

Appendix 1. Table of Proposed Changes, Consultation Responses and Recommendations

Proposed change	Justification	Consultation Response	Public Comments	Officer Comment	Recommendation
<p>Dog(s) on lead on roads and pavement</p> <p>Removal of this requirement across East Devon.</p>	<p>The Environmental Protection team (and other authorised officers) can use other powers available under the Anti-social Behaviour, Crime and Policing Act 2014 to deal with irresponsible dog ownership. Powers, such as a Community Protection Notice, can be used to place restrictions or positive requirements upon the owner.</p>	<p>The majority of the public responses (78%) were against this requirement being removed from the PSPO.</p> <p>94 respondents objected to the proposal.</p> <p>20 respondents supported the proposal.</p> <p>Cranbrook Town Council supports the proposal.</p> <p>Devon & Cornwall Police have no objection to the proposal.</p> <p>Exmouth Town Council objected to the proposal.</p>	<p>The perception from the public was that this would lead to an increase in dogs being walked off lead causing further problems such road traffic accidents and dog attacks.</p> <p>One respondent commented "All dogs should be on leads in public spaces at all times."</p>	<p>Whilst there are relatively few complaints regarding this issue and there are alternative powers, it is clear that the majority of consultees would want to see this requirement retained.</p>	<p>Recommend that the proposal is rejected.</p>
<p>No more than six dogs to which a person may take onto the land</p> <p>Exemption to be applied for certain</p>	<p>This will enable owners of working dogs to continue their activities without breach of the Order.</p>	<p>The public response, 62% was against the inclusion of the exemption. The objections related to the use of trail hunt dogs. The public response, 62% was against</p>	<p>I am really concerned about all the hunt hounds up and down the country being allowed on roads</p> <p>I've seen countless footage of hunts blocking the roads</p>	<p>Although there was a majority against this change there was a small overall response. This exclusion should have been included in</p>	<p>Recommended that this change is accepted.</p>

<p>working dogs i.e. those involved in law enforcement, military duties, statutory emergency services and search/rescue and those using a working dog(s) for agricultural activities.</p>		<p>the inclusion of the exemption.</p> <p>11 respondents supported the proposal.</p> <p>18 respondents objected to the proposal. Particular reference was made to hunt hounds within all the objections.</p>	<p>with horses, quad bikes and dogs. It's so dangerous for all concerned it's madness</p>	<p>the original 2017 and subsequent 2020 Orders to allow working dogs to be exempt. This is in line with other Councils PSPO's. For this reason the recommendation is to accept.</p>	
<p>Dog on Lead Areas</p>					
<p>Inclusion of this requirement within the area occupied by food and drink outlets at Queens Drive Space, Queens Drive, Exmouth</p>	<p>This is an enclosed space with food and drink outlets and customer seating available. A Dog on Lead requirement will ensure that dogs are kept under close control near to their owners.</p>	<p>The public response, 79% was in favour of this change</p> <p>15 respondents supported this proposal.</p> <p>4 respondents objected to the proposal.</p>			<p>Recommend the change is approved</p>
<p>Removal of this requirement at The Glen, Honiton</p>	<p>This is an open green space close to residential areas within Honiton. Removal of the Dog on Lead requirement will provide an additional dog exercise space within the locality.</p>	<p>The public response, 62% was in favour of this change</p> <p>13 respondents supported the proposal.</p> <p>8 respondents objected to the proposal.</p> <p>Honiton Town Council supports the proposal.</p> <p>Devon & Cornwall Police have no objection to the proposal.</p>	<p>In The Glen, signage is inadequate. It is far from clear where dogs are expected to be kept on leads.</p>		<p>Recommend the change is approved.</p>

