

Date of Meeting 27 November 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Approval for Amendments to the Public Spaces Protection Order – Dog Control 2023

Report summary:

Following the implementation of the Public Spaces Protection Order – Dog Control 2023, there are required corrections relating to Kilmington Playing Field, Kilmington and Allhallows Playing Fields, Honiton. Due to the time period since the introduction of the Public Spaces Protection Order – Dog Control 2023, a period of public consultation was undertaken regarding the proposed variations. This report outlines the responses and makes recommendations that need to be approved by Cabinet before the Order can be varied.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet approve the following variations to the Public Spaces Protection Order – Dog Control 2023 made under the Anti-Social Behaviour Crime and Policing Act 2014.

- Change the requirement for dogs to be kept on leads at Kilmington play area to a dog on lead requirement at Kilmington Playing Field and a dog exclusion requirement at the children's play area.
- Change the dog exclusion requirement at Allhallows playing fields, Honiton to only apply to the sports pitches.

Reason for recommendation:

To ensure that the Public Spaces Protection Order - Dog Control 2023 reflects public opinion, is as approved by Cabinet and is enforceable by authorised officers.

Officer: Sally Webster Principal Environmental Health Officer, swebster@eastdevon.gov.uk
01395519973

Portfolio(s) (check which apply):

Climate Action and Emergency Response
 Coast, Country and Environment
 Council and Corporate Co-ordination
 Communications and Democracy
 Economy and Assets
 Finance
 Strategic Planning
 Sustainable Homes and Communities
 Culture, Leisure, Sport and Tourism

Equalities impact Medium Impact

Equality Impact Assessment

Climate change Low Impact

Risk: Low Risk; The amendments do not alter the risk level in relation to the application of the PSPO.

Links to background information Anti-Social Behaviour Crime and Policing Act 2014

<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted/data.htm> Home Office Statutory Guidance on the Act July 2014

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

Link to Council Plan

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

Report in full

1. A Public Space Protection Order (PSPO) is a tool under the Anti-Social Behaviour, Crime and Policing Act 2014 which is intended to deal with a particular nuisance or problem affecting a specified area that is detrimental to the local community's way of life. A PSPO could be used for a wide range of problems. The area may be as small as a play park or as large as the whole district of the local authority.
2. A PSPO can be made by the council if it is satisfied on reasonable grounds that the activities carried out, or likely to be carried out, in a public space:
 - Have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;

And that the effect or likely effect of the activities:

- Is or is likely to be persistent or continuing in nature;
- Is or is likely to be unreasonable and
- Justifies the restrictions imposed.

A PSPO can last for up to three years, after which it must be reviewed.

3. Following Cabinet decision on the 4th Jan 2023, the Control of Dog Public Spaces Protection Order 2023 was prepared and sealed and is now available on the Council's website. We have since been made aware of several corrections that need to be made to the current Order.
4. Any changes to a sealed Public Spaces Protection Order requires a full consultation and subsequent Cabinet Approval.
5. It was noticed that there were two transcription errors in the existing PSPO that required amendment:
 - Kilmington Playing Field – the Order currently states that there is a dog on lead requirement at Kilmington play area. This should state that there is a dog on lead

requirement at Kilmington Playing Field and a dog exclusion requirement at the children's play area.

- Allhallows, Honiton – the Order currently states that there is a dog exclusion requirement at the playing fields. This should state that there is a dog exclusion requirement on the sports pitches only.

Whilst it is acknowledged that Cabinet approval is not required for the correction below, it is included within this report for clarity of the proposed corrections:

