

Dog access

The Kennel Club can support reasonable “dogs on lead” orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off lead while still under control.

Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases, a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance, a “dogs on lead” order for a picnic area is unlikely to be necessary in mid-winter. We suggest the council considers whether a time limited restriction could be introduced at the Herringfleet Hills and Lound Lakes sites. Such that dog walkers still have the ability to let their dogs off lead for some period of the day and there is also an opportunity for people to avoid off lead dogs at other times during the day, when the restriction is in force.

The Government provided clear instructions to local authorities that they must provide restriction free sites for dog walkers to exercise their dogs. This message was contained in the guidance document for DCOs, and has been retained in both the Defra/Welsh Government and Home Office PSPO guidance documents, with the Defra guidance for PSPOs stating ‘local authorities should ensure there are suitable alternatives for dogs to be exercised without restrictions’.

Dogs on lead by direction

The Kennel Club welcomes ‘dogs on lead by direction’ orders, as these allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst allowing the local authority powers to restrict dogs not under control. We would also recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can also help those people whose dogs run out of control due to them not having the ability to train a good recall.

Assistance dogs

general right of public access to that land for the purposes of open air recreation on foot.

<https://www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam>

<https://www.gov.uk/guidance/open-access-land-management-rights-and-responsibilities>

Dogs on CROW access land

The dog owner must ensure that their animal is under effective control. I've attached the relevant excerpt below which is specific to CROW access.

You'll see that there is not a requirement to keep a dog on a lead all year round on CROW access land.

Countryside and Rights of Way Act 2000 C.37 (pg76)

4. During the period beginning with 1st March and ending with 31st July in each year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead.

5. Whatever the time of year, section 2(1) does not entitle a person to be on any land if he takes, or allows to enter or remain, any dog which is not on a short lead and which is in the vicinity of livestock.

6. In paragraphs 4 and 5, "short lead" means a lead of fixed length and of not more than two metres.

The countryside code makes the following observation:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/558112/countryside-code.pdf

Keep dogs under effective control

When you take your dog into the outdoors, always ensure it does not disturb wildlife, farm animals, horses or other people by keeping it under effective control. This means that you:

- keep your dog on a lead, or
- keep it in sight at all times, be aware of what it's doing and be confident it will return to you promptly on command

Public Space Protection Orders

If an authority is considering making a Dog Control Order which would affect open access land (land subject to Part 1 of the Countryside and Rights of Way Act 2000) it must consult the appropriate access authority (the local highway authority or, the National Park Authority for land within a National Park); the relevant authority (the National Park Authority for land within a National Park; the Forestry Commission for land that has been dedicated as access land

Herringfleet Hills Consultation Responses