Change of wording from 'Candys field play area' to 'Candy's field children's play area'.	Clearer description of where Order applies.	No responses received			Recommend the change is approved.
Dog Exclusion Areas					
Inclusion of this requirement at the events area at Queens Drive Space, Queens Drive, Exmouth	This is an enclosed area which is often used for community events. A Dog Exclusion area will ensure that dogs do not come into close proximity to equipment or people using the space.	The public response, 82% was in favour of this change. 14 respondents supported the proposal. 3 respondents objected to the proposal.			Recommend the change is approved
Removal of this requirement at Londinium Way play park, Rockbeare	This play park is now called Southbrook Meadow play area and is already covered by the Order.	No responses received			Recommend the change is approved
Fixed penalty notice The fixed penalty notice offered to a person enabling discharge of liability for a conviction (for breach of Order) to be increased from £80 to £100	The Anti-social Behaviour, Crime and Policing Act 2014 enables the amount payable to be no more than £100. This quantity is in line with fines used by other local authorities.	The public response, 96% was in favour of this change 22 respondents supported the proposal. 1 respondent objected to the proposal. Cranbrook Town Council supports the proposal.			Recommend the change is approved

Changes to the Seashores and Promenades Public Spaces Protection Order.

Proposed change	Justification	Consultation Response	Public Comments	Officer Comment	Recommendation
Dog on Lead Areas					
<p>Inclusion of a new requirement covering the esplanade at Exmouth beach.</p> <p>The wording will state 'The esplanade adjacent to the beach between Mamhead slipway and the cliffs at Orcombe point'.</p>	<p>This requirement will be in line with other esplanades at East Devon beaches.</p>	<p>The public response, 83% was in favour of this change</p> <p>29 respondents supported the proposal.</p> <p>6 respondents objected to the proposal.</p> <p>Devon & Cornwall Police have no objections to the proposal.</p>			<p>Recommend this change is approved.</p>
<p>Change of wording for this requirement and inclusion of grass area covering the esplanade at Budleigh Salterton.</p> <p>To be changed from 'The promenade between the outfall opposite South Parade in the west and a point opposite Lime Kiln in the east' to 'The esplanade and</p>	<p>Clearer description of where the Order applies.</p>	<p>The public response, 79% was in favour of this change</p> <p>15 respondents supported the proposal.</p> <p>4 respondents objected to the proposal.</p>			<p>Recommend this change is approved.</p>

<p>grass area adjacent to the beach between South Parade and Lime Kiln car park’.</p>					
<p>Change of wording and extent of this requirement covering Sidmouth.</p> <p>To be changed from ‘The esplanade between the west end of the beach huts at Jacobs Ladder and the eastern facing access ramp opposite Ham Lane in the east’ to</p> <p>‘The stepped area in front of the beach huts at Jacobs Ladder, and the esplanade adjacent to the beach between Jacobs Ladder to the last access ramp onto the beach at the turning circle</p>	<p>Clearer description of where the Order applies.</p>	<p>The public response, 83% was in favour of this change</p> <p>15 respondents supported the proposal.</p> <p>3 respondents objected to the proposal.</p>			<p>Recommend this change is approved.</p>

<p>Removal of this requirement at Beer Beach: ‘Beer beach from a point immediately below Charlie’s Yard in the west to the last beach hut in the east from 1st May to 30th September every year’.</p> <p>Inclusion of the following requirement at Beer Beach: ‘From the bottom of Sea Hill to the beach café within the Dog Exclusion area’.</p>	<p>To bring Beer Beach in line with other beach requirements within East Devon.</p> <p>Introduction of this requirement enabling access to the beach café which is situated within the Dog Exclusion area.</p>	<p>53% of respondents were against this change. 15 respondents supported this proposal. 17 respondents objected to this proposal.</p> <p>The public response, 89% was in favour of this change 16 respondents supported this proposal. 2 respondents objected to the proposal.</p>		<p>It should be noted that this proposal has been included to ensure consistency of the beach requirements for all the beaches in East Devon.</p>	<p>Recommend approval of this change.</p> <p>Recommend this change is approved.</p>
<p>Change of wording and extent of this requirement at Seaton Beach.</p> <p>To be changed from ‘West Walk between The Chine and Castle Hill’ to ‘The esplanade, from the</p>	<p>Clearer description of where the Order applies.</p>	<p>The public response, 94% was in favour of this change 16 respondents supported the proposal. 1 respondent objected to the proposal.</p>			<p>Recommend this change is approved</p>

