

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 04 March 2019

<b>Portfolio:</b>	Health and Public Protection
<b>Subject:</b>	<b>Dog Control Public Spaces Protection Order</b>
<b>Report of:</b>	Head of Streetscene
<b>Corporate Priorities:</b>	Protect and enhance the environment

**Purpose:**

To seek Executive authorisation to make a Public Space Protection Order (PSPO), relating to dog control, in accordance with the Anti-Social Behaviour, Crime and Policing Act 2014.

**Executive summary:**

On 7 March 2016, the Executive authorised the making of a Public Spaces Protection Order (Dog Fouling) 2016. These can be made for a maximum duration of three years, after which it may be extended. The current PSPO will expire on 31 March 2019 unless extended. However, instead of extending the current order, the proposal is to introduce new order that not only included dog fouling but other restrictions covering dog control as well.

On 5 November 2018, the Executive authorised the commencement of the required consultation on a Public Space Protection Order (PSPO) relating to dog fouling and control in the Borough. An 8-week consultation was undertaken from 19 November 2018 to 14 January 2019, the results of which are summarised in this report and in more detail in Appendix A.

1,168 people and organisations took part in the consultation, 65% of whom were dog owners. Most respondents strongly supported most of proposals. However, there were mixed responses received for both the 'means to pick up' dog waste and the proposed 'extension of the summer dog exclusion zone at Hill Head'. There was also a suggested amendment to the Council's definition of people who rely on assistance dogs.

The draft Public Space Protection Order (Dog Control) has been amended to take account of the response to the public consultation. As a result, the controls relating to 'means of pick up', extending the 'dog exclusion zone' on Hill Head beach and 'dogs on leads' on Cliff Road Promenade' have been removed from the original draft order.

The definition of those people who rely on 'assistance dogs' has also been amended to reflect the definition identified in the Equality Impact Assessment.

**Recommendation/Recommended Option:**

It is recommended that the Executive agrees:

- (a) that the draft Public Spaces Protection Order presented to the Executive on 5 November 2018 is amended as follows:
  - i. the 'means of pick up' is excluded from the order;
  - ii. the proposed extension of the 'dog exclusion zone' on Hill Head beach is excluded from the order;
  - iii. the proposed 'dogs on lead' on Cliff Road Promenade is excluded from the order;
  - iv. alteration to the definition of people who rely on assistance dogs be included as per paragraph 31;
- (b) the making of the Public Spaces Protection Order (Dog Control) 2019 as contained in Appendix B of the report; and
- (c) that delegated authority be given to the Head of Streetscene to carry out all necessary publicity required by virtue of the Anti-Social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations.

**Reason:**

To enable enforcement of dog control by way of a Fixed Penalty Notice throughout the Borough.

**Cost of proposals:**

The cost of proposals can be met from within existing budgets

**Appendices:**

- A:** PSPO Consultation Responses
- B:** Public Spaces Protection Order (Dog Control)
- C:** Equality Impact Assessment

**Background papers:**

Report to Executive 5 November 2018, Public Spaces Protection Order (Dog Control) Consultation

Report to Executive 7 March 2016 Dog Fouling Public Spaces Protection Order

Report to Executive 2 November 2015, Dog Fouling Strategy and Public Spaces Protection Order Consultation

**Reference papers:**

None

# FAREHAM

## BOROUGH COUNCIL

### Executive Briefing Paper

<b>Date:</b>	04 March 2019
<b>Subject:</b>	Dog Control Public Spaces Protection Order
<b>Briefing by:</b>	Head of Streetscene
<b>Portfolio:</b>	Health and Public Protection

#### INTRODUCTION

1. On 5 November 2018, the Executive authorised the commencement of the required consultation on a Public Space Protection Order (PSPO) relating to dog fouling and control within the Borough. This consultation was carried out in accordance with Section 72 of the Anti-Social Behaviour Crime and Policing Act 2014. The consultation ran from 19 November 2018 to 14 January 2019.
2. The responses and comments from the consultation have been taken into consideration and the draft order has been revised accordingly. Approval is now sought to authorise the PSPO for Dog Fouling and Dog Control and to bring it into force from 1<sup>st</sup> April 2019.

#### BACKGROUND

3. At its meeting on the 7 March 2016, the Executive authorised the making of a Public Spaces Protection Order (Dog Fouling) 2016. A PSPO can be made for a maximum duration of three years, after which it may be extended.
4. The current PSPO will expire on 31 March 2019 unless it is extended. However, instead of extending this current order, there was an opportunity to make a new order that not only includes dog fouling but other restrictions covering dog control at the same time.
5. The proposed PSPO included restrictions on the following:
  - Fouling and means of pick up
  - Dogs on lead by direction
  - Maximum number of dogs
  - Dogs on leads and
  - Exclusion of dogs
6. Before introducing a PSPO the Council is required to carry out a consultation. It was proposed that an 8-week consultation be publicised widely through the Council's website and E-panel, Twitter, Facebook, press releases to local media and emails to community groups. Contact was also made with mandatory consultees, such as the police and HCC as well as vets and organisations affected by the restrictions contained

within the order. Consideration was also given to the affect the order will have on people who rely on assistance dogs.

## **CONSULTATION**

7. A consultation on the PSPO proposals was carried out between 19 November 2018 and 14 January 2019. The public, statutory consultees and relevant canine organisations such as dog walking companies, assistance dog charities and the Kennel Club were encouraged to take part.
8. The consultation was promoted using posters, press releases, the E-Panel, social media and the Council's website. There was a static display outlining the proposals in Fareham Shopping Centre throughout the consultation. Promotional banners were also located in the Civic Offices, libraries and the Council's two leisure centres. In addition, an engagement session took place at Hill Head Sailing Club, supported by officers speaking to dog walkers on Hill Head promenade.

### **Consultation results**

9. In total, 1,168 people and organisations took part in the consultation, 65% of whom were dog owners. This level of response means we can be confident that we have a good understanding of the possible impact of the PSPO proposals on the local dog owning community as well as residents in general. As the results below show, there was strong support for the majority of the PSPO proposals.

### **Oops out of Poops**

10. Participants were first asked of their knowledge of the Council's 'Oops out of Poops' campaign and whether they felt dog fouling had improved since it was launched in 2016. A third of respondents overall and just under half of dog walkers were aware of the campaign. The continued prominence of the campaign is also highlighted by the fact that residents still regularly come to the Civic Offices to collect free dog poo bags.
11. Overall, 55% of respondents felt that dog fouling had either stayed the same or improved during the last 3 years, reflecting well on the success of the campaign. This is supported by the fact that 73% of people felt that dog fouling was not a big problem in their local area.

### **Fouling hot spots**

12. Those that felt that dog fouling was a problem identified the following locations as the main hotspots across the Borough:
  - Hill Head Beach
  - Park Lane Recreation Ground
  - Seafield Park
  - Blackbrook Park
  - Portchester Castle
  - Warsash Common
  - Holly Hill Woodland Park
  - Stubbington Recreation Ground
13. This information will help the two Enforcement Officers to direct their time and resources into troublesome areas. The intention is to extend the PSPO Enforcement powers to the three Countryside Rangers, two Streetscene Operations Supervisors and the Animal and Pest Control Officer, to enable them to issue Fixed Penalty Notices.

## **Dog Fouling**

14. 96% of respondents believed the Council should continue to have the power to issue fixed penalty notices for not clearing up after a dog has fouled.

### **Means of pick up**

15. 82% of respondents felt that the Council should have the power to issue fixed penalty notices to people who don't have means to clear up after a dog e.g. carry a litter bag. Several comments focused on the Council providing more bins whereas others questioned how easy the proposal would be to enforce. This last view was shared by the Kennel Club which was '...concerned how easily local authorities could enforce this law when trying to define whether dog owners have 'a means' of picking up after the dogs, without risking the expense of legal challenge.'
16. Reference was also given by the Kennel Club to Cornwall Council, which recently decided against introducing a proposed requirement to pick up as they deemed it to be disproportionate and concluded that the requirement would be 'toothless', as it would be highly unlikely to be enforceable in a magistrates' court.
17. In consideration of this feedback, the requirement to produce a means to pick has been removed from the PSPO.

### **Dogs on lead by direction**

18. 45% of respondents had either seen or had a bad experience with a dog off its lead in the Borough. Out of control dogs harassing or behaving aggressively towards other dogs and people were the most common incidents mentioned. Hill Head Beach and Park Lane Recreation Ground were the two areas where the most incidents occurred. This information will help Enforcement Officers to direct their time and resources into troublesome areas.
19. Overall, 94% of respondents agreed that the Council should have the power to direct people to put their dogs on leads if they are causing a nuisance.

### **Dogs on leads in certain locations**

20. 71% of respondents felt the Council should have the power to issue fixed penalty notices to owners whose dogs are off the lead in sensitive areas such as cemeteries or fragile environments e.g. public gardens. The greatest number of comments focused on the need for good signage.

### **Maximum number of dogs**

21. 34% of respondents had an experience where a person had too many dogs to control well. Warsash Common, Titchfield Canal Path and Hill Head Beach were the most quoted locations. When asked how many dogs this should be, 84% said that it should be 4 dogs or lower.
22. It is interesting to note that of the 17 respondents who represented a dog walking company, 13 agreed that there should be a limit on the number of dogs a person can walk, with 4 being the preferred maximum for most.

### **Exclusion of dogs on Hill Head Beach**

23. 17% of respondents had either experienced or witnessed a bad incident with dogs on the beach at Hill Head. Dog fouling, out of control dogs and people not abiding by the

current exclusions zone were the most common examples given.

24. However, when asked whether the no dogs on beach area at Hill Head should be extended further, only 39% of respondents overall agreed. It is interesting to note that only 14% of dog walkers agreed with the proposal. This reflects comments given by dog owners throughout the survey that focus on the perception that they are losing space to walk their dogs freely within the Borough.
25. The views of dog owners contrast strongly with those of non-dog owners, as 67% of those agreed with the proposed extension.
26. Given that only 39% agreed with extending the dog exclusion zone, the Hill Head ward councillors were consulted about the results and the feedback they had received from residents.
27. After considering the consultation responses and the views of the ward councillors the proposed extension of the summer dog exclusion zone on the beach at Hill Head and the 'dogs on leads' restriction on Cliff Road Promenade has been removed from the proposed PSPO.

#### **Exclusion of dogs from Play Areas**

28. 12% of respondents had a bad experience with dogs in play areas. Although the numbers were relatively low Blackbrook Park, Salterns Play Area and Portchester Park Play Area had the most mentioned incidents.
29. 83% of people believed that dogs should be excluded from play areas, with comments also strongly supporting this proposal.

#### **EQUALITY IMPACT ASSESMENT**

30. The Council has a public-sector equality duty under the Equalities Act 2010 to have due regard to tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. The Equality Impact Assessment in Appendix C sets out the protected characteristics and responses to the consultation from the public.
31. One mitigation measure that is proposed, is an amendment to the wording that defines those exempt from the order. The current definition would not include a range of disabled people who rely on assistance dogs. A more flexible and inclusive definition is therefore proposed as follows:

Nothing in this Order shall apply to a person who –

- a) Is registered as a blind person on a register compiled under Section 29 of the National Assistance Act 1948; or
- b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any current or future member of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he relies for assistance; or.

