

# Public Document Pack

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A meeting of the **Cabinet** will be held in the Committee Rooms, East Pallant House on **Tuesday 5 September 2023 at 9.30 am**

MEMBERS: Mr J Brown (Vice-Chairman), Mr A Moss (Chairman), Mrs T Bangert, Mr D Betts, Mr B Brisbane, Ms J Brown-Fuller, Mr M Chilton and Ms H Desai

## SUPPLEMENT TO AGENDA

- 13 **Public Spaces Protection Order - Dog Control 2023** (Pages 1 - 2)  
The Cabinet is requested to consider the report and its appendices and make the following resolution:

**Background Paper – Online Only**

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## Equality Impact Assessment – PSPO Dog Control 22 June 2023

Author/editor/assessor	Simon Ballard
Partners/decision makers/implementers, etc.	Divisional Manager, Principal EHO, legal services, consultation involving public, parish councils, large land-owners, Kennel Club etc
Start date	October 2023
End date	October 2026
Relevance	<p>PSPO requires members of the public to take positive action concerning the actions/behaviour of their dogs.</p> <p><b>Age</b> Children under 16 are exempt from FPN although the policies remain, as children who are walking dogs would themselves need to be able to control the dog, and would therefore be responsible enough to keep within the controls of the PSPO.</p> <p><b>Disability</b> The policy will have a positive impact as it exempts registered blind people and people with a disability that would prevent them from doing so, from having to remove dog faeces and exemptions from the requirements of the exclusion control, for an assistance dog on which they rely. The policy also promotes a dog faeces free environment which is especially important to persons with a sight disability.</p> <p>No other protected characteristics are affected by the controls in the PSPO.</p> <p>PSPO may impact Article 8, the right to respect private and family life by restricting one's right to take a dog on to those areas where they are excluded by the Order. However, the restriction is on the grounds of protection of health and is therefore deemed as reasonable and necessary.</p>
Policy Aims	<p>PSPO is needed to control some dog behaviour by irresponsible dog owners. It covers those behaviours that were prescribed in CNEA05 in addition to dogs on lead by direction to enable officers of the council (EHO's, Foreshores Officers and EHDC enforcement officers) to ask a person to put their dog on a lead and therefore under control if it is causing a nuisance to others.</p> <p>There is the potential to cover emerging areas – nos of dogs walked collectively (potentially by commercial dog walkers) but inadequate evidence currently to support this.</p> <p>Restrictions in the PPSPO are deemed necessary on public</p>

	<p>health and nuisance grounds and recreational disturbance of birds in protected habitat.</p> <p>To provide clearly delineated dog exclusion zones to enable fair and proportionate enforcement.</p>
Available evidence	CNEA 05 included provisions to exempt registered blind people and people with disability that prevented them from picking up after their dog or where they needed a dog for mobility in an exclusion area, in respect of a dog trained by a prescribed charity and upon which that person relies for assistance. These provisions are continued in the PSPO.
Evidence gaps	Other potential impacts will be identified during the consultation process.
Involvement and consultation	A full public consultation was carried out between 10 May 2023 and 7 June 2023. In addition, various partner agencies and interested stakeholders were consulted. The consultation responses will be brought before Cabinet before decisions are made on the draft PSPO.
What is the actual/likely impact?	Registered blind people– exempt from controls. People with other relevant disabilities who have an assistance dog– exempt from controls.
Address the impact	Policy exempts people registered blind, and people with certain disabilities, and an assistance dog.
Monitoring and review	The Council continues to receive and record complaints about dog related activities (fouling, aggression, commercial dog walkers etc) and considers these as part of the evidence base before each iteration of the PSPO renewal.
Action Plan	Staff receive equalities training and are familiar with delivering these controls. Monitor on a case by case basis.
Decision making and quality control	Draft PSPO will be consulted on. Consultation responses will go to Cabinet/Full Council for a decision.