<p>Chine (including West Walk) to Trevelyan Road'.</p> <p>Removal of the requirement on 'The walkway adjacent to the beach between Castle Hill and Trevelyan Road between 1st October and 30 April every year'. Changed to a year round Dog on Lead requirement.</p>	<p>This will enable a year round Dog on Lead requirement along the esplanade between the Chine and Trevelyan Road. This is in line with other esplanades across East Devon.</p>	<p>The public response, 76% was in favour of this change</p> <p>22 respondents supported the proposal.</p> <p>7 respondents objected to the proposal.</p> <p>Devon & Cornwall Police have no objection to this proposal.</p>			<p>Recommend this change is approved</p>
<p>Seasonal Dog Exclusion Areas</p>					
<p>Change of wording for this requirement at Exmouth Beach. To be changed from 'The beach between a point opposite the Octagon in the west and the second groyne before Orcombe Point in the east' to 'The beach between the Octagon café to the second groyne before Orcombe Point'.</p>	<p>Clearer description of where the Order applies.</p>	<p>The public response, 87% was in favour of this change</p> <p>13 respondents supported the proposal.</p> <p>2 respondents objected to the proposal.</p>			<p>Recommend this change is approved.</p>

<p>This requirement to apply between the hours of 09.00 and 18.00 during the summer season (1 May and 30 September).</p>	<p>This will enable individuals to walk their dogs during the early morning and evening when the beach is quieter.</p> <p>Environmental Health complaint records for 2020, 2021 and 2022 indicate that complaints related to presence of dogs within the dog ban area, rather than presence of dogs within the dog ban area causing incidents of dog fouling or dogs running loose and out of control.</p> <p>Recruitment of a Dog Enforcement Officer in September 2022. This will enable continuation of beach patrols and enforcement.</p>	<p>The majority of the public who responded by email were against this proposal, 52%.</p> <p>189 respondents supported the proposal.</p> <p>209 respondents objected to the proposal.</p> <p>Exmouth Town Council objects to the proposal.</p> <p>Devon and Cornwall Police object on the grounds that they consider 18:00 to be too early and recommend a later time be considered.</p>	<p>As a regular walker on beaches (both with and without dogs) and a litter picker I can confirm that by far and away the biggest problem in beaches is general human litter. In my experience it is very rare to encounter dog mess that has not been cleared away at any time of year.</p> <p>One factor that needs to be addressed regarding the proposals to change the Public Spaces Protection Order (PSPO) covering dog control, is the Blue Flag status of Exmouth Beach. One of the criteria for the Blue Flag awards is no. 23 (from BLUE FLAG BEACH CRITERIA AND EXPLANATORY NOTES 2021, KEEP BRITAIN TIDY)</p> <p>Best to keep them off all beaches during the said time period. Full stop.</p> <p>On the contrary all dogs should be banned at all times from beaches for the</p>	<p>The majority of the public who responded by email were against this proposal, 52%. However should the petition responses be included, this will change the responses to a majority approval of 58% for the changes.</p> <p>It should be noted that the Town Council were not in favour of this change.</p> <p>There were several requests from the public to extend this area from Orcombe Point to the Lifeboat station due to the dog exclusion area being restricted at high tide.</p> <p>Consideration must be given to the Blue Flag status of the beach which will only be maintained if the following is approved;</p> <p>Dogs will only be allowed on Exmouth Beach before 09:00 and 18:00 between May and September.</p>	<p>Recommend this proposal is NOT approved.</p>
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			sake of human health and wildlife welfare!	<p>This will mean the removal of the dog exclusion area for dogs on Exmouth beach .</p> <p>Taking into consideration the Blue Flag status of Exmouth Beach and the opposition of the Town Council who are representatives of Exmouth residents, officers recommend this proposal is NOT approved.</p>	
<p>Change of wording for this requirement at Budleigh Salterton Beach. To be changed from 'The beach between the outfall opposite South Parade in the west and a point opposite Lime Kiln in the east' to 'The beach between South Parade and Lime Kiln car park'.</p> <p>This requirement to apply between the hours of 09.00 and</p>	<p>Clearer description of where the Order applies.</p> <p>As previously stated.</p>	<p>The public response, 92% was in favour of this change</p> <p>12 respondents support the proposal.</p> <p>1 respondent objected to the proposal.</p> <p>Budleigh Salterton Town Council support the proposal.</p> <p>The majority of the public who responded by email, 52% were against this</p>	<p>It is my belief that dog-owners already have far more access to our lovely beaches than they deserve,</p>	<p>It should be noted that Budleigh Salterton</p>	<p>Recommend this change is approved.</p> <p>If members are minded to give weight to the</p>

