



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

Submitted on 18th October 2023 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.

Response to proposed measures

On lead

We can support reasonable 'dogs on lead' Orders which can, when used in a proportionate and evidence-based way, include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

Exclusions

The Kennel Club does not typically oppose Orders to exclude dogs from playgrounds or enclosed recreational grounds, such as skate parks or tennis courts, as long as alternative provisions are made for dog walkers in the vicinity. Children and dogs should be able to socialise together quite safely under adult supervision, with having a child in the home the biggest predictor for a family owning a dog.

Assistance dogs

The Kennel Club welcomes the exemptions proposed in this Order for assistance dogs. We urge the Council to review the Equality and Human Rights Commission's guidance for businesses and service providers when providing any exemptions for those who rely on assistance dogs. The guidance can be viewed here:

<https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>

However, we would suggest further consideration of the wording contained within the Order, specifically with reference to 'prescribed charity'. While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not. A number of reputable assistance dog providers are members of Assistance Dogs UK. This umbrella group currently has eight member organisations, which can be viewed here:

<http://www.assistedogs.org.uk/>. It is important to note that the membership of Assistance



Dogs UK is not a definitive list of all UK assistance dog organisations and may change during the currency of the PSPO. It also does not provide for owner trained assistance dogs.

We would therefore encourage the Council to allow for some flexibility when considering whether a disabled person's dog is acting as an assistance dog. The Council could consider adopting the definitions of assistance dogs used by Mole Valley District Council, which can be found here:

https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

or that of Northumberland County Council:

“(4) The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

(5) The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”.

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.

While all dog walkers should be aware of their requirement to pick up after their dog, signage must be erected for the PSPO to be compliant with the legislation.