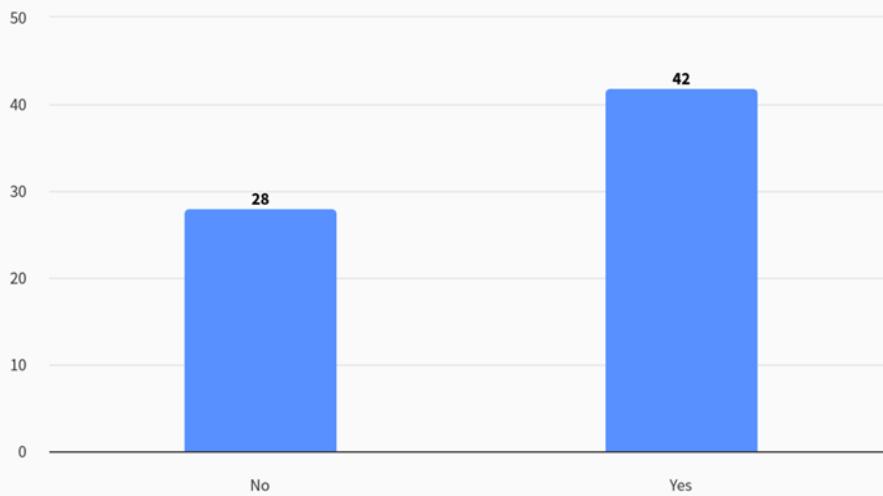
- A correction of the spelling of the Parish name, Colaton Raleigh. It currently has Collaton Raleigh.

6. A public consultation took place for two weeks from 14 October 2024 to 28 October 2024. It was hosted on the Council's engagement platform Commonplace which could be accessed via the Council's website.
7. Interested parties were consulted about the proposals. This included Honiton RFC, who lease the Allhallows sports pitches from East Devon District Council, the district councillors for Honiton wards and Honiton Town Council.
8. We also consulted the trustees for the Arthur Hitchcock charity who maintain Kilmington Playing Field, Kilmington Cricket Club, Kilmington Dog Walkers Association, and Kilmington Parish Council.
9. We also wrote to residents living within the vicinity of Allhallows playing fields and Kilmington Playing Field and the public consultation was also advertised on social media, including EDDC Facebook page, and via the East Devon resident's newsletter.
10. Comments in respect of Allhallows Sports Pitches are presented in Appendix 1.
11. Comments in respect of Kilmington Playing Field are presented in Appendix 2.

Allhallows, Honiton.

12. The public consultation asked whether members of the public agreed to change the dog exclusion area from Allhallows playing fields to Allhallows sports pitches.
13. There were 70 responses in total for this part of the consultation. There were 28 respondents who did not agree to changing the dog exclusion area and 42 respondents who did agree.

Are you in agreement to change the dog exclusion area from Allhallows playing fields to Allhallows sports pitches

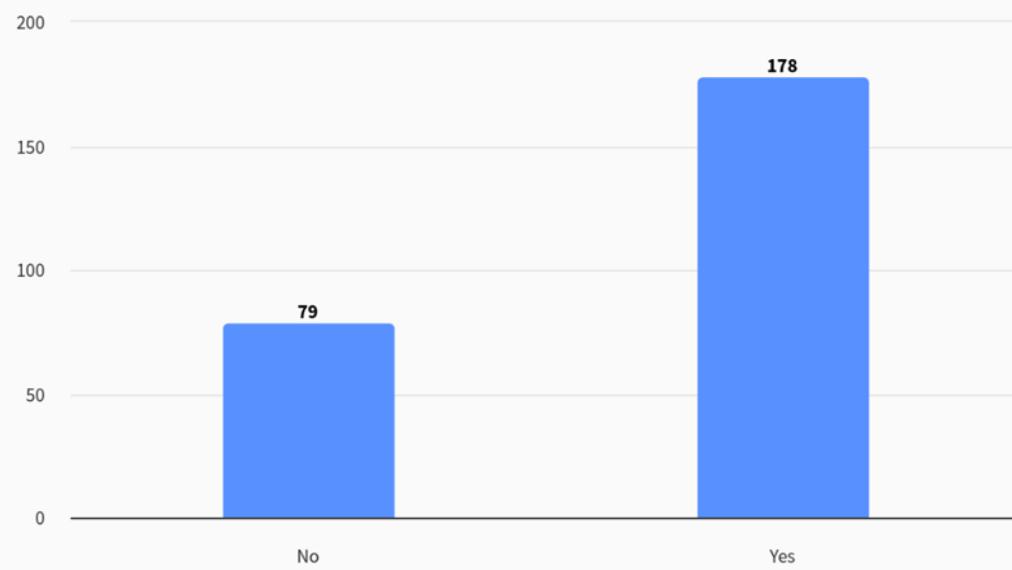


14. Respondents were able to provide further comments to share their views. Example comments from this part of the public consultation are included in Appendix 1.
15. Given the original proposal for dogs to be excluded from Allhallows sports pitches was supported by a majority of local respondents, it is recommended that the Public Spaces Protection Order – Dog Control, 2023 be varied to include this provision

Kilmington Playing Field.