- d) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

## **CONCLUSION**

- 32. The draft Public Space Protection Order (Dog Control) has been amended to take account of the response to the public consultation.
- 33. Controls relating to 'means of pick up' and extending the 'dog exclusion zone' on Hill Head beach and 'dogs on lead' on Cliff Road Promenade have been removed from the draft order that was presented to the Executive on 5 November 2018.
- 34. The definition of those people who rely on 'assistance dogs' has also been amended to reflect the definition identified in the Equality Impact Assessment.

### **Enquiries:**

For further information on this report please contact Mark Bowler. (Ext 4420)

## Taking the Lead on Responsible Dog Ownership

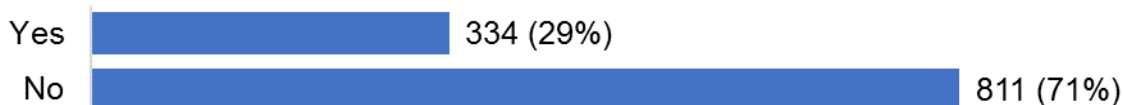
We consulted with residents and businesses on whether to put in place a Public Spaces Protection Order, to enable authorised Council officers to issue a fixed penalty notice to irresponsible dog owners.

The consultation ran from 19 November 2019 to 14 January 2019, with over 1100 taking part in the consultation.

### Taking the Oops out of Poops

#### QUESTION 1

Were you aware of the Council's 'Oops out of poops' Campaign?



#### QUESTION 2

Do you think dog fouling has improved during the last three years?

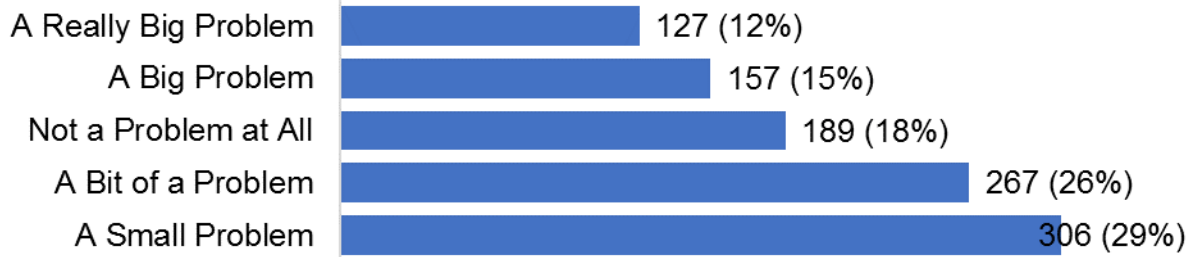




# Tackling Dog Fouling

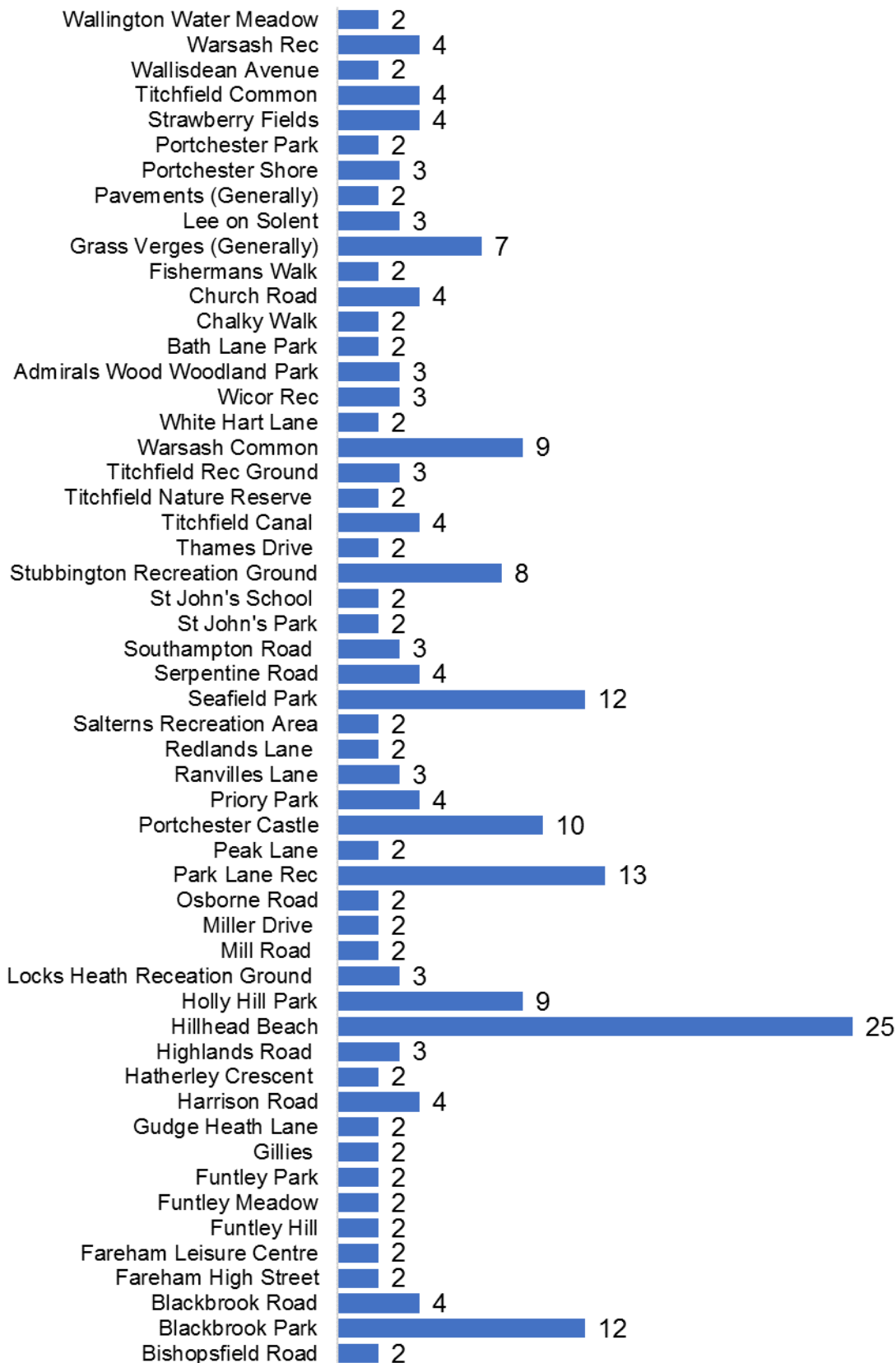
## QUESTION 3

How much of a problem is dog fouling in your area?



## QUESTION 4

Are there any dog fouling hot spots where you live?



## QUESTION 5

Should we continue to have the power to issue fixed penalty notices for not clearing up after a dog has fouled?



# Making Sure People Clear Up After Their Dog

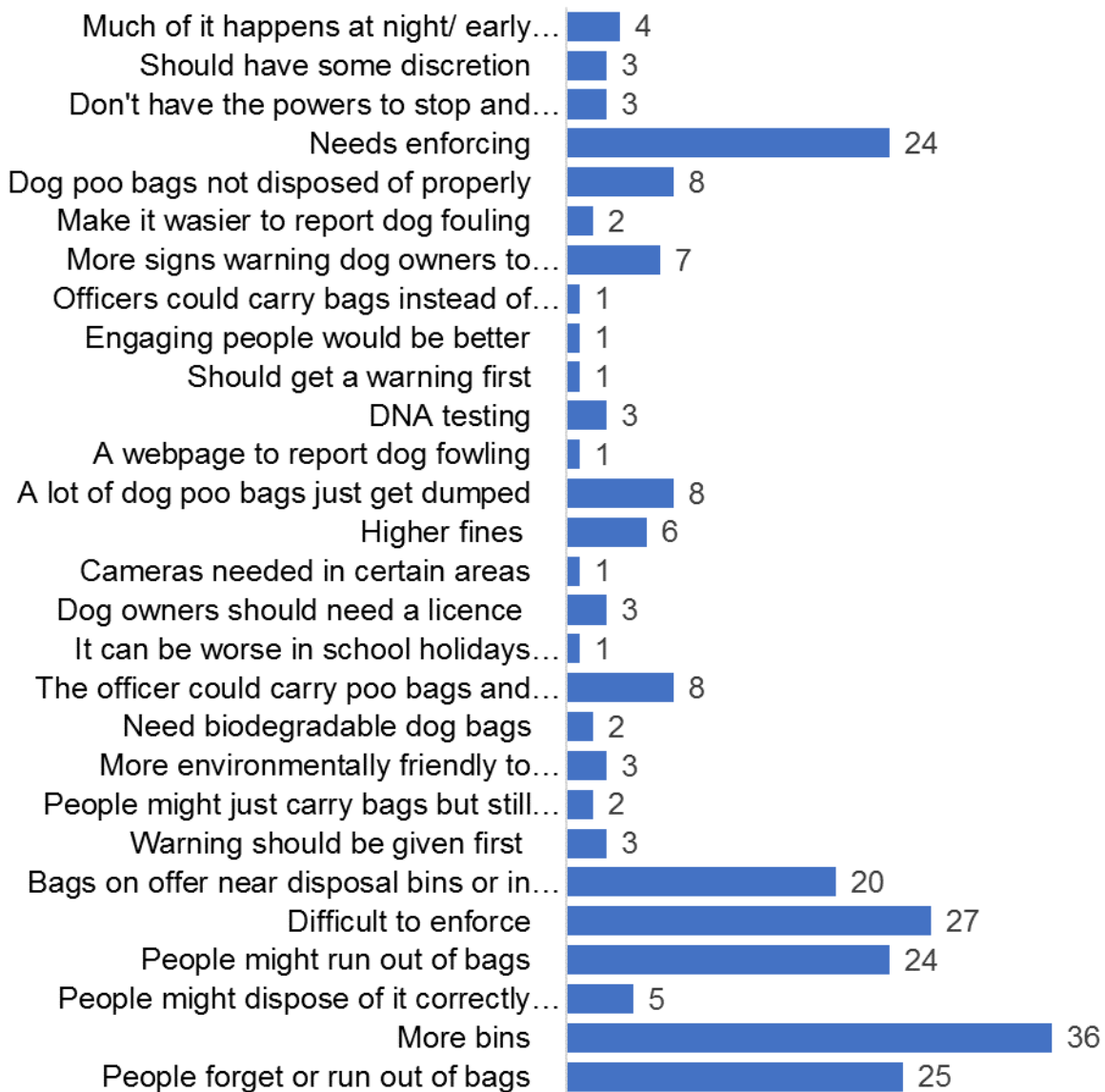
## QUESTION 6

Should we have the power to issue fixed penalty notices to people who don't have means to clear up after a dog e.g. carry a litter bag?



## QUESTION 7

Do you have any comments about our proposals to tackle dog fouling?



