



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Mendip Council Public Spaces Protection Order Consultation

Submitted on 14th August 2017 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.

Concerns around the nature of this survey

We are concerned about question 9 in this survey which asks people to suggest areas where dogs are kept on leads. We welcome the opportunity for local residents to feedback on areas where they feel restrictions are needed. However, if the council is persuaded to introduce a restriction on one of the suggested areas we would ask that local dog walkers be given a clear opportunity to respond.

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 does not normally oppose dog exclusion or dog on lead orders in 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, picnic areas, 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.

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’.

A common unintended consequence of restrictions is displacement onto other pieces of land, resulting in new conflict being created. It can be difficult to predict the effects of displacement, and so the council should consider whether alternative sites for dog walkers are suitable and can support an increase in the number of dog walkers using them.

To be compliant with the Public Sector Equality Duty we submit the council should consider the accessibility of restriction free alternatives for those with reduced mobility (including but not limited to those with a disability or elderly persons for instance). Alongside considering any direct impact as a result of the PSPO upon those with protected characteristics.

We welcome the inclusion of “dog on lead by direction” provisions, 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.

Equality considerations

When introducing a dog control PSPO local authorities should consider the potential negative impacts on vulnerable groups and their requirements under the Equality Act 2010. The most obvious potential adverse impact is upon those who rely on assistance dogs and registered blind people, who may either be unable to comply with conditions contained within the Order, or the effect of the Order would be to exclude them from accessing public spaces. Appropriate exemptions from dog fouling and dog exclusion Orders should be included in PSPOs, for registered blind people and those who rely on assistance dogs.

Assistance Dogs UK currently have eight member organisations which can be viewed here - <http://www.assistedogs.org.uk/>. However, the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations, and may indeed change during the

currency of the PSPO. We would therefore encourage the Council to allow some flexibility when considering whether a disabled person's dog is acting as an assistance dog.

If the local authority is introducing dog on lead restrictions, consideration should be made of the accessibility of alternative restriction free exercise areas for those with limited mobility, be that due to disability, age etc.

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.