16. The public consultation asked whether members of the public agreed that dogs must be kept on a lead on Kilmington Playing Field.
17. There were 257 responses in total for this part of the consultation. There were 79 respondents who did not agree that dogs must be kept on a lead and 178 respondents who did agree.

Are you in agreement that dogs must be kept on a lead on Kilmington playing fields?



16. Respondents were able to provide further comments to share their views. Example comments from this part of the public consultation are included in Appendix 2.

17. Out of the 79 respondents who did not agree that dogs should be kept on a lead, 26 recommended that a compromise was put in place. Respondents recommended that, as a compromise, dogs should not be allowed on the field between 10.00 and 17.00 between May and October when the field is in use by the Cricket Club and Primary School, and all other times dogs can be exercised off lead.
18. The suggested compromise did not form part of the consultation and cannot be included in the final amended Order. It may, however, be included in the public consultation which will take place in Spring 2025 prior to the review of the 2026 Dog Control Public Spaces Protection Order.
19. Given the original proposal for dogs to be kept on leads on Kilmington Playing Field was supported by a significant majority of local respondents, it is recommended that the Public Spaces Protection Order – Dog Control, 2023 be varied to include this provision

Conclusion

20. Following a thorough, targeted public consultation there was majority public support for the controls previously agreed by cabinet.

Financial implications:

There does not appear to be any financial implications of these changes/updates.

Legal implications:

The variation of a PSPO is subject to public consultation, the extent of the consultation is for the Local Authority to decide. The consultation will be reviewed by the Local Authority and the proposed variation placed before cabinet to confirm. Any PSPO variation is subject to a potential judicial review within six weeks of the date of the variation.

Appendix 1. Allhallows Sports Pitches

Comments –

Honiton Town Council.

Honiton Town Council were consulted and did not agree to change the dog exclusion area. The Town Council provided the following response:

Honiton Town Council would question how EDDC will enforce the dog exclusion zone whether it is changed from Allhallows playing fields to Allhallows sports pitches or not. Honiton Town Council has been advised that EDDC will not allow the second sports pitch to be fenced off which will make enforcement harder. Instead Honiton Town Council suggests that the Public Spaces Protection Order should require dogs to be kept on leads. Dog wardens should then patrol the area and fine those dogs owners who allow their dogs to be off leads on the whole of Allhallows playing fields.

Resident views included the following comments:

I believe dogs should not be allowed near pitches where children play sport. Unfortunately not all owners are responsible - there are other areas of Honiton that are away from sports fields where people can exercise dogs.

If only one part is a dog exclusion zone, dogs inevitably and always roam where they shouldn't. Some owners, maybe only a few, simply ignore restrictions, or can't/won't control their dogs. It only takes one owner to fail to clear up after their dog, and parents/grandparents are left with a horrible problem

As the pitches are not fenced it means dogs always stray into the pitches. At night/winter there is zero visibility so dog owners cannot see if there dogs stray into the pitch and regularly defecate on the pitch. These pitches are used by rugby players 6 days a week which poses a huge health and hygiene risks for children and adults.

A lot of people, young and old in the community have dogs and they need space as well to run and play, but obviously in a controlled and supervised manner.

Appendix 2. Kilmington Playing Field

Comments –

Kilmington Parish Council.

Kilmington Parish Council were consulted and did not agree to change the dog on lead area. The Parish Council provided the following response:

At a meeting of the Kilmington Parish Council, councillors voted unanimously to support the dog on lead requirement at Kilmington playing field and the dog exclusion requirement at the children's play area.

It was felt this was the best compromise to serve all the public who use the amenity.

Dog walkers can use the field whilst keeping their dogs under control, which will allow other users who are wary of loose dogs, particularly children and the elderly, to also enjoy the amenity.