## Dogs on Lead by Direction

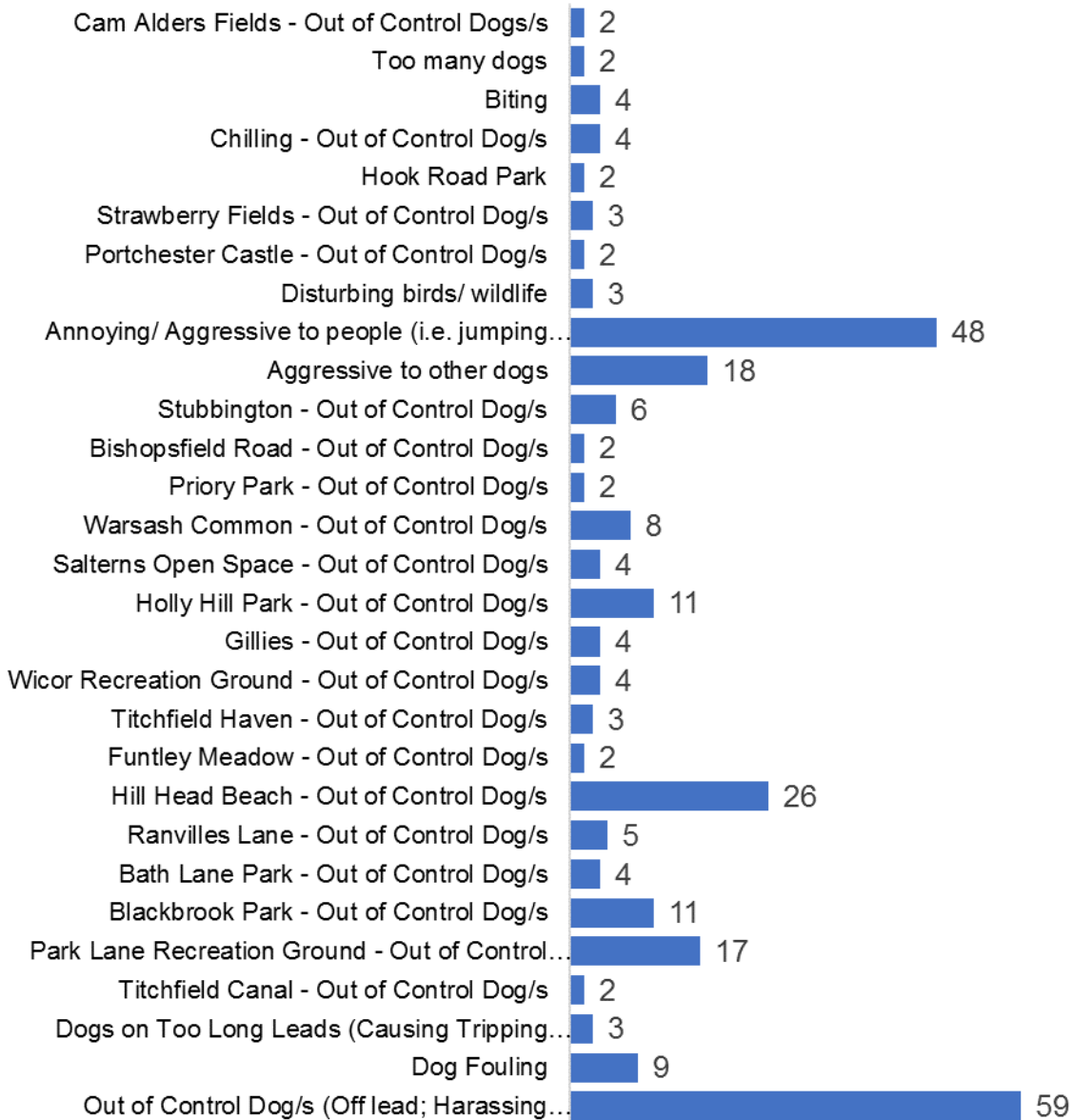
### QUESTION 8

Have you had or seen any bad experiences with dogs off their lead in Fareham?



### QUESTION 9

If so, what was the bad experience and where?



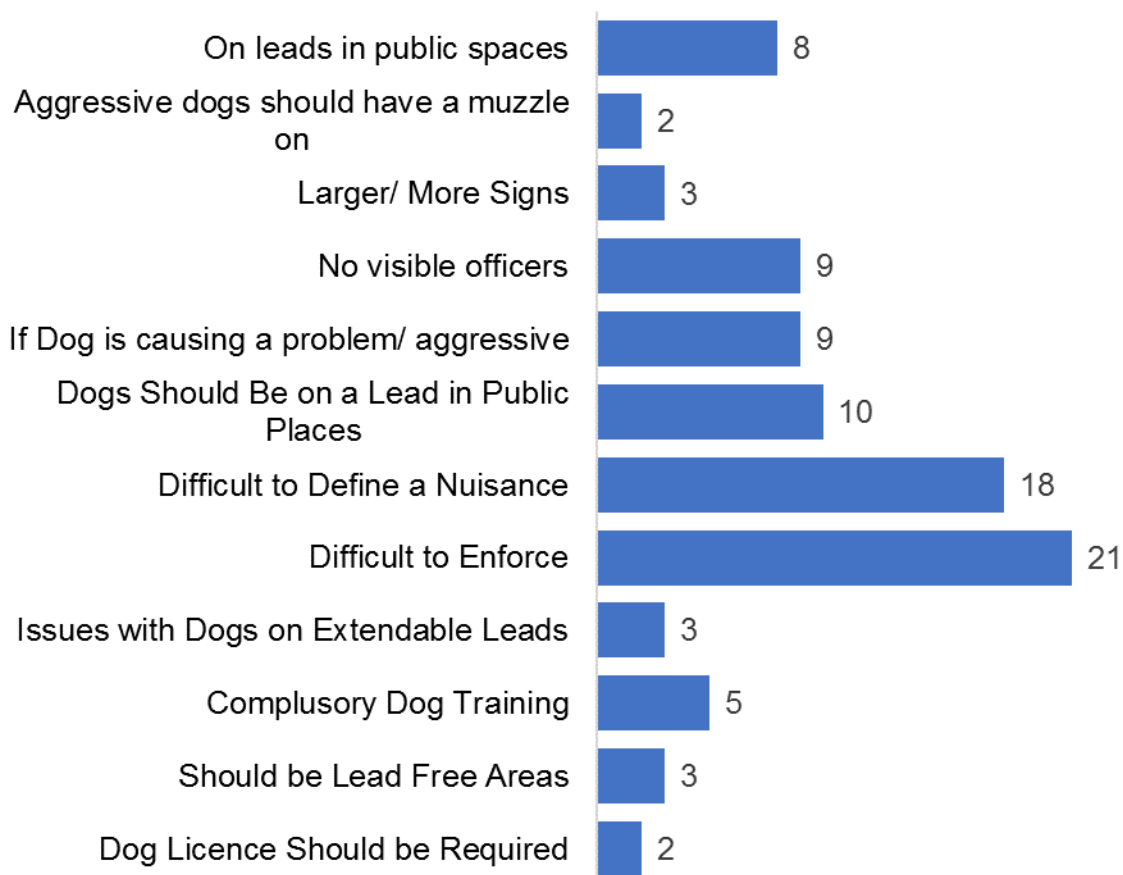
## QUESTION 10

Should we have the power to direct people to put their dogs on leads if they are causing a nuisance?



## QUESTION 11

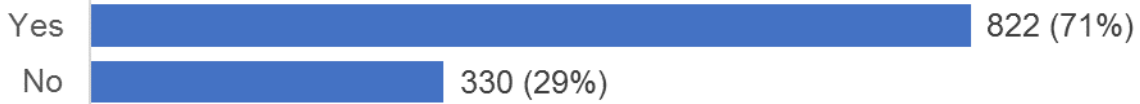
Do you have any comments on this proposal?



## Dogs on Leads

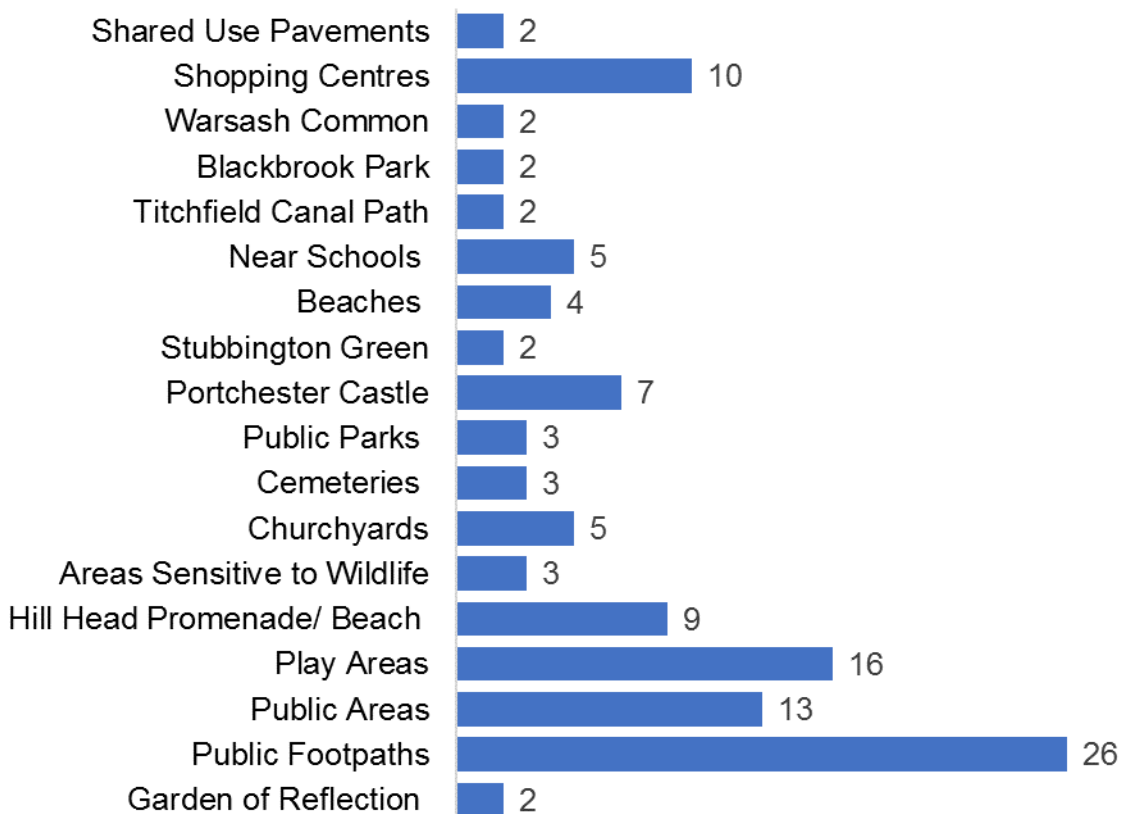
### QUESTION 12

Should we have the power to issue fixed penalty notices to owners whose dogs are off the lead in the areas above?



