

## Rother District Council

**Report to:** Cabinet

**Date:** 9 October 2023

**Title:** Public Spaces Protection Order (No 1-2024) - Dog Control

**Report of:** Richard Parker-Harding – Head of Environmental Services, Licensing and Community Safety

**Cabinet Member:** Councillor Field

**Ward(s):** All

**Purpose of Report:** To seek authority to consult Sussex Police, the Police and Crime Commissioner, East Sussex County Council (Highways) about making the Order.

**Decision Type:** Key

### Officer

**Recommendation(s):** It be **RESOLVED**: That:

- 1) the Order be amended in accordance with officer recommendations (a to i), as detailed in the report;
- 2) officers be authorised to consult with Sussex Police, the Police and Crime Commissioner, East Sussex County Council (Highways) on making the Public Spaces Protection Order (No 1-2024); and
- 3) if no objections are received to make the Order for a period of three years up until January 2027.

### Reasons for

**Recommendations:** The current Order expires in January 2024.

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### Introduction

1. The Council has many responsibilities regarding dogs including dealing with aggressive dogs, lost and stray dogs. It can also impose controls on dogs, including excluding dogs from certain areas, requiring dogs to be on leads, requiring owners to clean up dog fouling, and limits on the number of dogs that can be walked by one person. These functions cannot be devolved to Parish Councils.
2. In 2020, the Council approved making a Public Spaces Protection Order (PSPO) (No 1A) to control dogs. The Order expires in January 2024 and if Members want the Order to remain in force, it must be amended or renewed without amendment. Consultation took place in June and July, the results are shown in Appendix A.

## Dog Control

3. The current Order was substantially first adopted in June 2008 following extensive consultation with Parish and Town Councils and the public. Several iterations to the Order were considered prior to adoption, whereby it was felt a reasonable compromise had been achieved between the requirements of the public and the needs of dog owners. The Order can be viewed at [THE PUBLIC SPACES PROTECTION ORDER \(No.1A\) ROTHER DISTRICT COUNCIL 2020 \(windows.net\)](#).

## Background

4. PSPOs are made under the Anti-social Behaviour, Crime and Policing Act 2014. The current PSPO controlling dogs expires in January 2024.
5. This report seeks Cabinet approval to consult with Sussex Police, the Police and Crime Commissioner (PCC), East Sussex County Council (Highways) on a revised Order.
6. PSPOs are intended to deal with a nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces, safe from anti-social behaviour.
7. A PSPO can be made by the Council if it is satisfied on reasonable grounds that the activity/activities carried out, or are 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;
  - is, or is likely to be, persistent or continuing in nature;
  - is, or is likely to be, unreasonable; and
  - justifies the restrictions imposed.
8. The restrictions specified in a PSPO can be set by the Council; these can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. They can restrict access to public rights of way where that route is being used to commit anti-social behaviour.
9. PSPOs have a maximum duration of three years but they can last for shorter periods of time where appropriate. Short-term PSPOs could be used where it is not certain that restrictions will have the desired effect, for instance, when closing a public right of way, councils may wish to make an initial PSPO for 12 months and then review the decision at that point. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring.
10. Failure to comply with a PSPO is a criminal offence, a maximum fine of £1,000 (level 3) can be imposed. As an alternative to prosecution enforcement officers can issue a Fixed Penalty Notice (FPN) of £100.
11. In terms of enforcement, the PSPO should be clear and unambiguous and consistent across the district.

12. PSPOs can be enforced by authorised officers of the Council, police constables, police community support officers (if authorised to do so by the Chief Constable).
13. Between January and June, six FPNs have been issued for dog fouling, 12 for dogs being in exclusion areas and 24 for dogs not being on a lead.
14. Members should not equate the level of enforcement with the effectiveness of the PSPO in controlling anti-social behaviour. It can be argued that if there were no controls and signage then more people would act in an anti-social way.

### Options

15. The Council can take no action and allow the existing PSPO to expire in January 2024, renew the existing Order without amendment or amend the Order.

### Possible amendments

16. Consultation on possible amendments was carried out.

#### **Bexhill Seafront (Appendix A)**

Extend the exclusion of dogs from the beach eastwards to Brassey Road, so that the beach around the Sailing Club is included. There have been complaints about dog fouling in this area. Of those responding on the online responses form, for residents and visitors 46% agree to some extent and 54% disagree to some extent:

- Strongly agree: 25%
- Agree: 12%
- Agree a bit: 9%
- Disagree a bit: 9%
- Disagree: 7%
- Strongly disagree: 34%

Bexhill Sailing Club: “the Club supports the extension of the area covered by the May to September ban”.

