

# Public Document Pack

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A meeting of the **Cabinet** will be held Virtually on **Tuesday 6 October 2020** at **9.30 am**

MEMBERS: Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr R Briscoe, Mr A Dignum, Mrs P Plant, Mr A Sutton and Mr P Wilding

## SUPPLEMENT TO AGENDA

5 **Public Spaces Protection Order - Dog Control 2020** (Pages 1 - 2)

Background Paper to Agenda Item 5.

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## Equality Impact Assessment – PSPO Dog Control 17 August 2020

Author/editor/assessor	Simon Ballard
Partners/decision makers/implementers, etc.	Dog Control Officers, legal services, Environment Coordinator, consultation involving public, parish councils, large land owners, Kennel Club etc
Start date	October 2020
End date	October 2023
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.</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 but no evidence currently to support this.</p> <p>Restrictions in the PPSPO are deemed necessary on public health and nuisance grounds and recreational disturbance of birds in protected habitat.</p>

	To provide clearly delineated dog exclusion zones to enable fair and proportionate enforcement.
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. 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 17 July 2020 and 14 August 2020. In addition, various partner agencies and interested stakeholders were consulted. Officers subsequently made additional enquiries post consultation with stakeholders and land owners where the consultation resulted in proposed changes to the PSPO. The consultation responses will be brought before Cabinet before decisions are made on the draft PSPO.
What is the actual/likely impact?	Registered blind – exempt from controls Other relevant disabilities – exempt from controls.
Address the impact	Policy exempts registered blind people and certain disabilities.
Monitoring and review	It is proposed to delete the dog exclusion zones at East Wittering and Bracklesham. Evidence from the dog warden and the foreshores team show that the NDZ's there are not well understood as it is possible to walk unaware into them parallel to the shore at most low tide states without any signage being passed en route. There is no easy remedy for this issue as signage is not possible below much of the top of the relevant beach areas.
Action Plan	Staff receive equalities training and are familiar with delivering these controls. Monitor on a case by cases basis.
Decision making and quality control	Draft PSPO will be consulted on. Consultation responses will go to Cabinet/Full Council for a decision.