<p>18.00 during the summer season (1 May and 30 September).</p>		<p>proposal, however should the petition responses be included, this will change the responses to a majority approval for the changes</p> <p>143 respondents support the proposal.</p> <p>156 respondents object to the proposal.</p> <p>Budleigh Salterton Town Council object to the proposal.</p>	<p>and they do not mix well with families that come to our lovely beaches for their holidays.</p> <p>My suggestion would be that dogs are welcome on the beach at all times in all areas whilst on a lead.</p>	<p>Town Council object to the proposal.</p>	<p>opposition of Budleigh Salterton Town Council as representative of residents, officers recommend the proposal is NOT approved.</p>
<p>Change of wording and extent of this requirement at Sidmouth Beach.</p> <p>To be changed from 'The beach between a point 100 metres to the west of Jacobs Ladder and the eastern facing access ramp opposite Ham Lane in the east' to 'The beach between Jacobs Ladder and the access ramp opposite Sidmouth Sailing and Sea Angling Club.</p>	<p>Clearer description of where the Order applies.</p> <p>The removal of the dog exclusion area between Jacobs Ladder and the section of the beach 100 metres to the west will enable dog owners to exercise their dogs along the full extent of the beach, and will remove requests to walk their dogs on a lead next to the cliffs for reasons of public safety.</p>	<p>The majority of the public opposed this change, 60%.</p> <p>39 respondents support the proposal.</p> <p>59 respondents object to the proposal.</p>	<p>We would also ask you to consider opening up another section of the Sidmouth beach in the summer during the day time as the section by the sailing club is very small and you have lots of activity with boats being launched, winches and fishermen and their rods.</p> <p>On Sidmouth beaches the area for use by dog owners in the summer is largely limited to Fishermans Beach (Port Royal). Walking along the pebbles for over 100 metres past Jacob's Ladder is</p>	<p>Although there is a majority of those who have responded, consideration should be given to the health and safety implications of requiring dog walkers to walk under cliffs to access the dogs allowed area of the beach.</p>	<p>For this reason, officers recommend the change is approved.</p>

<p>This requirement to apply between the hours of 09.00 and 18.00 during the summer season (1 May and 30 September).</p>	<p>As previously stated.</p>	<p>The majority of the public who responded by email, 57% were against this proposal, however should the petition responses be included, this will change the responses to a majority approval of 56% for the changes.</p> <p>153 respondents support the proposal.</p> <p>203 respondents object to the proposal.</p>	<p>impossible for anyone with mobility problems. In view of this I would like to propose that the "dog friendly area" is extended from Fisherman's Beach along to the second set of rock groynes.</p> <p>As we have 5 beaches in Sidmouth I think it is very reasonable to make the beaches at either end available dogs and their owners and would suggest keeping the three in the middle totally dog free.</p> <p>The changing of the time restriction is a good idea, but 9am is too early. 10am is more realistic and most families go down to the beach late morning. Ask the kiosk owner at Jacobs ladder, who rarely opens before eleven.</p>	<p>Consideration must be given to the Blue Flag status of the beach which will only be maintained if the following is approved;</p> <p>Dogs will only be allowed on Sidmouth Beach before 09:00 and 18:00 between May and September.</p> <p>This will mean the removal of the dog exclusion area for dogs on Sidmouth beach .</p> <p>Taking into consideration the Blue Flag status of Sidmouth beach, officers recommend that this proposal is NOT approved.</p>	<p>Taking into consideration the Blue Flag status of Sidmouth beach, officers recommend that this proposal is NOT approved.</p>
<p>Change of wording and extent of this requirement at Beer Beach. To be changed from 'Beer beach from a point immediately below Charlies Yard in the</p>	<p>Clearer description of where the Order applies. Introduction of dog on lead requirement enabling access to the beach café which is situated within the Dog Exclusion area.</p>	<p>The majority of the public who responded 53%, opposed this change.</p> <p>15 respondents support the proposal.</p>		<p>Although 53% of respondents have objected to this proposal, officers would recommend approval to provide clarity to the Order and facilitate</p>	<p>Recommend approval of this proposal.</p>