- a. **Officer recommendation is to extend the exclusion to Brassey Road, as it will have a minimal impact on dog owners but a benefit to the Sailing Club.**

Requirement for dogs on leads all year: 43%

Requirement for dogs to be on leads 1 May to 30 September: 57%

- b. **Officer recommendation is for control to continue to only apply from 1 May to 30 September only. This is also the status quo.**

#### **Camber Beach (Appendix A)**

Option 1: no dogs on the beach from 1 May to 30 September except west of access C in the western car park. Option 2 same conditions but allows dogs on the beach east of the eastern most part of the Broomhill car park. The extension of the dog exclusion zone at Camber was to reduce any conflict between dogs and kite surfers near Broomhill car park.

The consultation results were in favour of option 2 (71%) but many respondents asked for other options of either no change or dogs to be allowed all year. Local owners of holiday lets were concerned about the potential negative impact of any extension of current restrictions might have on their businesses because many customer/visitors are dog owners.

**c. Officer recommendation is to retain the current controls.**

**Pett Beach**

No controls:

- Strongly agree: 51%
- Agree: 15%
- Agree a bit: 2%
- Disagree a bit: 1%
- Disagree:5%
- Strongly disagree: 26%

Pett Parish Council opposed changing the current controls.

**d. Officer recommendation is to continue with the current controls.**

**Winchelsea Beach**

No controls:

- Strongly agree: 60%
- Agree: 12%
- Agree a bit: 3%
- Disagree a bit: 2%
- Disagree:3%
- Strongly disagree: 21%

Icklesham Parish Council's opinion was that these controls were difficult to enforce.

**e. Officer recommendation is to remove controls.**

**Rye Cemetery (owned by Rother District Council)**

Option 1 dogs on short leads being allowed in Rye Cemetery or Option 2 no dogs except on the right of way footpath through Rye Cemetery. The dogs on the footpath would also be required to be on short leads.

Option 1 76%

Option 2 24%

Rye Town Council proposed Option 2.

**f. Officer recommendation: Option 2 because of the risk of dogs running over graves, desecrating the graves and thereby causing distress to the bereaved. This is also the status quo.**

**Rye Gun Garden (owned by Rother District Council)**

Option 1 dogs allowed on short leads or Option 2 dogs excluded.

Option 1: 84%

Option 2: 24%

Rye Town Council proposed Option 1.

**g. Officer recommendation: Option 1.**

## **Sports and Recreational Facilities**

To ban dogs from sport and recreational facilities that are available in public open spaces, such as tennis courts, cricket, football and hockey pitches, gym equipment areas, BMX and skateboard areas in all of Rother. We have received complaints from football coaches that they have to “clean” football pitches before training or a match. Unfortunately, some dog owners do not clean up after their dogs or do not do so effectively. The exclusion would apply to football and cricket pitches when in use. The exclusion would only apply to the actual sports pitch or court and not the entire green area or ground. Dogs would continue to have the same permissions to use the rest of the green space.

Residents and visitors responded:

- Strongly agree: 25%
- Agree: 11%
- Agree a bit: 8%
- Disagree a bit: 5%
- Disagree: 11%
- Strongly disagree: 40%

Parish and Town Councils that responded as follows:

- Dallington PC: strongly opposed to change, not a problem.
- Mountfield PC: strongly opposed to change, not a problem.
- Iden PC: current regulations should remain in place, no problems.
- Beckley PC: to remain with the current position.
- Catsfield PC: do not need a dog control order or assistance from RDC.
- Pett PC: opposed to the proposal.
- Camber PC: wish to retain the status quo.
- Etchingam PC: strongly disagree, no change.
- Hurst Green PC: strongly disagree, difficult to enforce, for example location of cricket facilities outfield boundary and pavilion.
- Brede PC: disagree a bit, Brede has no dog order: no change.

**h. Officer recommendation is to continue with existing controls on sports and recreational facilities in the district. To exclude dogs from all tennis courts, defined children’s play areas (existing control), defined gym equipment areas and all skateparks, BMX race tracks, jump parks and trails. In addition, in Bexhill, to exclude dogs from the Little Common Football Club fenced pitch.**

## **Leads**

**i. Officer recommendation is that the Order should make clear dogs should be on short leads to be under control.**

## **Conclusion**

17. The PSPO (No 1A) Dog Control expires in January 2024. There is the opportunity to amend the Order. The Police, PCC, ESCC must be consulted about renewing the Order. Consultation has taken place with the public and Parish Councils.