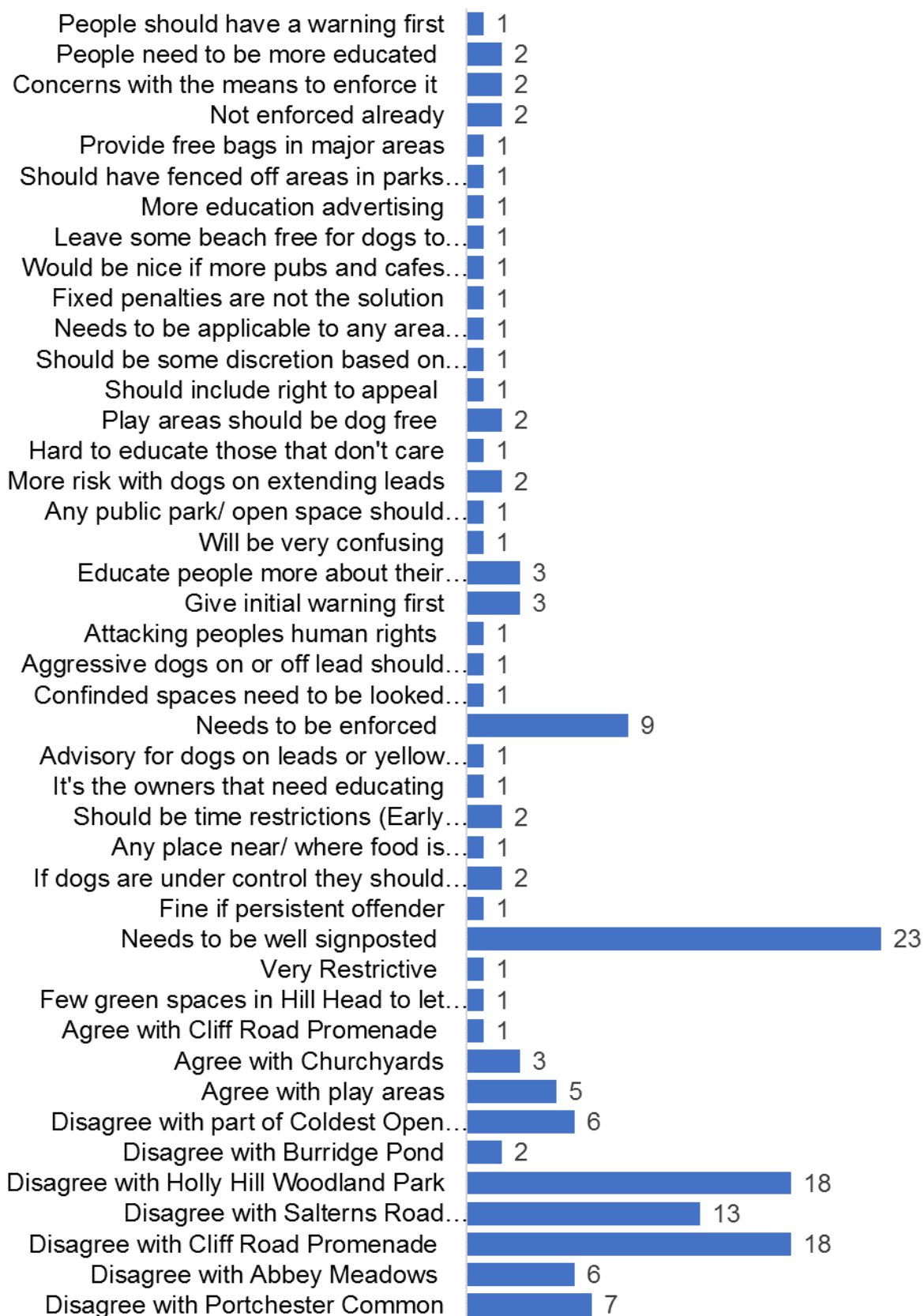
### QUESTION 13

Are there other areas where you think dogs should be kept on the lead?



## QUESTION 14

Do you have any comments on this proposal?





## Maximum Number of Dogs

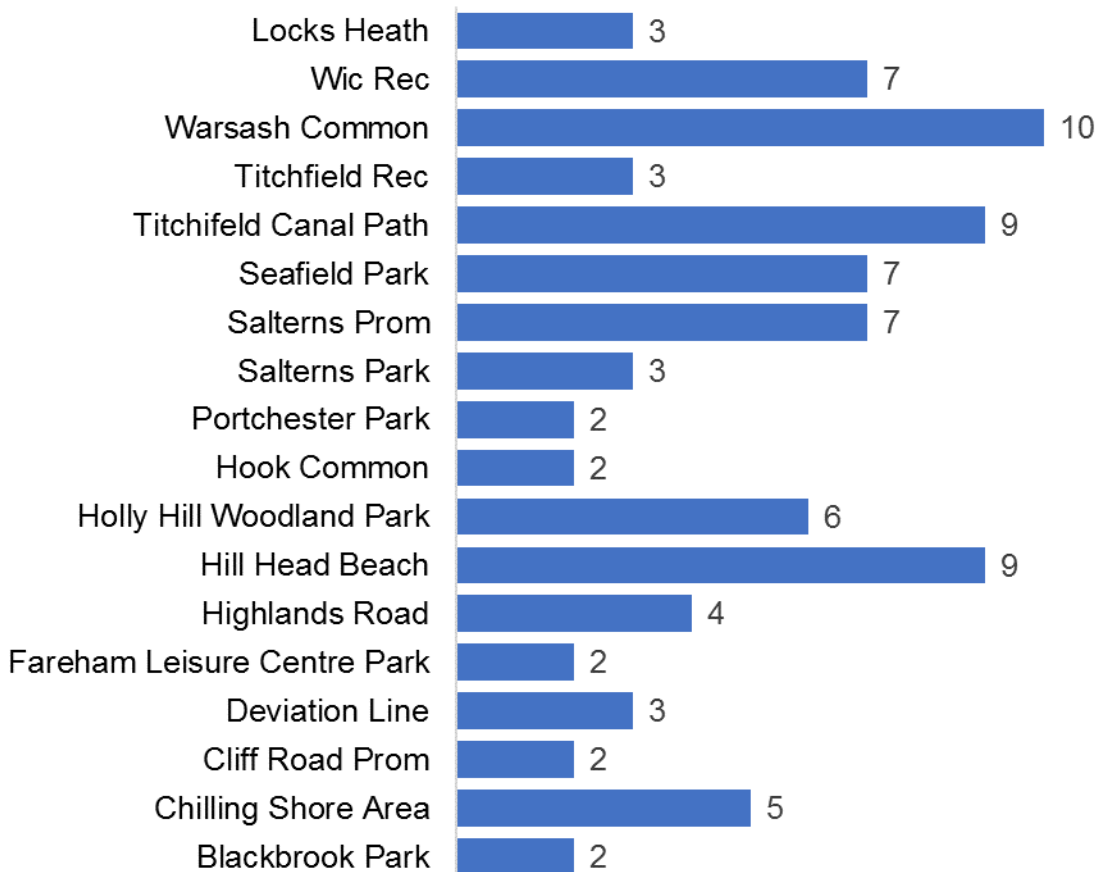
### QUESTION 15

Have you had any experiences where a person had too many dogs for them to control well?



### QUESTION 16

If yes, please tell us when and where



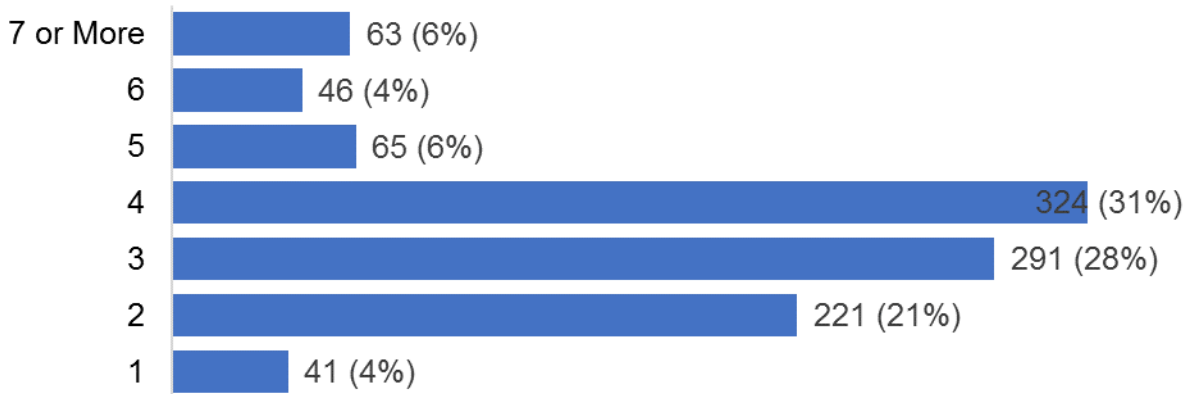
### QUESTION 17

Should we have the power to restrict the number of dogs someone can walk in a public place?



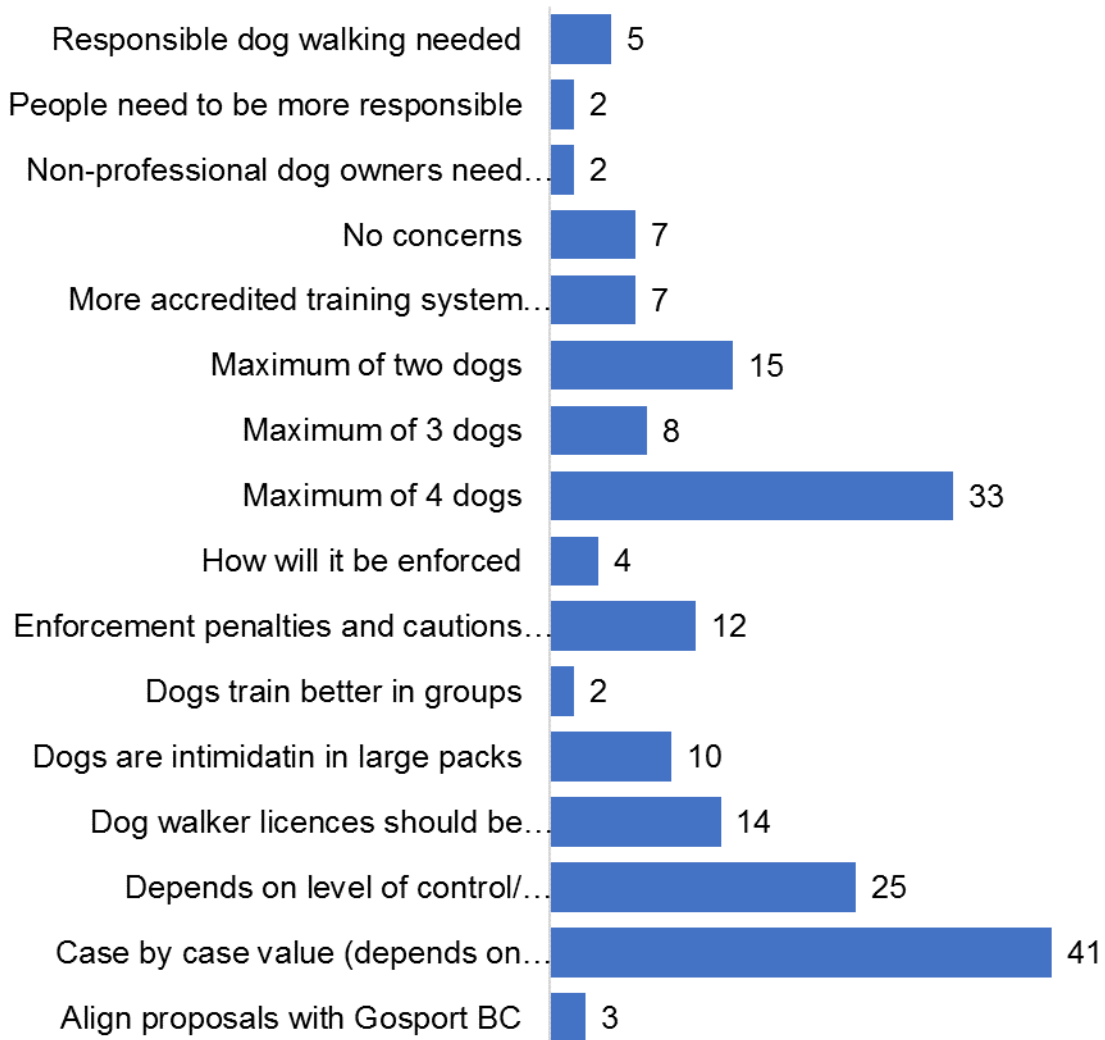
### QUESTION 18

How many dogs should someone be allowed to walk?