This is important as children must cross the playing field to access the children's play area. Also, Kilmington Primary School use the playing field for exercise as the school does not have its own sports field.

An additional benefit is that, if handlers have dogs close by on a lead, handlers are more likely to see when and where dogs foul the field and will pick it up.

Resident views included the following comments:

I have taken my dog to the playing field for many years and there has never been any issues with dog fouling . As I am quite elderly at 88 years old my mobility is not good and the playing field is the ideal place for me to access and enjoy a slow walk round and exercise my dog off lead . It is also a lovely space where I can meet my friends with their dogs and enjoy the open air. There are no other areas in Kilmington that I can go.

I have two young children who are nervous when dogs are running around off the lead. Unfortunately, when they were younger, a dog came bounding up to them (ignoring its owner calling for him to come) although nothing bad happened, it jumped up and knocked both my children over. To this day they are very wary around dogs running free. Knowing the playing field has a dog on lead policy will enable us to enjoy the recreational field and play park.

In the past when dog owners did not pick up, we always found dog mess in the field, since the 'dogs on leads' arrangements we do not find dog mess and it is a joy to have the field clean. Also, we have grandchildren who visit and play on the field and we are relieved to know that they will not be treading in dog mess. We also look after our son's dog on occasions and it is re-assuring to know that while our dog is on a lead we will not have other dogs bounding over out of control. We totally support the consultation that all dogs must be on leads for the safety of all users of the field for both sport and family use.

The Kilmington Playing Field is for everyone to use and dogs should be allowed off-lead or have an area that allows this. There is no street lighting in the village which makes it hard to walk dogs in the Winter. An off-lead area would be much appreciated.

I feel the dogs on lead ban is very restrictive, especially when the field is not used for months on end. Whilst I agree dogs would be best not using the field when it is cricket season, I cannot see a reason why the ban shouldn't be lifted for the rest of the year.

Response – Kilmington Playing Fields Committee.

3rd September 2024

Dear Sally and Alice

PSPO (Control of Dogs) – Kilmington Playing Fields

The Playing Fields Committee, as the management committee of the Arthur Hitchcock Charity which has responsibility for the Playing Field, wishes to retain the current 'dogs on leads' policy which has been in place since 1st May 2023. The following is offered in support of this request:

Between the 1st May and 30th Sept 2022 there were 73 incidents of dog fouling whereas between the same dates in 2023 the number of incidents was only 13 and from the 1st May 2024 up until the 15th August there have only been 6 incidents. These figures demonstrate that the introduction of the dogs on leads policy has reduced the number of incidents to what we consider to be a manageable figure.

To access the Play Park, people have to walk across the Playing Field and a number of parents have commented that this is a much nicer experience now that children who are nervous, and in some cases frightened of dogs are not at risk of being approached by off lead dogs. In addition, some residents who have always walked their dog(s) 'on lead' have said that they welcome the policy as they no longer have to contend with the unwanted attention of off lead dogs.

Recognising that some residents were unhappy with the introduction of the policy a public meeting was held in April 2024 with an attendance figure of over 100. The Headteacher of the Primary School could not be at the meeting but sent a letter (copy attached) which laid out compelling arguments for the 'dogs on leads' policy. A variety of views about the policy were raised in the

meeting. Whilst no formal vote was taken it was clear that there was overwhelming support for the 'dogs on leads' policy which represents the only sensible compromise between those who favour 'no controls' and those who would like a total ban on dogs. Supporters of the policy include many dog owners.

Insurers have expectations that their policy holders take reasonable action to mitigate risk and that is what has happened with the introduction of the 'dogs on leads' policy. Removing the restrictions would have the opposite effect and increase risk.

The committee are concerned about the health, safety and wellbeing of all users of the field and consider that 'dogs on leads' is the appropriate policy. We hope that you will continue to support this position.

Yours sincerely

R J Seward

Response – Kilmington Cricket Club

Dear Alice Gill and Sally Webster

REF: Public Spaces Protection Orders - Kilmington playing fields

We are writing on behalf of Kilmington Cricket Club to fully support a Public Spaces Protection Order (dogs on leads) covering the Arthur Hitchcock Memorial Field (Kilmington Playing Field). Indeed, we understood that this was in place in the 2023 Order.