## Risk Management

18. Failure to replace the PSPOs controlling dogs by January 2024 will mean the Council will not have any enforcement powers in relation to dog fouling, dogs on leads and dogs in prohibited places. This would have a negative impact on public health and safety.

## Environmental

19. Dog fouling is detrimental to the environment and creates risks to public health and safety.

## Crime and Disorder

20. Dogs that are not under control can lead to crimes and increase the fear of crime.

## Consultation

21. See Appendix A. The Police, PCC, ESCC must be consulted about renewing the Order. Members should consider the consultation responses in Appendix A but are not obliged to abide by them.

Responses from Parish Councils not included in Appendix A:

RALC: should be a Parish Council matter.

Salehurst: retain existing controls.

## Finance

22. Within existing budgets.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	Yes	Consultation	Yes
Environmental	Yes	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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Appendices:	Appendix A - Consultation Appendix B - Maps
Relevant Previous Minutes:	CB20/53 CB17/31 CB22/73
Background Papers:	<a href="https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour">https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour</a>
Reference Documents:	None

## CONSULTATION RESULTS

### Background and Introduction

1. This is a summarised report on the results for the public consultation on proposed changes to the Public Space Protection Order (PSPO) for dog control. Proposed changes were for adding more locations to the order, removing controls from two locations or changing control time periods. Comments from organisations are included but comments from residents have been condensed into the key points covered. Analysis has been undertaken of groups of respondents but only the significant variations are included in the report.
2. A PSPO order gives the Council special powers to enforce against specified behaviour that is already against a law or byelaw if that behaviour and a location are named in the order. The Council's designated officers are authorised to give warnings and issue on the spot, Fixed Penalty Notices (FPNs). The ability to go to court remains available to both the Council and the individual, just as for any other location covered by a byelaw. However, PSPOs make the process of correcting anti-social behaviour more immediate and without lengthy and expensive court proceedings.
3. This consultation was open to the public from 5 June to 31 July 2023.
4. We sent invitations to take part to all the Parish and Town Councils in the district.
5. Notices about the consultation were displayed on seafronts and at many of the green spaces, where possible to do so. We also provided copies of the notice to some Parish Councils willing to display notices on their own noticeboards. Notices were displayed on the Council's own noticeboards.
6. In addition, we notified residents through the usual media and social media posts and through My Alerts (w/c 12 June, 3 July, 24 July 2023).
7. Participation was possible through an online questionnaire available on our web article that provided information for the consultation. In addition, we accepted emailed submissions and written submissions.

### Participation

8. We received 1,856 responses using the online questionnaire. In addition, we received 77 emails and two letters.
9. We had responses from four local clubs, six businesses and one local voluntary organisation. There were 12 responses from Parish and Town Councils.
10. Members of the public who responded online had the following demographics:
  - a. **Place of residence**
    - Bexhill – 1,070, 58% of respondents
    - Camber – 133, 7%
    - Rye – 147, 8%

Winchelsea – 19, 1%  
Pett – 22, 1%  
Battle – 49, 3%  
Other village in rural Rother – 270, 15%  
Visitors to Rother – 131, 7%

**b. Dog owners**

1 dog – 921, 50%  
2+ dogs – 383, 21%  
No dogs – 546, 30%

**c. Age group**

Under 19 – 6, 0.3%  
19 to 29 – 57, 3%  
30 to 39 – 159, 9%  
40 to 49 – 286, 16%  
50 to 59 – 466, 25%  
60 to 69 – 507, 27%  
70 to 79 – 321, 17%  
80+ - 46, 3%

**d. Children in household**

Aged 0 to 10 – 177, 10%  
Aged 11 to 17 – 229, 13%  
No children – 78%

**e. Disabled or long-term illness or condition can affect day to day living**

Yes – 305 – 17%

**f. Ethnic background**

White British – 95%  
White Irish – 2%  
White Other – 2%  
Mixed heritage/ethnicity (all) - 1%  
Asian (all) – 1%  
Black (all) – 0.3%  
We did not have sufficient non-White respondents to do analysis by this group.

**g. Male or Female**

Male – 623, 34%  
Female – 1,204, 66%

**h. Regular User of Location with Dog Controls (once a month or more)**

Bexhill Seafront – 62%  
Camber beach – 38%  
Rye Cemetery – 14%  
Rye Gun Garden – 17%  
Pett beach – 28%  
Winchelsea beach – 33%  
Sports pitches/courts/outdoor gyms/skateboard/BMX – 76%



## Sports and Recreation Facilities

11. We asked respondents about the proposal to include in the new PSPO a ban on dogs on any sport or recreational facility in public open spaces, when they are in use. Unfortunately, the wording was a little ambiguous and, shortly after the launch, had to be more explicitly clarified that we did not mean the whole green, open space but the actual sports facility itself (pitch, court, etc.) and when in use. Several respondents did not differentiate between the two areas.
12. The public responded as follows, note that all figures are rounded to the nearest whole number. Comments are available to the councillors in a separate document made available in the Members' Room.