### QUESTION 19

Do you have any comments on this proposal?



## Excluding Dogs from Certain Areas

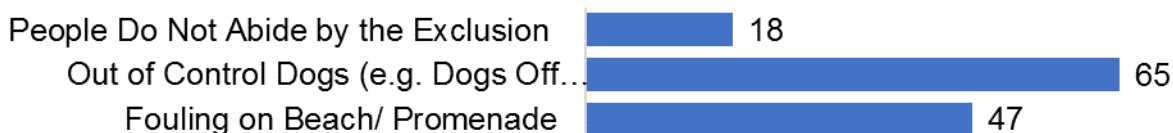
### QUESTION 20

Have you had or seen any bad experiences with dogs on the beach at Hill Head?



### QUESTION 21

If so, what was the bad experience and where?



### QUESTION 22

Do you think the no dogs on beach area should be extended? (They will still be allowed on much of the beach)



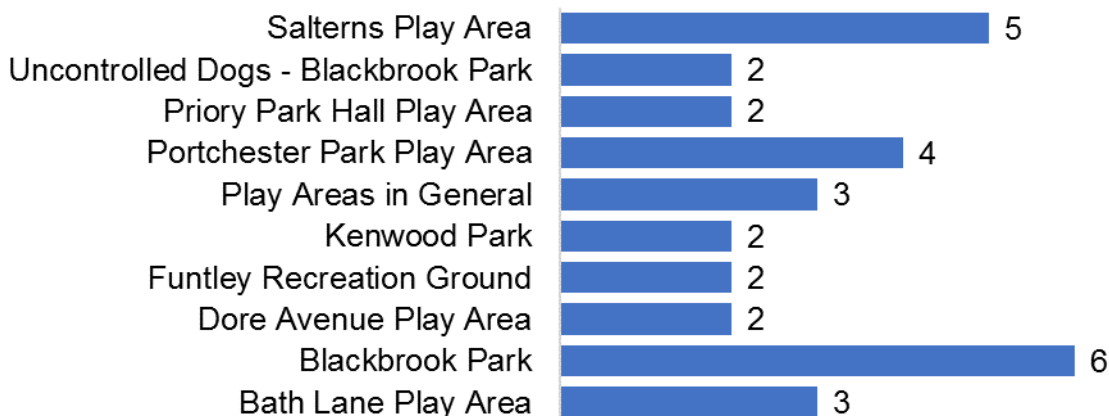
### QUESTION 23

Have you had any bad experiences with dogs in play areas?



### QUESTION 24

If so, please tell us when and where



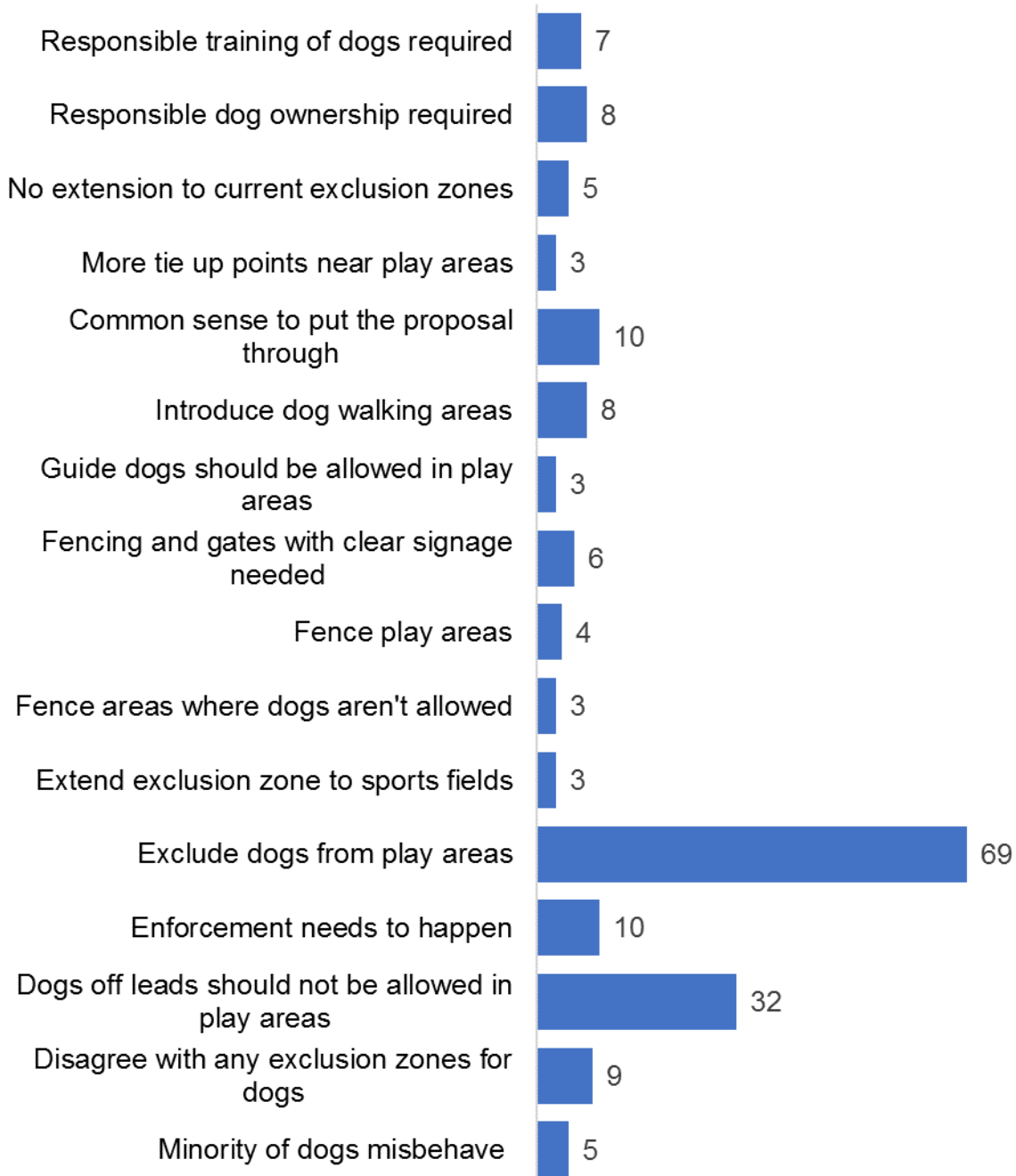
## QUESTION 25

Do you think dogs should be excluded from play areas?



## QUESTION 26

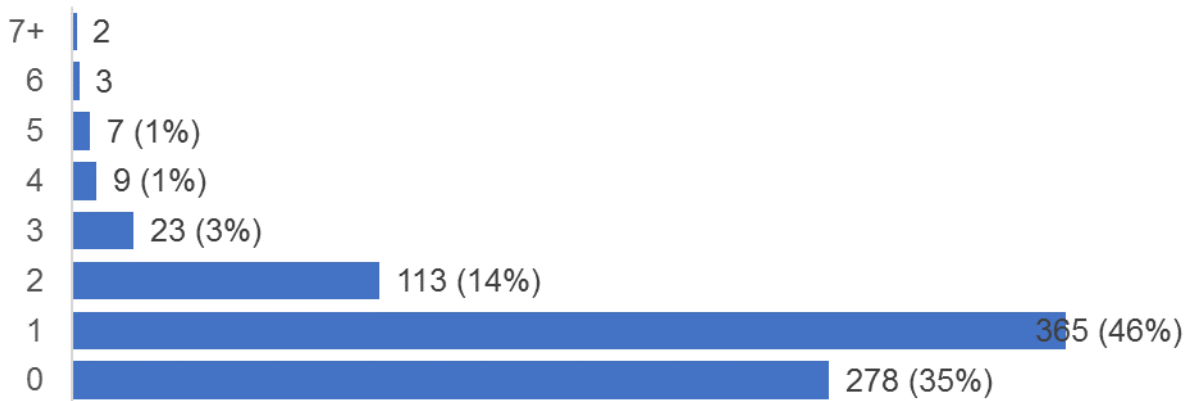
Do you have any further comment on our proposals to exclude dogs from certain areas?



## About You

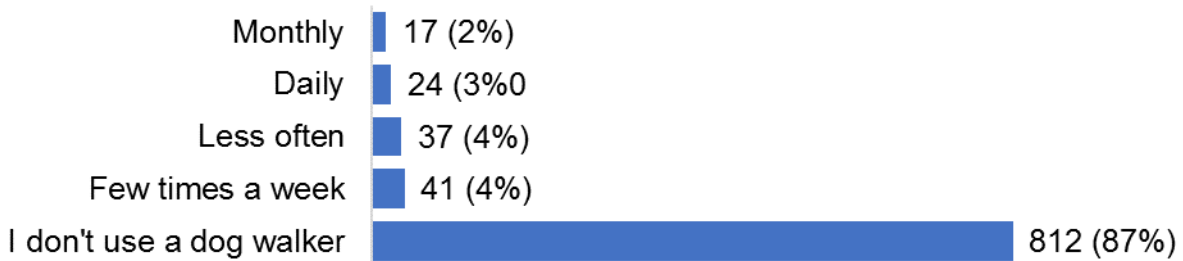
### QUESTION 27

How many dogs do you own?



### QUESTION 28

How often do you use a dog walking company?



### QUESTION 29

Do you have a registered assistance dog or Guide Dog?



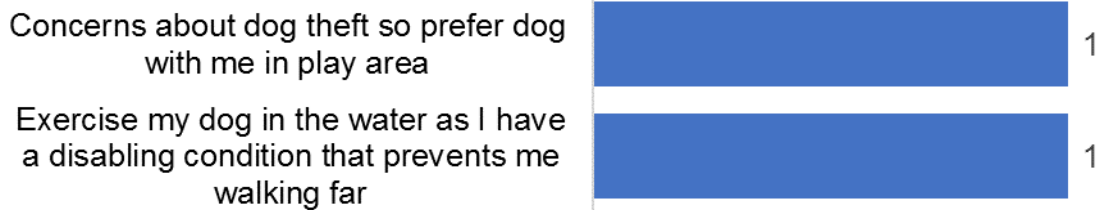
### QUESTION 30

Do you have any other disability or health condition that restricts your ability to walk your dog?



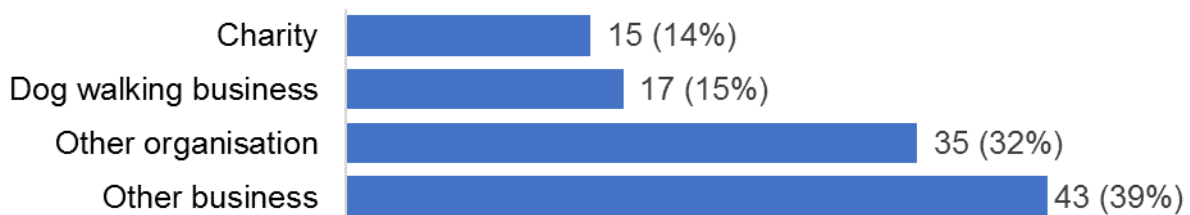
### QUESTION 31

Please tell us if any of our proposals impact on your ability to look after your dog?