Kilmington Cricket Club was formed in 1879 and has been playing on the current ground since 1908. Whilst we have previously had some problems with dog fouling, this problem grew exponentially during the Covid pandemic. We had hoped that this was specifically related to the pandemic and it would subside, but it remained at those high levels after lockdowns. Clearly, people had been used to using the field as a 'dog toilet'. The volunteer groundsman was frequently having to stop mowing to remove excrement and inspections of the field and resultant clearing up were needed before each match. **To clearly illustrate the problem, in the 2022 cricket season, we had to clear up 73 times.**

The Trustees applied for a PSPO for dogs on leads in the 2023 Order and were informed in January 2023 that the application had been successful. This Order came into force on the 1st May 2023. As the council had indicated that the relevant notices would not be ready until later, temporary signs were used. The impact is clear and obvious as we had to clear up **13 times in the 2023 cricket season** and **9 in the 2024 cricket season** – evidence that a dogs on leads policy can drastically reduce the amount of fouling. At no point has the Club asked the Trustees to seek a total ban on dogs in the field.

In the 2024 cricket season, our club has seen a massive growth due to the introduction of Under 11, 12, 14, 15 and 17 Youth Cricket teams. We have run fixtures, training and a youth festival for these youngsters. Over 100 players, including at least, 52 youth players, represented our club in competitive cricket this season. Many more youngsters trained and learned the basics of the game at the ground this season.

The Trustees and the Club have a duty of care/legal responsibility to all our players, adult and youth, supporters, opponents, the Primary School and its pupils who use the field, and other field users. Dog fouling is both anti social behaviour and a clear cut Health & Safety issue, in the form of, but not only, Toxocariasis, which can cause blindness and many other health issues. The Club, and the Trustees, have tried to remove and mitigate the risk to the public by introducing a dogs on leads policy and the massive reduction (**88%**) in fouling incidents have shown it to

work. The volunteer groundsman with other helpers do their utmost to keep the field and its surrounds in good condition but find it very demoralising when having to deal with dog fouling incidents.

People have thanked the club and Trustees for introducing the dogs on leads policy. This includes the parents of small children and dog owners who have always used leads, with neither group liking the unwanted attention that they had received from off lead dogs.

The health, safety and wellbeing of both adults and children is the top priority and the introduction of a dogs on leads policy has reduced and mitigated risk. We would request that it be supported by the amendment of the PSPO to correct the error in the sealed 2023 order.

Please could you confirm receipt of this email for our records.

Yours Sincerely

Richard Reed, Kilmington Cricket Club Chairman
Martin Huscroft, Kilmington Cricket Club Vice Chairman

Consultation response – Kilmington Primary School



Kilmington Primary School

Whitford Road, Kilmington, Devon, EX13 7RG
Tel: 01297 32762
admin@kilmington-primary.org.uk
www.kilmington-primary.org.uk



15th October 2024

To The Environmental Health Department

I am writing, as the Head of Kilmington Primary School, to express my support for the PSPO requiring dogs to be on leads at Kilmington Playing Field.

Kilmington Primary School has no play or sports field of their own, we therefore very much appreciate The Hitchcock Trust allowing our pupils to use the recreation field in Kilmington for outdoor play and PE lessons such as athletics and sports day.

In common with all schools, we must comply with rigorous regulations which includes risk assessments to ensure our 80 – 90 pupils, aging from 3 to 11 years, are kept safe. Before we bring children onto the field our staff have to take additional time to walk the area we will use to check for and remove any dog faeces found. More recently, since the dogs on leads order was introduced, we have found fewer “deposits” and have had far fewer cases of children becoming soiled, we appreciate the trustees of the field doing what they can to keep the grass clean.

When we take the children to the field it is also reassuring for our staff to know that dogs are required to be kept on leads. Many children (and adults) are wary of unfamiliar dogs so we would normally have to ask owners to put their dogs on leads, which can become a difficult confrontation when we are also handling a class of children. It is clearly imperative that pupils can run and play in safety without the danger of being chased or their balls taken. This is particularly pertinent at a time when the instances of dog attacks are on

the increase, people are much more wary of unfamiliar dogs than they may have been in the past and mental health can be affected.