Strongly agree – 25%

Agree – 11%

Agree a bit – 8%

Disagree a bit – 5%

Disagree – 11%

Strongly disagree – 40%

13. Dog owners were more likely to strongly disagree at 53%.
14. Organisations responded as follows:
  - a. Westfield Cricket Club – strongly agree. Dog fouling is a perennial problem on Westfield cricket ground caused by irresponsible dog owners. We have a lot of young cricketing activities (5 yrs upwards) and this is not only a problem walking in dog mess and getting it on clothing but it can also be a very serious health hazard.
  - b. Old Bexhillians Walking Football – Strongly disagree. We play regular sessions at Little Common Rec. There many people and dogs who get a great deal of enjoyment. (There are few such places in the area.)
  - c. Yes we do a poo check in the area we use and we pick up dog poo, however this is probably 50% of the time and probably just the one deposit. It would be an over reaction to ban dogs. Maybe some discreet surveillance to advise errant owners.
  - d. Little Common Football Club – Strongly agree. We constantly find ourselves having to clear away dog mess before football matches and this is a health and safety concern. We also experience a huge number of dog walkers who choose to walk across our main football pitch (which we lease off the Council) allowing their dogs to run over areas where we are carrying out pitch maintenance and showing a total lack of respect for the sporting facilities when there are acres of land adjacent that they could use.
  - e. Pawtastic Gundog Adventures – Disagree a bit. I do agree with this in terms of not every owner has good recall with their dog and people should be more in control however I do feel it stops responsible owners letting their well beloved dogs off lead why should they be punished and should have freedom.

- f. We love pets Bexhill – Agree a bit. I agree that dogs should not be walked across football pitches and tennis courts/cricket pitches when they are in use. All other times dogs should be able to be exercised freely.
- g. Pett Level Preservation Trust – Strongly agree - Not all dog owners are responsible for clearing up after them. Dogs can chase people/ players.
- h. Camber Beach House Holiday Cottage – Disagree a bit. It's total overkill!
- i. Example Retreats Ltd. – Agree a bit. Will this include people attending to watch matches who have dogs on leads with them?

Council's response: No. The remainder of the area is available and would allow spectators.

- j. Marsh View Cottage – Agree.
- k. SPRC Ltd. – Agree. Sadly some dog owners are irresponsible and also they are not ensuring that any children in their families have the same beliefs. It is important that sport and leisure facilities are protected from any type of damage intentional or not from the minority of dog owners who suffer from their bad behaviour.

15. Parish and Town Councils responded as follows:

- a. Dallington Parish Council objects strongly to the proposal to impose - across the Rother District - and regardless of land ownership - an amendment to the current PSPO (1a) [Dog Control] that would ban dogs from all publicly-accessible formal sport/recreation playing surfaces. It considers that Parish Councils with their own playing fields/equipment should, instead, have been offered the option of including their facilities within the proposed updated Dog Control PSPO. Dallington Parish Council considers that it does not have a problem with dog fouling on its pitches/fields at Dallington Recreation Ground and wishes to make it clear that it would not welcome the imposition of the ban proposed.

Council's response: This appears to be a miscommunication, where the consultation itself was the Parish Councils' opportunity or option to request inclusion of their facilities within the dog control PSPO. Our interpretation of this submission is the relevance of the last sentence that there is not a need to include Dallington into the PSPO.

- b. Mountfield Parish Council objects strongly to the proposal to impose - across the Rother District - and regardless of land ownership - an amendment to the current PSPO (1a) [Dog Control] that would ban dogs from all publicly-accessible formal sport/recreation playing surfaces. It considers that Parish Councils with their own playing fields/equipment should, instead, have been offered the option of including their facilities within the proposed updated Dog Control PSPO. Mountfield Parish Council considers that it does not have a problem with dog fouling on its pitches/fields (at the King George V Playing Field, A2100 and football pitch in Solomons Lane) and wishes to make it clear that it would not welcome the imposition of the ban proposed.