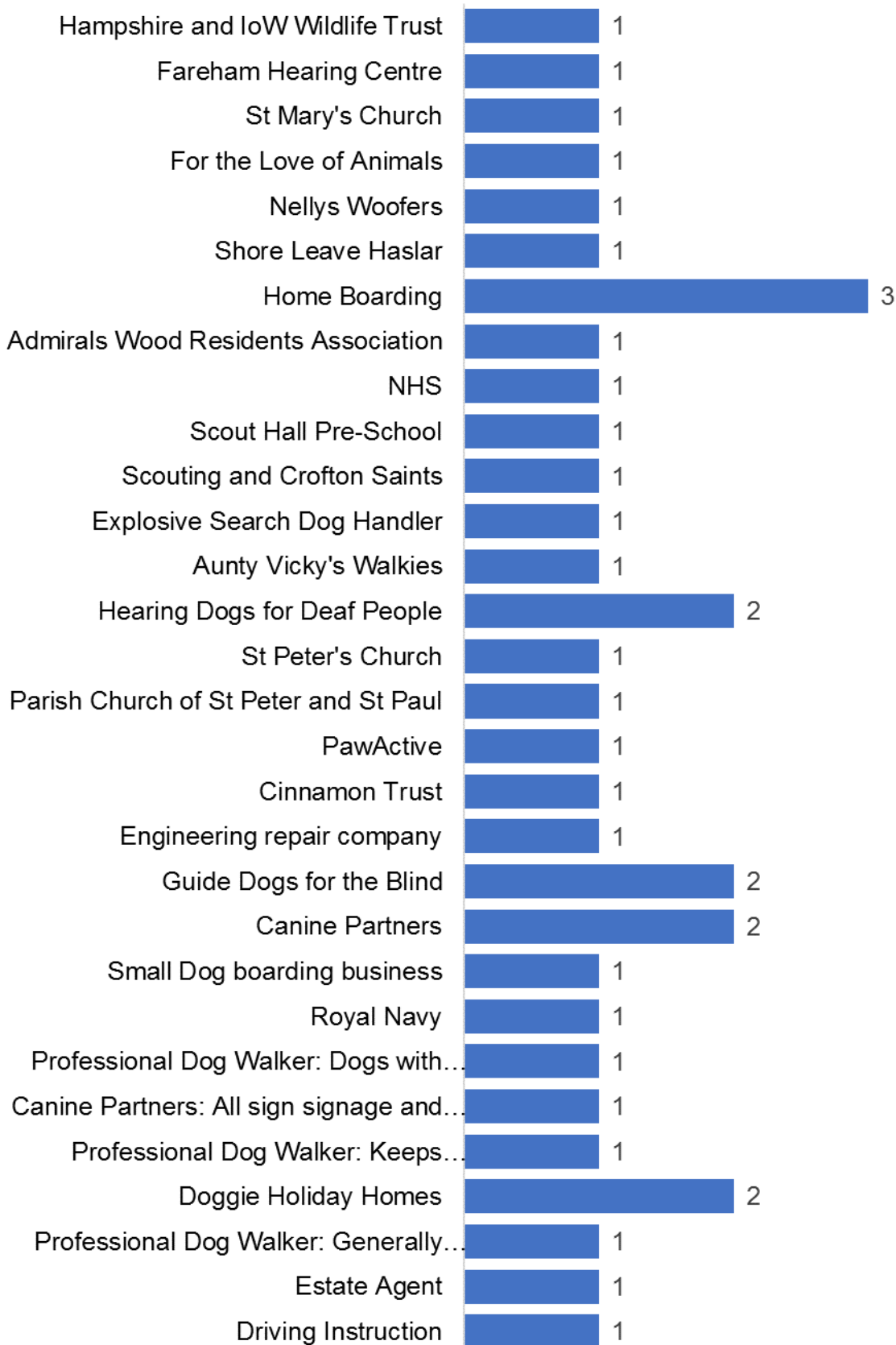
### QUESTION 32

Do you represent any of the following?



### QUESTION 33

Please give details below:



**DRAFT****ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014****PART 4, SECTION 59****PUBLIC SPACES PROTECTION ORDER (DOG CONTROL) 2019**

This Order comes into force on the [ ] and will remain in force for a period of three (3) years from that date unless extended by further order under the Council's statutory powers.

Fareham Borough Council ("the Council") in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") being satisfied that the conditions set out in section 59 of the Act have been met makes the following Order: -

**1. General provisions****Definitions**

- 1.1 "Authorised Officer" means any officer of the Authority authorised by the Chief Executive of the Authority for the purposes of paragraphs 4 and 5 of the Order.
- 1.2 "Public Place" means any place in the administrative area of the Authority to which the public or a section of the public has access, on payment or otherwise, as of right by virtue of express or implied permission. The administrative area of the Authority is the land edged black in Schedule 1.
- 2.1 "Person in Charge" A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

**Offence and Penalty**

- 2.2 It is an offence under Section 67 of the Act for a person without reasonable excuse, (i) to do anything that they are prohibited from doing under the Order or (ii) to fail to comply with a requirement which they are subject to under the Order. A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**3. Fouling**

- 3.1 The public health implications of dog fouling are well documented. This part and part 4 of the order are designed to prevent contamination of public spaces by dog faeces.
- 3.2 If a dog defecates at any time on any Public Place the person who is in charge of the dog at the time must remove the faeces forthwith unless;
  - (a) they have a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to them failing to do so.



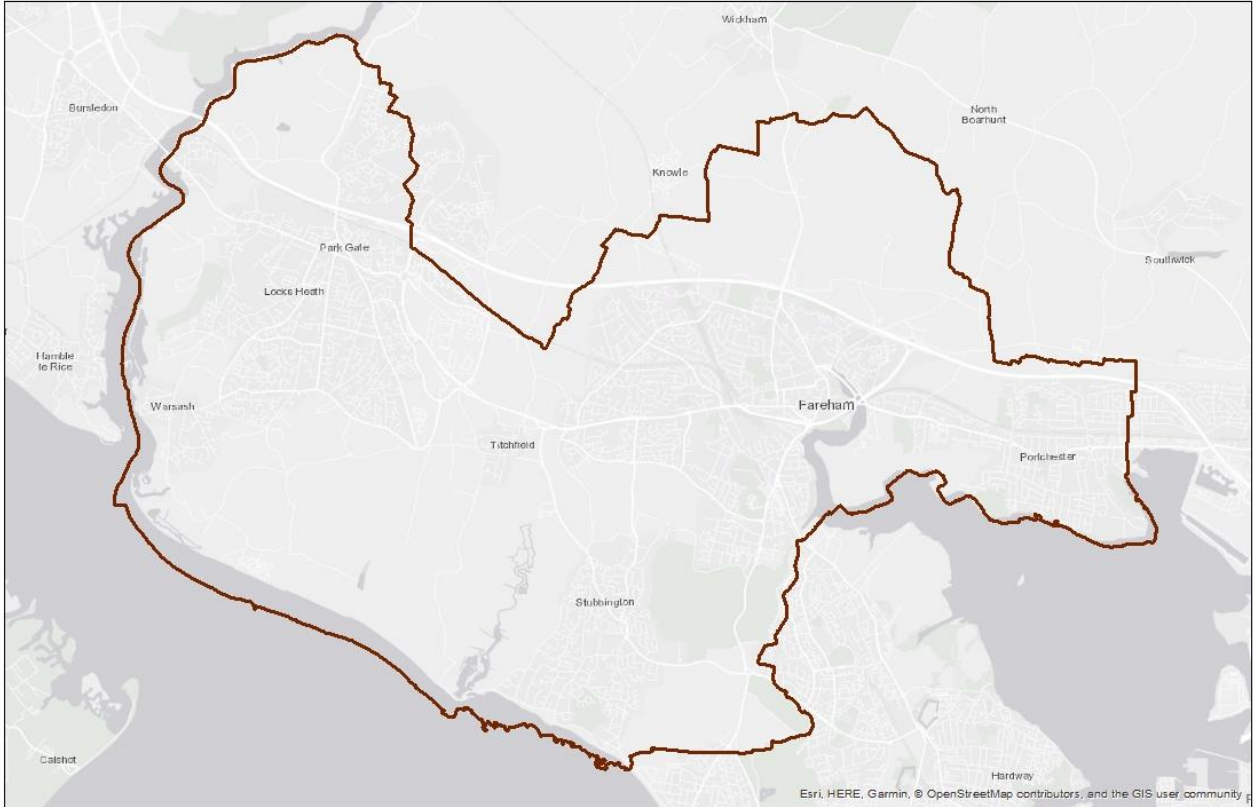
- 3.3 Placing the faeces in a receptacle which is provided for that purpose, or for the disposal of waste, shall be sufficient removal from the Public Place
- 3.4 Not being aware of the defecation or not having a device for or suitable means of removing the faeces shall not be a reasonable excuse for failing to remove it.
4. Dogs on Lead by Direction
- 4.1. In public places in the Borough of Fareham where dogs are permitted off leads, a minority of persons in charge of dogs allow them to cause damage to property, and cause problems for pedestrians and other dog owners. This part of the Order is designed to enable authorised Council Officers to direct that such a person put their dog on a lead.
- 4.2 An Authorised Officer may on any Public Place (other than those specified in Schedules 2 and 3 of the Order from which dogs are excluded from or must be kept on a lead in any event) direct a person in charge of a dog to keep the dog on a lead if such restraint is in the opinion of the Authorised Officer necessary to prevent nuisance to other persons or worry to animals.
- 4.3 A person issued with a direction under paragraph 5.1 of the Order must comply unless;
- (a) they have a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to them failing to do so.
5. Maximum of four dogs
- 5.1 There has been an increase in the number of persons and businesses walking numbers of dogs together, and some of these persons have exercised poor control over these dogs. This has caused problems for other dog owners and has also resulted in dog foul not being picked up. This part of the Order seeks to place limits on the number of dogs which may be walked together to enable greater control.
- 5.2 A person shall not at any time take more than four dogs on to any Public Place (other than those specified in Schedule 3 of the Order from which dogs are excluded in any event)
- 5.3 A person must comply with the requirement in paragraph 6.1 of this Order unless;
- (a) they have a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to them failing to do so.
6. Dogs on Leads
- 6.1 In some public places within the Borough of Fareham that are sensitive because of their nature or usage, or which are fragile environments, close control of dogs by their being on a lead is necessary to prevent damage or undue disturbance. The restrictions in this Order are designed to facilitate a sharing of these public places, whilst recognising that dogs do need to be exercised off lead.