In our opinion, it is a logical and reasonable decision to require dogs to be on leads on the Kilmington playing field. Nobody is suggesting that owners knowingly leave dog mess behind but the field is very large, it is therefore difficult to see what your dog is up to from the other side and the droppings can therefore easily be missed. Having the dogs on leads means that dog walkers can use the field while still providing a safe leisure facility for all village residents.

I hope that you will all understand the school point of view, this is a wonderful village that we are all proud to be part of and wish to fully support all stakeholders in the community. On behalf of the school, I would therefore like to back the PSPO that specifies that dogs are required to be on leads.

Kind regards

Mrs Lee White

Head of School

Consultation response – On behalf of Kilmington Dog Walkers Association

I am representing the Kilmington Residents dog walking group and 156 signatures from residents of Kilmington. We would like to propose a compromise to suit all the residents of Kilmington regarding the PSPO restrictions on the Kilmington Playing field.

Between May and October dogs are not allowed in the field between 10am and 5pm. All other times dogs can be exercised off lead. between May and October there are no restrictions. The resident's are confident the compromise will work as it has work well on Devon Beaches.

I have submitted evidence to EDDC Cabinet and the Environment Health.

- 1: Correspondence between EDDC and the Arthur Hitchcock Charity Trustees.
- 2: 156 signatures from residents of Kilmington.
- 3: Data collected of dogs and Wild animal (badges, foxes and hedgehog) fouling from April 2023 to date
- 4: Arthur Hitchcock Charity Object.
- 5: Home Office guidelines controlling the presents of dogs page 69.
- 6: Pictures of how the cricket team have monopolised the playing field
- 7: A proposed compromise to suit all residents of Kilmington young and old.

The PSPO restrictions on the Kilmington Playing field is unjustified. There has never been a problem with dogs fouling in the playing field.

The playing fields was gifted to the residence of Kilmington by the Arthur Hitchcock Charity and the object of the charity is for recreation and other leisure-time occupation with the objects of improving the condition of life for the said inhabitants. NO JUST CRICKET

There are no alternatives areas in Kilmington that the elderly, people will reduce mobility and disabled residents can access safely and exercise their dogs off lead and meet like minded people. This has impacted on lived of the elderly residents.

We ask the council Environmental Heath to consider the proposed compromise as it will work for all ages of the Kilmington Residents.

Kind regards.

Yvette Turner on behalf of the Kilmington Residents dog walking group and 156 signatures from residents of Kilmington

KILMINGTON VILLAGE PLAYING FIELDS

the public-use open field opposite the Kilmington Village Hall

We're asking Kilmington residents if you disagree with decisions being made regarding dogs being kept on leads in the playing field, and possibly burned. This is due to the small minority of dog owners who do not pick up after their dogs. Everyone should be able to enjoy this wonderful, local open-air space and it must be possible to resolve this problem without extreme decisions being made which affect the majority of responsible dog owners.

Please kindly sign this petition below and also confirm you are a Kilmington resident.

Thank You for your support

P1

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	YES	2. [Signature]	YES
3. [Signature]	YES	4. [Signature]	YES
5. [Signature]	YES	6. [Signature]	YES
7. [Signature]	YES	8. [Signature]	YES
9. [Signature]	YES	10. [Signature]	YES
11. [Signature]	YES	12. [Signature]	YES
13. [Signature]	YES	14. [Signature]	YES
15. [Signature]	YES	16. [Signature]	YES
17. [Signature]	YES	18. [Signature]	YES
19. [Signature]	YES	20. [Signature]	YES
21. [Signature]	YES	22. [Signature]	YES
23. [Signature]	YES	24. [Signature]	YES
25. [Signature]	YES	26. [Signature]	YES
27. [Signature]	YES	28. [Signature]	YES
29. [Signature]	YES	30. [Signature]	YES
31. [Signature]	YES	32. [Signature]	YES
33. [Signature]	YES	34. [Signature]	YES