- c. Iden PC: With regard to the Parish of Iden's open spaces, the Parish Council wish the current regulations to remain in place. There have been no problems with dogs or dog owners on Iden Playing Fields. It would be difficult to enforce a dog ban from sport pitches. Additionally, in the case of Iden Playing Fields, two public footpaths cross the area.
- d. Beckley PC: Beckley Parish Council considered the issues raised in the consultation and upon consideration voted that with regard to –  
Beckley Sports and Recreation Ground;  
Buddens Green (by Buddens Green Houses);  
the School Field (Beckley CE School)  
to remain with the current position which is the requirement that dogs remain on leads whilst on these facilities all year round. Signage to this effect is already in place. The Parish Council makes no comment on the other parts of the consultation.
- e. Catsfield PC: Following discussion at our Parish Council meeting, Catsfield Parish Council resolved that they would like control of their Parish and that they do not feel they have any issues with Dog Control – quite the opposite – we have constantly overflowing dog waste bins! We therefore feel that we do not need a Dog Control Order or any control/assistance from Rother.
- f. Pett PC: The proposal from Rother District Council to remove the restriction on dogs on the beach at Pett Level for part of the year, while introducing a restriction on dogs on Pett recreation ground while sports are being played. The Council agreed its opposition to both proposals. It was felt that the restriction on the beach at Pett Level was useful as it allowed families to use the beach without being concerned about dogs and their droppings, while any restriction on the recreation ground would be open to misinterpretation and it was reasonable to rely on people's common sense.
- g. Camber PC: Disagree a bit - Camber Parish Council is responsible for Jubilee Green and Johnsons Field recreational areas in Camber.  
Jubilee Green has a children's play area and the parish council has NO dog signs in place and do not wish dogs to be allowed on there.  
Johnsons Field has an open space with a pathway where dog walkers are allowed but they are not allowed on the Multi Use Games Area or the skate park equipment.  
The Parish Council has agreed that they wish to retain the status quo and not change this to a ban on all of Johnsons Field.  
Council's response: A ban on any green space was not proposed. The proposal would have applied to adding to the PSPO the MUGA and the skate park equipment.
- h. Etchingam PC: strongly disagree - Etchingam Parish Council owns a number of recreational facilities within the parish. Where appropriate a ban on dogs is already in place but it is NOT appropriate for all such sites and will be strongly resisted. This decision must be left to individual parishes to make to fit the particular circumstances pertaining.
- i. Hurst Green PC: strongly disagree,  
In Hurst Green Drewetts Cricket Field is the only open green space that residents have to walk their dogs the alternative being to walk on the

pavement alongside the A21 which is not safe especially if walking more than one dog with children.

It would be very difficult to enforce and could mean that people walking their dogs in the field or picnicking could suddenly find themselves doing an illegal activity if anyone comes into the field to practice their football skills, mainly shooting into the goals provided.

It should also be noted that many cricket players also bring their dogs with them to matches and it is impossible to walk around the outside of the field without having to walk just inside the outfield boundary, notably in front of the pavilion as no access behind it.

If the concern is dog fouling this order will not prevent this as irresponsible dog owners will still not clear up after their dogs at the times they can walk the field not to mention the issue of foxes and deer fouling in the field. What it needs is enforcement of pick-ups!

If this order does come into place then Hurst Green Parish Council, as trustees of the field will seek to have the order overturned for this field.

The Council does however have concerns that Lodge Field playground, which is rightly a no dog field is not enforced and dog owners have been seen walking their dogs in there with the no dog signs having to be repeatedly replaced due to being torn down. Please enforce current policy.

Council's response: Adding a specific location to the public space protection order gives local authorities additional powers to enforce byelaws, to issue warnings and penalty notices on the spot (fines). PSPOs enable immediate enforcement action to be taken. Individuals can challenge the enforcement and take their case to court if they do not agree.

- j. Brede PC: disagree a bit, Brede has no dog order: no change.  
Brede Councillors feel that each Parish should be allowed to make its own decision about whether dogs should be banned or not.  
Each Recreation Ground differs, some are enclosed, some have footpaths running through or near them, some are heavily used, others not so.  
Brede has a no dogs order, and has done for some time, but that is because it suits our layout and our Recreation Ground is also used by the local school. And it is the choice of the Parish, not a decision made by Rother.

- 16. In Use - During the consultation, it became clear that some respondents wished to debate what should be meant by 'in use'. Some respondents just asked for clarification but mainly the issue was 'in use' should mean either during actual play or training on a sporting facility or was it during the specific playing season of a particular sport. During the season would reduce dog fouling collection for the sports clubs and coaches. It appears that those few commenting did find 'in use' during actual play or other booked use to be an acceptable definition, especially in terms of the safety for all parties.