- 6.2 A person in charge of a dog on any Public Place specified in Schedule 2 to the Order must keep the dog on a lead unless
- (a) they have a reasonable excuse for failing to do so; or
  - (b) the owner, occupier or other person or authority having control of the place has consented (generally or specifically) to them failing to do so.
7. Exclusion of dogs
- 7.1 There are specific public places in the Borough of Fareham from which dogs should be excluded for their safety and that of members of the public, and for public health and aesthetic reasons. This part of the Order states the relatively few places from where dogs will be excluded.
- 7.2 A person in charge of a dog must not take it into or keep it in any Public Place specified in Schedule 3 to the Order unless
- (a) they have a reasonable excuse for doing so; or
  - (b) the owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to them failing to do so.
8. Exemptions
- 8.1 Nothing in this Order shall apply to a person who: -
- a) Is registered as a blind person on a register compiled under Section 29 of the National Assistance Act 1948; or
  - b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
  - c) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any current or future member of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he relies for assistance.
  - d) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

EXECUTED AS A DEED BY AFFIXING THE COMMON SEAL OF FAREHAM BOROUGH COUNCIL IN THE PRESENCE OF:

SOLICITOR

**-SCHEDULE 1-**  
**Administrative Area of the Borough of Fareham**



**FAREHAM**  
BOROUGH COUNCIL

**Administrative Area of Fareham**

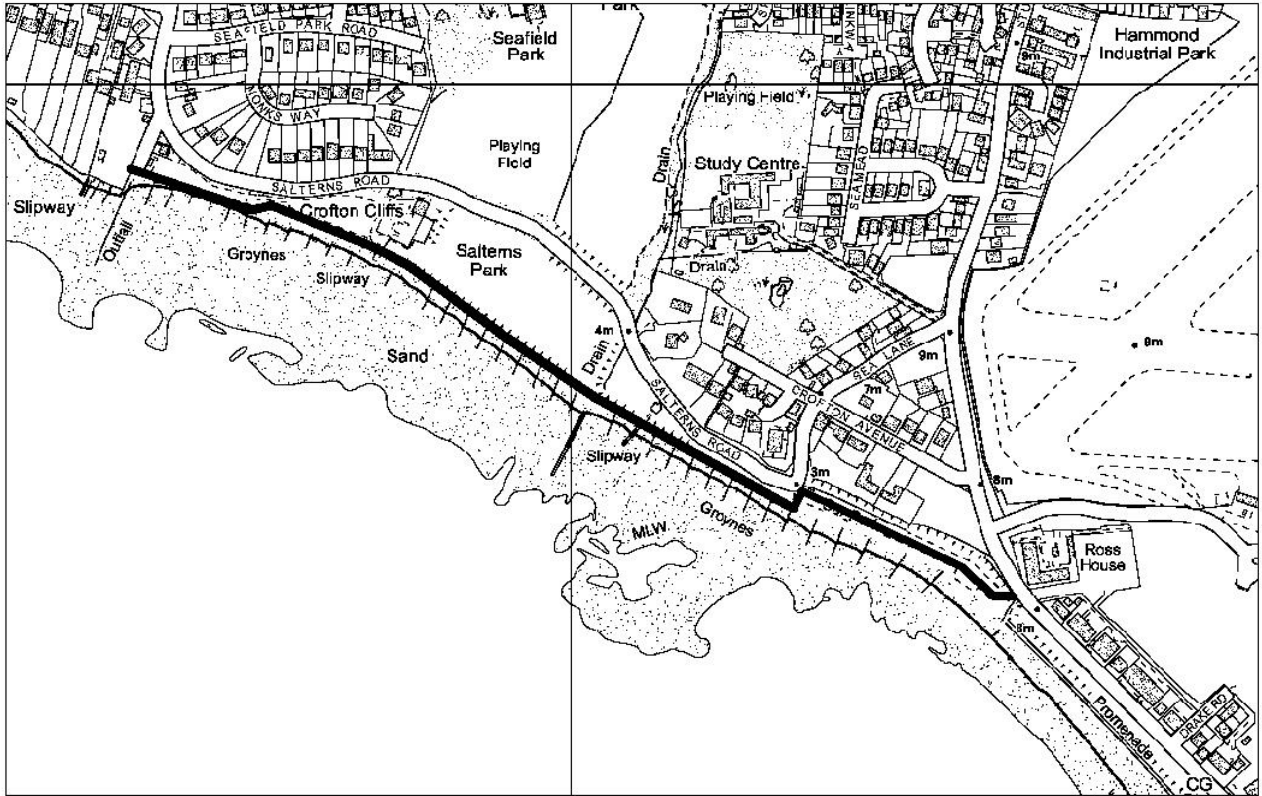
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-SCHEDULE 2-

PARAGRAPH 7 "DOGS ON LEADS"

This Order applies to the following Public Places in the Borough of Fareham

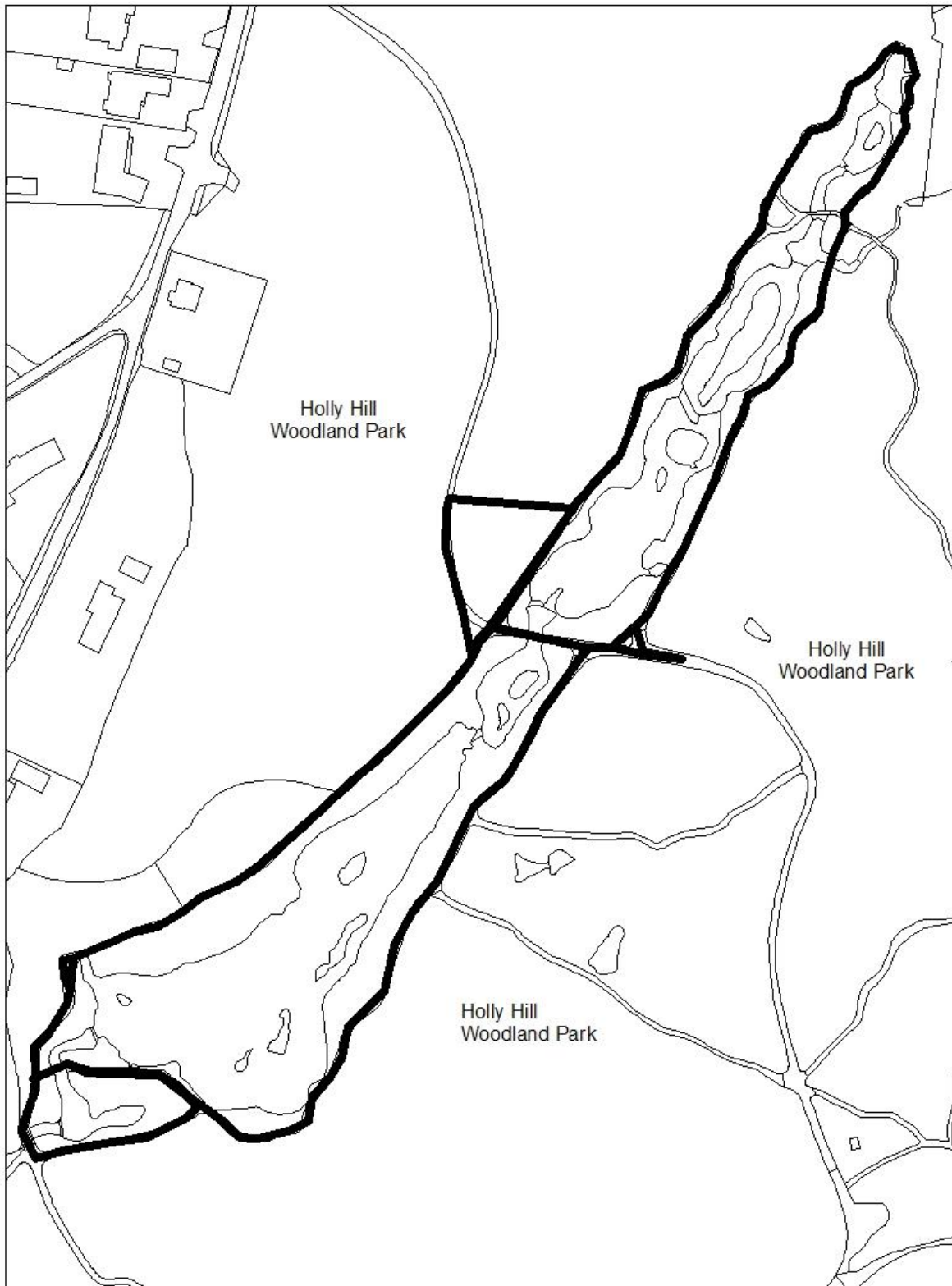
1. Any cemetery or churchyard  
Crofton Cemetery, Oakcroft Lane, Stubbington  
Wickham Road Cemetery, Fareham  
St Peter's Cemetery, Church Street, Titchfield  
Posbrook Lane Cemetery, Titchfield  
Roman Grove Cemetery, Castle View Road, Portchester  
St Johns Cemetery, St Johns Road, Locks Heath  
St Paul's Cemetery, Barnes Lane, Sarisbury  
Holly Hill Cemetery, Barnes Lane, Sarisbury  
  
St Peter and St Paul's Churchyard, Osborn Road, Fareham  
St Peter's Churchyard, Church Street, Titchfield  
Crofton Churchyard, Lychgate Green, Stubbington  
St Mary's Churchyard, Castle Street, Portchester  
St Paul's Churchyard, Barnes Lane, Sarisbury
2. Westbury Manor Museum Garden, Fareham Town Centre
3. Sensory Garden of Reflection, Osborn Road, Fareham
4. Salterns Road Promenade, Hill Head (*refer to plan*)
5. Holly Hill Woodland Park (*refer to plan*)
6. Holly Hill Play Area (*refer to plan*)
7. Burrige Pond (*refer to plan*)
8. Coldeast Open Space (*refer to plan*)
9. Any area within Fareham that is:
  - i). Designated as a Site for Special Scientific Interest ("SSSI") or; ii), where the Authority keep animals and where signage is present;
    - a) Portchester Common (*refer to plan*)
    - b) Abbey Meadows (*refer to plan*)