Thank You for your support

P2

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Y	2. [Signature]	Y
3. [Signature]	Y	4. [Signature]	YES
5. [Signature]	Y	6. [Signature]	YES
7. [Signature]	Y	8. [Signature]	YES
9. [Signature]	Y	10. [Signature]	YES
11. [Signature]	Y	12. [Signature]	YES
13. [Signature]	Y	14. [Signature]	YES
15. [Signature]	Y	16. [Signature]	YES
17. [Signature]	Y	18. [Signature]	YES
19. [Signature]	Y	20. [Signature]	YES
21. [Signature]	Y	22. [Signature]	YES
23. [Signature]	Y	24. [Signature]	YES
25. [Signature]	Y	26. [Signature]	YES
27. [Signature]	Y	28. [Signature]	YES
29. [Signature]	Y	30. [Signature]	YES
31. [Signature]	Y	32. [Signature]	YES
33. [Signature]	Y	34. [Signature]	YES
35. [Signature]	Y	36. [Signature]	YES

Thank You for your support

P3

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Y	2. [Signature]	Y
3. [Signature]	Y	4. [Signature]	Y
5. [Signature]	Y	6. [Signature]	Y
7. [Signature]	Y	8. [Signature]	Y
9. [Signature]	Y	10. [Signature]	Y
11. [Signature]	Y	12. [Signature]	Y
13. [Signature]	Y	14. [Signature]	Y
15. [Signature]	Y	16. [Signature]	Y
17. [Signature]	Y	18. [Signature]	Y
19. [Signature]	Y	20. [Signature]	Y
21. [Signature]	Y	22. [Signature]	Y
23. [Signature]	Y	24. [Signature]	Y
25. [Signature]	Y	26. [Signature]	Y
27. [Signature]	Y	28. [Signature]	Y
29. [Signature]	Y	30. [Signature]	Y
31. [Signature]	Y	32. [Signature]	Y
33. [Signature]	Y	34. [Signature]	Y
35. [Signature]	Y	36. [Signature]	Y

Total number of signatures: 156

N.B. Original copies available for inspection

Thank You for your support

P4

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	YES	13. [Signature]	YES
2. [Signature]	YES	14. [Signature]	YES
3. [Signature]	YES	15. [Signature]	YES
4. [Signature]	YES	16. [Signature]	YES
5. [Signature]	YES	17. [Signature]	YES
6. [Signature]	YES	18. [Signature]	YES
7. [Signature]	YES	19. [Signature]	YES
8. [Signature]	YES	20. [Signature]	YES
9. [Signature]	YES	21. [Signature]	YES
10. [Signature]	YES	22. [Signature]	YES
11. [Signature]	YES	23. [Signature]	YES
12. [Signature]	YES	24. [Signature]	YES

Thank You for your support

P5

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	YES	13. [Signature]	YES
2. [Signature]	YES	14. [Signature]	YES
3. [Signature]	YES	15. [Signature]	YES
4. [Signature]	YES	16. [Signature]	YES
5. [Signature]	YES	17. [Signature]	YES
6. [Signature]	YES	18. [Signature]	YES
7. [Signature]	YES	19. [Signature]	YES
8. [Signature]	YES	20. [Signature]	YES
9. [Signature]	YES	21. [Signature]	YES
10. [Signature]	YES	22. [Signature]	YES
11. [Signature]	YES	23. [Signature]	YES
12. [Signature]	YES	24. [Signature]	YES

Thank You for your support

P6

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Y	11. [Signature]	YES
2. [Signature]	Y	12. [Signature]	YES
3. [Signature]	Y	13. [Signature]	YES
4. [Signature]	Y	14. [Signature]	YES
5. [Signature]	Y	15. [Signature]	YES
6. [Signature]	Y	16. [Signature]	YES
7. [Signature]	Y	17. [Signature]	YES
8. [Signature]	Y	18. [Signature]	YES
9. [Signature]	Y	19. [Signature]	YES
10. [Signature]	Y	20. [Signature]	YES
11. [Signature]	Y	21. [Signature]	YES
12. [Signature]	Y	22. [Signature]	YES
13. [Signature]	Y	23. [Signature]	YES
14. [Signature]	Y	24. [Signature]	YES