### **Bexhill Seafront: Dogs on the Promenade**

- 17. We asked respondents to choose between two options. Option 1 was for dogs on leads all year around on the promenade from groyne 34 (near Pages Lane) up to the eastern end of the promenade. Option 2 was for dogs on leads from 1 May to 30 September on the promenade from groyne 34 (near Pages Lane) up to the eastern end of the promenade. Option 2 is the current arrangement.
- 18. For the public, 43% wanted Option 1 and 57% wanted Option 2. Dog owners responded that 27% wanted Option 1 and 73% wanted Option 2.

19. Comments are available in the supplemental documents. Briefly, comments in support of Option 1, all year, covered control over dogs, safety to other promenade users, dog fouling, unpredictable behaviour of dogs, fear of dogs, dogs should be on leads anywhere near a road, prevalence of older residents, short leads are preferable over extending leads in this location, there are nearby areas where dogs can be off-lead, would prefer complete ban of dogs on beach as well.
20. Some comments in support of Option 2 covered: during the summer is sufficient, there are other or worse things happening on the promenade that need attention, no need to over-regulate, a family area should include dogs, summer is the busiest time for the promenade so restrictions make sense during this period, dogs can go on the nearby beach and do not need to be off-lead on the promenade, with fewer people in winter it should be possible to have dogs off-lead on the promenade, gives dogs some freedom, this is safety for dogs.
21. For organisations, of those that answered this question:
  - Option 1 is selected by Bexhill Sailing Club, Westfield Cricket Club, Pawtastic Gundog Adventures, Pett Level Preservation Trust.
  - Option 2 is selected by Camber Beach House, Old Bexhillians Walking Football, Example Retreats Ltd., SPRC Ltd, We love pets Bexhill.
22. None of the Parish Councils responded on Bexhill.

### **Bexhill Seafront: Beach from Brockley Road to Brassey Road**

23. We asked respondents if they agreed or disagreed with banning dogs on the beach between Brockley to Brassey Roads.
24. Residents and visitors said:
  - Strongly agree – 25%
  - Agree – 12%
  - Agree a bit – 9%
  - Disagree a bit – 6%
  - Disagree – 14%
  - Strongly disagree – 34%
25. Residents with children were more likely to disagree strongly at 40%. Dog owners were much more likely to strongly disagree at 45%.
26. Local organisations and businesses said:
  - Strongly agree – Westfield Cricket Club, Pett Level Preservation Trust.
  - Agree – Bexhill Sailing Club
  - Agree a bit – SPRC Ltd.
  - Disagree a bit – Old Bexhillians Walking Football
  - Disagree – We love pets Bexhill, Camber Beach House
  - Strongly disagree – Pawtastic Gundog Adventures, Example Retreats Ltd.
27. The Parish Councils did not comment on this matter.
28. Comments covered dog control, water quality, family use, swimming and water sports, inconsiderate dog owners, the difficulty of enforcement, it is difficult for

visitors to know where a ban starts and finishes on a beach, there should be a dog free area on any beach, dog fouling, other anti-social behaviour on the beach also needs addressing, it is unnecessary, penalising for the bad behaviour of a small minority.

29. Bexhill Sailing Club commented 'The Club supports the extension of the area covered by the May-September ban. It is however right to confirm that the Club House area and boat park are leased and licensed to the Sailing Club, and our normal club rules for dog owners will still apply to this area for club members.'

### **Camber Beach**

30. We asked respondents to choose between two options. The first option was no dogs on Camber beach between 1 May to 30 September, except west of access C in the Western Car Park. The second option is no dogs on the beach from 1 May to 30 September except west of access C AND east of the eastern-most point of Broomhill car park.
31. We had 559 online responses to the questions on Camber beach. The public clearly supported Option 2 at 71%. Option 1 was supported by 29%. Dog owners were more likely to support Option 2 with 80% selecting that option.
32. Comments in support of Option 1 were about not wanting any dogs on the beach anywhere at any time. Interestingly, a number of people commented this was their preferred option because it gave more access to the beach for dogs, which it does not do. This would suggest that some of those supporting Option 1 meant to support Option 2. In addition, there are a significant number of respondents that wanted no change or neither option was acceptable.
33. Many owners of holiday accommodation were opposed to both options because it impacted on their businesses. Some residents also pointed out a negative impact on their visitors who like to bring their dogs and would be less willing to visit without them.
34. Only two organisations that used the online questionnaire comments on Camber beach and both supported Option 2 as the option with the most access for dogs.
35. From comments, including emailed responses, many public respondents queried that there is any real problem in a clash between kite surfers and dog owners and walkers. They asked the Council to consider the kite surfers are a small minority and only occasional users of the beach subject to suitable weather conditions. This means the beach is often empty, even in the summer.
36. Some respondents offered compromises or alternatives. Dog owners currently walk their dogs eastward from entrance K, as a quiet part of the beach and suitable for local dog walkers. Allowing dog walking access to part or the whole beach during quieter times of day, early mornings and evenings, was suggested by various residents as were putting in restrictions only on weekends and bank holidays or during the school summer holidays.

