (57% 2023).

Recommended for inclusion.

- 1.4.10 **Charmouth, Lower Sea Lane Car Parks and surrounding areas leading to the Beach.** Received majority support (56% 2023), (64% 2020).

Recommended for inclusion.

- 1.5 **Proposed Provisions - dog exclusion areas, generic. Page 24 of the consultation report.**

- 1.5.1 **Recreation areas, including skateboard parks, tennis and basketball courts, bowling and putting greens, enclosed play parks, sporting or recreational facilities and athletics tracks.** Received majority support (64% 2023), (55% 2020)

Enforcement issues were considered and it was noted that a media campaign would be run following adoption of the Order. In addition it was noted that work could be undertaken with town and parish councils to authorise their officers to serve fixed penalty notices and provide training.

Recommended for inclusion.

- 1.5.2 **Marked Sports Pitches.** Received majority support (60% 2023). Restrictions to apply only when in use or during the playing season received only limited support.

Concern was expressed about the lack of signage and enforcement relating to dog exclusion zones on marked sports pitches and suggestions made that grounds staff could be trained to deal with issues in their area and separate areas identified for dog exercise. The Head of Community and Public Protection noted that these comments could be taken on board. Specific issues relating to Potterne Park and Lyme Regis could be discussed with the relevant ward councillors.

Recommended for inclusion.

- 1.6 **Proposed Provisions – generic beach restrictions – Page 27 of the consultation document. (Maps are produced to support the Order by clearly delineating areas where restrictions apply).**

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- 1.6.1 **Fixed time period for summer restriction.** Continuing the fixed period of 1 May to 30 September for relevant Beach restrictions received majority support (51%).

Of those that did not support this time period (32%), 71% wanted the beaches without restriction between 19:00 and 08:00. BCP Council do not allow dogs on beaches at any time during the exclusion period so in retaining our restriction we have consistency across Dorset. There is potential for increased incidence of residual fouling and encroachment into the exclusion period.

A request was made for consideration to be given to allowing dogs on the beach during specific times in the summer period due to the economic benefits of dog walkers coming to Weymouth to use the beach. The Head of Community and Public Protection confirmed that this had been reviewed but it was felt to add complexity to the restrictions which could have an impact on the ability to enforce. However, this could be kept under review and considered during the next renewal process.

Recommended for inclusion.

1.7 Proposed Provisions - specific beach locations

- 1.7.1 **Swanage, Central Beach.** Received majority support (76% 2023), (60% 2020). No significant theme identified in open text commentary. Swanage Town Council had general concerns about dog fouling within the Town.

Recommended for inclusion.

- 1.7.2 **Lyme Regis, Front/Town Beach, summer restriction.** Received majority support (53% 2023), (47% 2020).

Recommended for inclusion.

- 1.7.3 **Lyme Regis, Front Town Beach winter restriction (1 October to the 30 April) requirement to keep dogs on lead.** Did not receive majority support with 46% in favour of maintaining the restriction and 54% in favour of no restriction. (40% and 58% respectively 2020). Lyme Regis Town Council wanted an option for an extended exclusion period. In setting the parameters for the consultation, this was not seen as a proportionate choice.

Officers are concerned that there is limited suitable alternative space to exercise a dog off lead during the winter months. Officers have considered adjacent beaches and found them unsuitable as they are either slippery or unstable underfoot for those with mobility issues. No open green spaces are available without climbing a gradient.

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There is no evidence of significant use of this beach area by families and children compared with other beaches in Dorset without restrictions, nor increased level of subsequent risk from dog attacks or fouling contamination.

The committee considered the provision and during discussion the following points were raised:

- The Service Manager Environmental Protection noted an error with the response figures from the consultation for the provision and that there was a greater level of support for having no restriction
- A level of support was expressed for the views of Lyme Regis Town Council that dogs should not be allowed off lead
- The consultation had been open to all and there was no indication that there had been a campaign to skew the results
- A point was made that councillors should adhere to the results of the public consultation
- The consultation was a worthwhile exercise to help shape officer recommendations. However, as the margin of support was tight in this case, the committee could follow the officer recommendation but ask for a review after one year
- B Bawden, ward councillor, spoke in support of the requirement to keep dogs on lead, outlined some concerns she had with the consultation and assumptions made and made a request for residents and visitors to be identified in the responses.

Committee members considered their views on the provision and there was a level of support for both including the provision and also not including the provision.

Following discussion it was proposed by V Potheary seconded by R Tarr that the provision in the Order relating to Lyme Regis, Front Town Beach winter restriction (1 October to the 30 April) requirement to keep dogs on lead, be Recommended for inclusion in the Order.

On being put to the vote it was Agreed.

Recommended for inclusion

Note – Officer recommendation was ‘Not recommended for inclusion’

- 1.7.4 **Chideock, Seatown Beach.** No overall majority with 50% for and 50% against, the same as 2020. No representation made from the Wraxall Estate, the landowner. This is a long stretch of beach and zoning was suggested by a limited amount of people.

Recommended for inclusion.

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1.7.5 **West Bay - East Beach and West Beach.** Received majority support (59% 2023). No significant theme identified in open text commentary.

Recommended for Inclusion.

1.7.6 **Charmouth, West beach.** The responses were divided with 51% in favour of the restriction and 49% wanting no restriction. The commentary was also divided in terms of support.

Recommended for inclusion.

1.7.7 **Weymouth, Central (except exercise area at the Pavilion end) and Greenhill Beaches.** Received Majority support (67% 2023), (59% 2020). Some limited commentary on the current location of the beach exercise area and relocating to the Greenhill end.

Recommended for Inclusion.

The committee thanked officers for the report.

In addition, a comment was made to recognise the pressures that the service was under, with four dog wardens covering the whole Council area and for Cabinet to consider during the budget setting process, whether additional budget was available for enforcement of the PSPO. The need for awareness raising and education in this area was also recognised.