Thank You for your support

P7

SIGNATURES	KILMINGTON RESIDENT Y/N	SIGNATURES	KILMINGTON RESIDENT Y/N
1. [Signature]	Y	12. [Signature]	
2. [Signature]	Y	13. [Signature]	
3. [Signature]	Y	14. [Signature]	
4. [Signature]	Y	15. [Signature]	
5. [Signature]	Y	16. [Signature]	
6. [Signature]	Y	17. [Signature]	
7. [Signature]	Y	18. [Signature]	
8. [Signature]	Y	19. [Signature]	
9. [Signature]	Y	20. [Signature]	
10. [Signature]	Y	21. [Signature]	
11. [Signature]	Y	22. [Signature]	
12. [Signature]	Y	23. [Signature]	
13. [Signature]	Y	24. [Signature]	

Consultation response – The Kennel Club



Formal Response to East Devon District Council's Public Spaces Protection Order Consultation

Submitted on 25 October 2024 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare, and training. Our objective is to ensure that dogs live healthy, happy lives with responsible owners. We campaign for and advocate on behalf of dogs and their owners and, as part of our external affairs activities, engage with local authorities on issues such as Public Spaces Protection Orders (PSPOs).

The Kennel Club is the only national organisation named by the UK Government as a body that local authorities should consult prior to introducing restrictions on dog walkers and is considered the leading canine authority on dog access. As such, we would like to highlight the importance of ensuring that PSPOs are necessary and proportionate responses to problems caused by dogs and irresponsible owners. We also believe that it is essential for authorities to balance the interests of dog owners with the interests of other access users.

Kilmington proposals

The Kennel Club has been contacted by local dog owners who have told of us of their concerns regarding the requirement for keeping dogs on lead on the Kilmington playing fields. They have raised concerns over a lack of viable and accessible alternatives to exercise their dogs off-lead. Particularly for those with reduced mobility – has the Council conducted an equality impact assessment for the proposed restrictions on Kilmington playing field?

It has also been suggested to us that there is a lack of evidence to justify a requirement for keeping dogs on lead on the playing fields. We are interested to know what evidence has been put forward to the Council to justify the restrictions being considered?

We understand Kilmington is located in a rural area, surrounded by considerable amounts of farmland, with livestock present. Displacing dog walkers from Kilmington playing fields onto farmland will increase the risks of dogs worrying or attacking livestock, and indeed potentially increase the risk of dog walkers being trampled by cattle. The Council must consider the impact of displacing dog walkers from Kilmington playing field, if it decides to impose restrictions on their ability to exercise their dogs off-lead on the playing fields.

Further we understand that the restrictions currently in place under the PSPO and the suggestion that dogs should be kept on a lead on Kilmington playing fields has never before been subject to a public consultation, allowing interested parties (as defined in law) to provide views on the proposals. As such we welcome the current consultation, and urge the Council to fully consider the responses received when deciding on whether to impose restrictions on dog walking on the playing field, or not.

If the Council is minded to impose restrictions, then we would urge them to fully consider whether a blanket restriction is required, or whether a more nuanced approach would be better suited.



We gather that some local dog walkers have proposed a compromise position that restrictions on the playing field only apply during certain hours of the day, during specified months of the year.

Restrictions of this nature, seasonal and time limited, are widely used across the country for dog control purposes.

One successful example of such a restriction is Lydiard Park, Swindon where dogs are required to be kept on a lead in a designated section of the park, from 1 April – 30 Sept inclusive, between times of 10.00-18.00.

In the case of Lydiard Park the restriction covers under 1/3 of the overall area of the park, and has been in place for a number of years, having been successfully renewed on more than one occasion. Elsewhere, similar restrictions are widely used on parks and beaches.

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 makes 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)."

Regarding dog access restrictions, such as a 'Dogs on Lead' Order, on-site signage should clearly state where such restrictions begin and end. This can be achieved with signs that say on one side, for example, 'You are entering [type of area]' and 'You are leaving [type of area]' on the reverse.



THE KENNEL CLUB

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