### **Pett Beach**

37. We asked respondents if they agreed or disagreed with no dog controls on Pett beach. There are currently some dog controls on Pett beach.

38. Residents responded as follows:  
Strongly agree 53%  
Agree 14%  
Agree a bit 2%  
Disagree a bit 2%  
Disagree 5%  
Strongly disagree 25%
39. Dog owners were more likely to strongly agree at 67% and less likely to strongly disagree at 10%. Disabled respondents were more likely to strongly agree at 63%.
40. We had 436 responses using the online questionnaire on this subject. Those opposed did so for the usual reasons that dogs should be on leads, under control, dog fouling, given the same protection as other beaches, safety and danger to other users, have seen poor dog behaviour, already too many dogs on the beach running free, annoying other users, dog owners ignore the signs/notices for dogs on leads. Those in favour of removing controls pointed out that there isn't a problem with dogs on Pett beach, as a smaller, quiet, remote location it is suitable for fewer restrictions, it gives somewhere for local dog owners to go without restrictions, it is too easy right now to walk dogs into restricted areas without realising it.
41. Pett Level Preservation Trust strongly disagree. Pett Parish Council responded: 'The council agreed its opposition to both proposals. It was felt that the restriction on the beach at Pett Level was useful as it allowed families to use the beach without being concerned about dogs and their droppings, while any restriction on the recreation ground would be open to misinterpretation and it was reasonable to rely on people's common sense.'

## **Rye Cemetery**

42. We offered two options for Rye Cemetery. Option A was for dogs to kept on short leads in Rye Cemetery. This allows for dogs off the footpaths as long as they are on a short lead. Option B was for no dogs in the cemetery except on short leads on the right of way footpath.
43. There were 448 responses using the online response form. Those residents responded as follows:  
Option A – 75%  
Option B – 25%
44. Dog owners were more likely to select option A at 88%.
45. Those in support of Option A commented about why those visiting the cemetery might wish to bring a dog and go to areas away from the public right of way such as helping with bereavement, assistance dogs and emotional support, visiting with the family pet and personal safety. Other comments included how dog friendly Rye is already and it would contribute.
46. Those in support of Option B commented that Option A could be disrespectful to the deceased and their family and friends, dog fouling, the need for quiet or peacefulness. There were comments supporting the use of short leads to avoid disruption and maintain control, dog fouling, marking graves, etc.

A handful of comments asking for dogs to be excluded completely.

47. We asked if respondents had anyone buried in Rye Cemetery and 23% answered yes. This is 109 respondents. Of those respondents, 77% supported Option A and 23% supported Option B.
48. Rye Town Council responded: Preference for dogs to be allowed anywhere on the site – but on a short lead.
49. Other organisations that commented on Rye Cemetery said:
  - Camber Beach House – Option A (no comment)
  - Example Retreats Ltd – Option A (no comment)
  - Pett Level Preservation Trust – Option A - They are controlled.

### **Rye Gun Garden**

50. We asked respondents to choose between two options. Option A was for dogs permitted in the Gun Garden on short leads. Option B was for no dogs permitted in the Gun Garden.
51. Residents that responded preferred option A, at 84% compared to option B at 16%.
52. Dog owners were more likely to select option A at 96%. Disabled residents were more likely to selection Option B at 25% and less likely to select option A, although still a clear majority at 75%.
53. Most respondents commented that they preferred people to be able to bring their dogs into the Gun Garden, especially for tourists but also residents. It was a popular dog walking route and a good location for dogs and visitors as it is not near roads and is quiet. There were a lot of comments that there was no reason to ban dogs. Those who preferred a ban cited lack of control, safety and dog fouling in a location where children play and in a public space.
54. Rye Town Council said: 'Preference for dogs to be allowed on a short lead.' The other organisations that responded are the same as the ones above and all preferred Option A, dogs permitted on short leads.