<p>east extending in a westerly direction for 200m' to 'Beer beach from a point below the access path at Sea Hill onto the beach to the edge of the cliffs in the west, excluding the dogs on lead access to the beach café located within the Dog Exclusion area.'</p> <p>This requirement to apply between the hours of 09.00 and 18.00 during the summer season (1 May and 30 September).</p>	<p>As previously stated.</p>	<p>17 respondents object to the proposal.</p> <p>The majority of the public who responded by email were against this proposal 52%, however should the petition responses be included, this will change the responses to a majority approval of 61% for the changes.</p> <p>154 respondents support the proposal.</p> <p>164 respondents object to the proposal.</p> <p>Beer Parish Council objects to the proposal.</p>		<p>access to the Beach Café for dog owners.</p>	<p>If members are minded to give weight to the opposition of Beer Parish Council as representative of residents, officers recommend the proposal is NOT approved.</p>
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<p>Change of wording and extent of this requirement at Seaton Beach.</p> <p>To be changed from 'The beach between Castle Hill in the west and Trevelyan Road in the east, including the walkway adjacent to the beach' to 'The beach between Castle Hill and Trevelyan Road'.</p> <p>This requirement to apply between the hours of 09.00 and 18.00 during the summer season (1 May and 30 September).</p>	<p>Clearer description of where the Order applies.</p> <p>Removal of the Dog Exclusion requirement on the esplanade between Castle Hill and Trevelyan Road. This has been changed to a year round Dog on Lead requirement along the esplanade between the Chine and Trevelyan Road. This is in line with other esplanades across East Devon.</p> <p>As previously stated.</p>	<p>The majority of the respondents, 99% agreed with the change</p> <p>15 respondents support the proposal.</p> <p>1 respondent objects to the proposal.</p> <p>The majority of the public who responded by email were against this proposal 52%, however should the petition responses be included, this will change the responses to a majority approval of 61% for the changes</p> <p>141 respondents support the proposal.</p> <p>155 respondents object to the proposal.</p>	<p>In Seaton could we walk dogs up until 10am rather than 9am and 5pm rather than 6pm. There are very few tourists on the prom that early!</p> <p>My suggestion would be that dogs are welcome on the beach at all times in all areas whilst on a lead.</p>	<p>It should be noted that Seaton will be the sole beach in East Devon allowing times access to the whole beach area, officers</p>	<p>Recommend the change is approved</p> <p>Recommend this proposal is NOT approved.</p>
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			Extend the summer no go areas from Apr to Nov. With no exceptions or timings.		
Fixed penalty notice The fixed penalty notice offered to a person enabling discharge of liability for a conviction (for breach of Order) to be increased from £80 to £100	The Anti-social Behaviour, Crime and Policing Act 2014 enables the amount payable to be no more than £100. This quantity is in line with amounts used by other local authorities.	The majority of the respondents, 97% agreed with the change 35 respondents support the proposal. 3 respondents object to the proposal. Cranbrook TC support the proposal. Devon & Cornwall Police have no objection to the proposal.			Recommend the change is approved

Changes and Consultation Responses to the Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances in Exmouth and Sidmouth Responses

Proposed change	Justification	Consultation Responses	Public Comments	Officer Comments	Recommendation
Removal of the Sidmouth area of the PSPO and then change of title to	The Local Devon & Cornwall Policing team covering Rural East Devon have outlined that the	60% of the respondents approved of the proposal.	Anti-Social Behaviours at The Ham, Sidmouth		Recommend the proposal is approved.

<p>“Control of Anti-Social Behaviour and the Consumption of Intoxicating Substances”</p>	<p>original PSPO was set up to deal with issues that were witnessed as a result of the Sidmouth night economy around the night club. The night club no longer exists and the police team who are the enforcement element have not made use of the Public Spaces Protection Order in recent years since the night club closure so it is proportionate to remove the control.</p>	<p>6 respondents support the proposal. 4 respondents object to the proposal. Devon & Cornwall Police have no objection to the proposal.</p>	<p>This location, if not already, should be in the schedule of areas.</p>		
<p>Amalgamation of the Exmouth Areas from the Varied Public Spaces Protection Order 2021 and the 2020 ASB & Intoxicating substances PSPO.</p>	<p>This will allow the Exmouth area governed by the PSPO to sit under one order which share the same control measures, by doing this it simplifies the PSPO process.</p>	<p>100% of respondents agreed with the proposal. 5 respondents support the proposal. There were no objections received from the public. Devon & Cornwall Police have no objection to the proposal.</p>			<p>Recommend the proposal is approved.</p>
<p>Change "Intoxicating Substances" is given the following definition (which includes Alcohol and substances which are commonly referred to as 'legal highs'):</p>	<p>Psychoactive substances is a more appropriate phrase than 'legal highs'</p>	<p>No responses received from the public.</p>			<p>Recommend the proposal is approved.</p>