### **Other Rye Locations**

55. We asked if anyone had any comments on other green or public space in Rye in relation to dog control. The only organisation that commented was Pett Level Preservation Trust asking for more control on dogs inside where food is served.
56. The public commented on dog control in:
  - The Church Yard – allow dogs
  - Watchbell Street, end – allow dogs
  - Iron Salts – dog fouling problems, because of long grass
  - Salts, western area – could be fenced as a dog park and then ban on cricket area. More dog bins, not enough.
  - Town Salts – adjacent to Rock Channel – allow off-lead dog walking
  - All dogs should be on short leads in all open spaces, on streets: dog attacks, fouling, poor control, etc.



- Rye should be as dog friendly as possible as a tourist town.
- Rye Harbour footpath from village to nature reserve's discovery centre might merit a similar order.
- Multiple comments about dog friendly pubs, restaurants, cafes.

## **Winchelsea Beach**

57. We asked respondents if they agreed or disagreed with no controls on dogs on Winchelsea Beach. The public responded as follows:  
 Strongly agree – 61%  
 Agree – 7%  
 Agree a bit – 6%  
 Disagree a bit – 6%  
 Disagree – 1%  
 Disagree strongly – 19%
58. Dog owners were more likely to strongly agree at 74% and less likely to strongly disagree at 7%. Residents with dependent children were a little more likely to disagree strongly at 24%.
59. Those that agreed made comments that this was a good idea and what a good area it was to walk a dog as it was quiet and spacious, controls were not necessary, makes it more dog friendly.
60. Those that disagreed wanted to retain controls, were concerned for the safety and comfort of children and the public, felt dogs should be on leads in public areas, there should be a dog free area of the beach and there should be some controls in proximity to roads and path on sea wall.
61. Pett Level Preservation Trust strongly disagreed. Example Retreats Ltd strongly agree.

## **Where Should Dogs Be on Leads**

62. We asked respondents their thoughts on when and where dogs should be on leads. Here are some of the main themes or comments.
63. Icklesham Parish Council feel that dogs should be kept on a lead at all times when in a public place. Pett Level Preservation Trust said all dogs should be on leads except on private land.
64. Comments from the public were:
- Leads are preferable to a dog ban.
  - Dogs should be on lead: by roads, on streets, by schools, children's playgrounds, in all public places, in busy towns, by shops, in cemeteries, markets, on footpaths, around other animals or livestock, when other dogs around, where it would protect the environment, on promenades, where sports are being played, around children, main beach areas, in car parks.
  - Dogs should not be banned anywhere.
  - Long leads are good for dogs, happy with their use, down to owner to judge their use. Doesn't matter if on short lead or long lead it is about being under control and holding to account.
  - Long leads/flexi-leads should be banned – cause problems for people with mobility problems, trip people up, dangerous for cyclists, not proper control, near traffic, owners should be trained in their use.

- Dogs need somewhere to run, to be off the lead, area/section of beaches. There are lots of woods, fields, winter beaches for off lead walking.
- Rother/Bexhill/Rye needs a dog park.
- Only need restrictions in the summer period. Easter to end of September.

### **Should Dogs be on Short Leads**

65. We asked if dogs are required to be on leads should 'on lead' always be on short leads. Answers from the public covered these themes:
- Depends on the location and risks to dog and people, such as roads compared to green spaces, or respect such as cemetery.
  - Depends on the dogs and owners should use their own judgement. It should always be the owners' discretion.
  - Any lead is acceptable, it is still control. It makes little difference.
  - Always on short lead, there are added hazards with long leads.
  - Should be an 8 metres maximum length.
66. Icklesham Parish Council said 'Yes although this would be very hard to enforce.'

### **Current Dog Controls in Public Space Protection Order**

67. We asked respondents for any comments on the current PSPO on dog control, with a view to any other changes that could be made.
68. Most comments were in support of no change for the current controls or for more active enforcement of the current controls. A number of the comments were clearly confusing the bye-laws with the PSPO. This was from organisations and the public. Signs for the bye-laws and enforcement was associated with the PSPO. Some respondents were commenting about enforcement in locations where the PSPO was not in operation, for example, where the Council did not have powers to issue penalty notices.

### **Conclusion**

69. In summary, the following options were supported as changes to the public space protection order on dog control:
- Bexhill seafront – dogs on leads May to September.
  - Camber beach – no dogs on beach in summer except to west of access C and east of Broomhill car park.
  - Pett beach – no controls.
  - Rye Cemetery - dogs permitted anywhere in cemetery if on short leads.
  - Rye Gun Garden – dogs permitted on short leads.
  - Winchelsea beach – no controls.
70. We would like to thank all the individuals and organisations that responded to this consultation for their time and trouble. This subject engaged a lot of people and has been one of the most successful consultations that the Council has carried out in terms of number of responses. This meant we could do analysis by many different groups to look for differences.