<p>"Substances with the capacity to stimulate or depress the human central nervous system" To</p> <p>"Intoxicating Substances" is given the following definition (which includes alcohol and 'new psychoactive substances'):</p> <p>"Substances with the capacity to stimulate or depress the human central nervous system"</p>					
<p>Change <i>"An authorised officer is permitted to ask people within a group to disperse immediately or by such time as may be specified. A person shall be guilty of an offence if they do not disperse away from that group of people."</i></p> <p>To <i>"An authorised officer is permitted to ask a Person or</i></p>	<p>The original action of moving away from that group gave no control over the distance moved and no control over the time that person needed to move from the area where ASB was being caused. This often lead to ASB reoccurring shortly after individuals being directed to move away. This new addition which is similar to Exeter City's PSPO and Torridge PSPOs gives</p>	<p>100%/5 respondents support the proposal, Devon & Cornwall Police have no objection to the proposal.</p>			<p>Recommend the proposal is approved.</p>

<p><i>persons within this area who breach Prohibition (iv) shall when ordered to do so by an authorised person leave the area either immediately or by such time as may be specified and in such a manner as may be specified.</i></p> <p><i>The manner specified by the authorised person may include a requirement not to re-enter a defined zone within the PSPO area until a certain time, which shall be no later than 24 hours from the time that an authorised person orders a person to leave the area and or persons to disperse from that area.” A person shall be guilty of an offence if they do not disperse away and leave the area or fail to comply with the directions to not re-enter the specified</i></p>	<p>greater clarity of control of an area to reduce ASB and future escalation.</p> <p>Local Business in The Strand had started a petition for an Alcohol ban in The Strand. No other District Authority in the locality has an alcohol ban in place.</p> <p>This additional enforcement control alongside, specific targeting of off licensed premises to control the sale of alcohol has a similar affect to an Alcohol ban but more in line with this council and other local councils level of proportionate use of ASB Powers. Targeting those who’s drinking/behaviour has become anti-social affecting the local area and then dispersing them for a period allows for the ASB to disappear.</p> <p>This part of the control can also be used by Police to deal with the wider groups that support Anti social</p>				
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<p>area until a certain time</p>	<p>driving by requiring them to move/disperse out of a defined area for a set period of time where their activity is causing Intimidation, Harassment Alarm or Distress.</p>				
<p>Include after “(iii) Aggressive requests for money A person shall be guilty of an offence if, at any time in a street or public open space, he makes unsolicited or unauthorised requests for money whether expressly requested or impliedly requested from persons not known to him.” “It would include behaviour’s such as: (1) clearly intimidating, i.e. through the use of threatening language or gestures, or (2) intimidating by being passive aggressive, such as standing or sitting in close</p>	<p>Aggressive requests for money is a continuing problem that occurs and putting some greater definition around this gives clarity for enforcement.</p>	<p>No responses received from the public.</p>			<p>Recommend the proposal is approved.</p>

<p>proximity (i.e. within 5 metres) of a cash machine or pay station either singularly or in a group of two or more i.e. where people expect privacy and/or feel vulnerable with their money, bank cards, wallets or purse on display.”</p>					
<p>Fixed penalty notice The fixed penalty notice offered to a person enabling discharge of liability for a conviction (for breach of Order) to be increased from £80 to £100</p>	<p>The Anti-social Behaviour, Crime and Policing Act 2014 enables the amount payable to be no more than £100. This penalty is in line with amounts used by other local authorities.</p>	<p>100%/10 respondents support this proposal. Cranbrook Town Council support the proposal. Devon & Cornwall Police have no objections to the proposal.</p>			<p>Recommend the proposal is approved.</p>