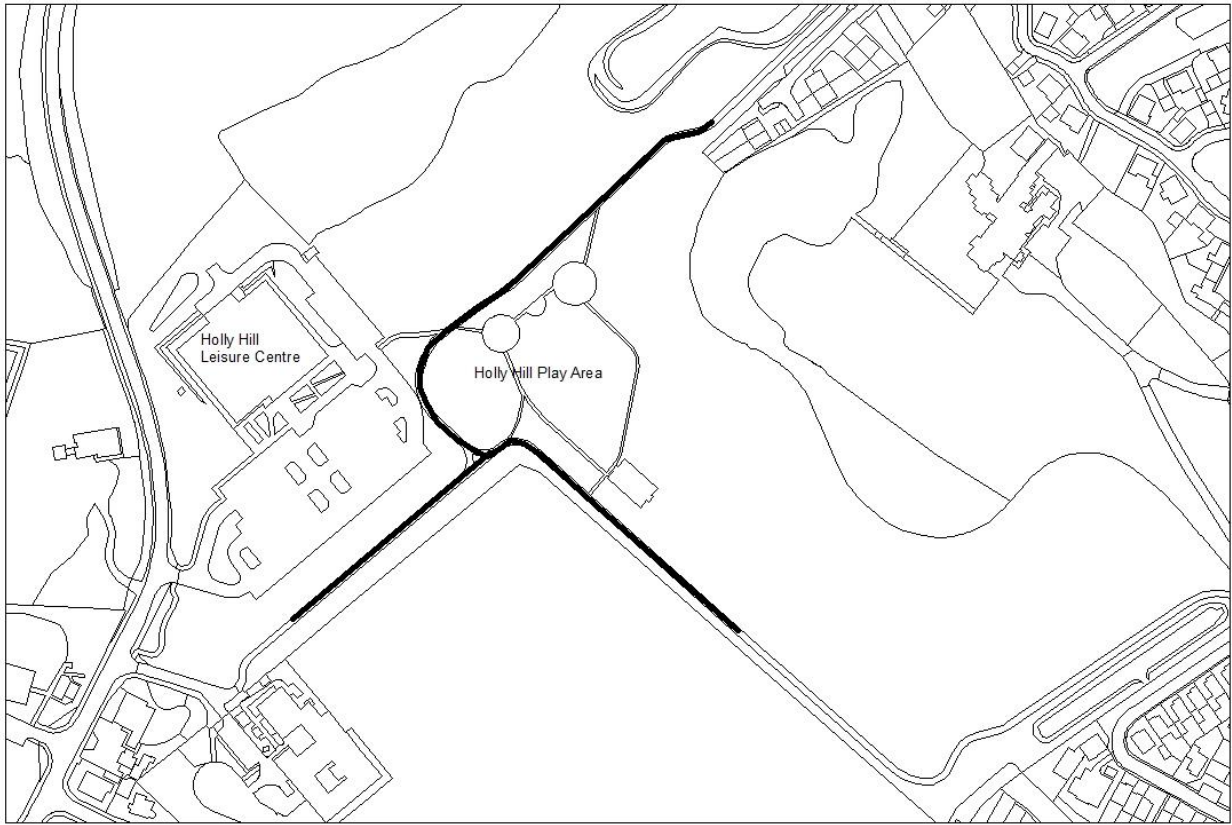


**FAREHAM**  
BOROUGH COUNCIL

**Salterns Road Promenade, Hill Head**

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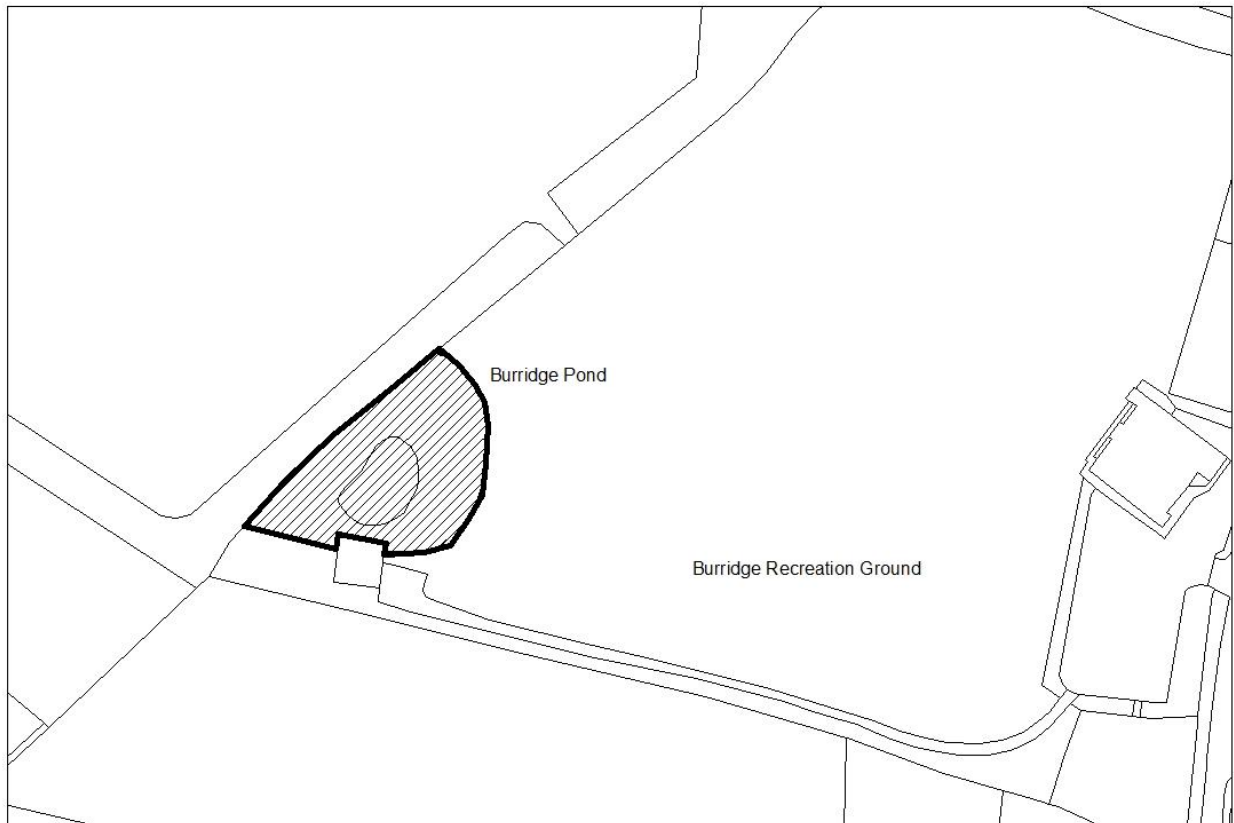




**FAREHAM**  
BOROUGH COUNCIL

**Holly Hill Play Area**

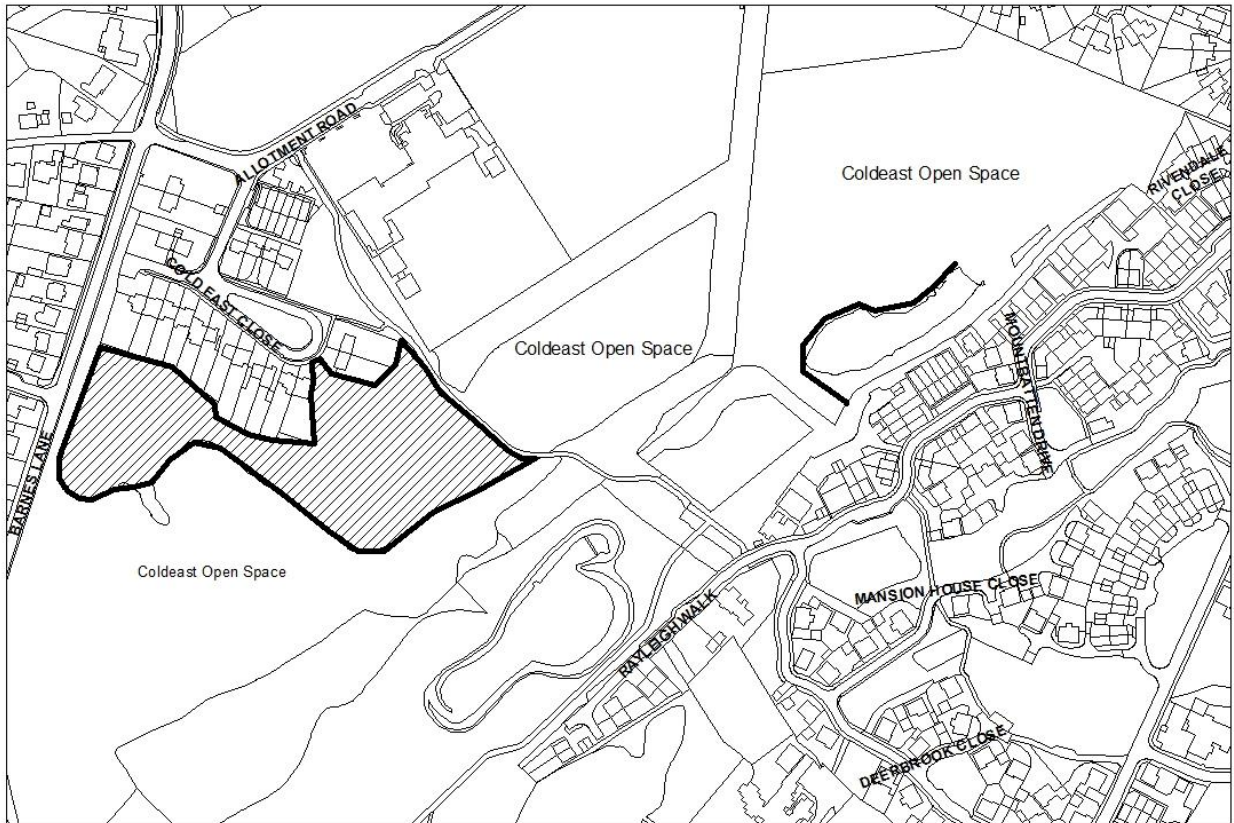
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**FAREHAM**  
BOROUGH COUNCIL

**Burridge Pond, Burridge Recreation Ground**

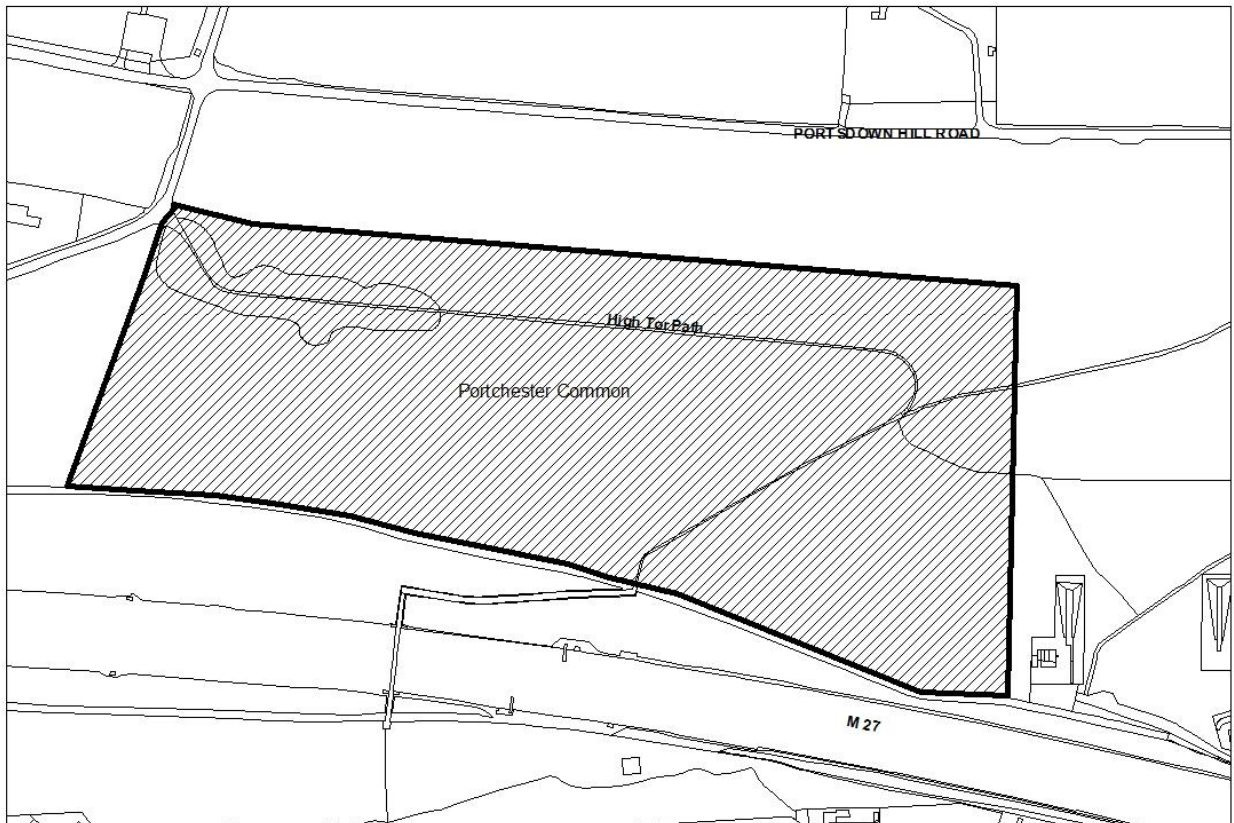
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FAREHAM  
BOROUGH COUNCIL

**Coldeast Open Space**

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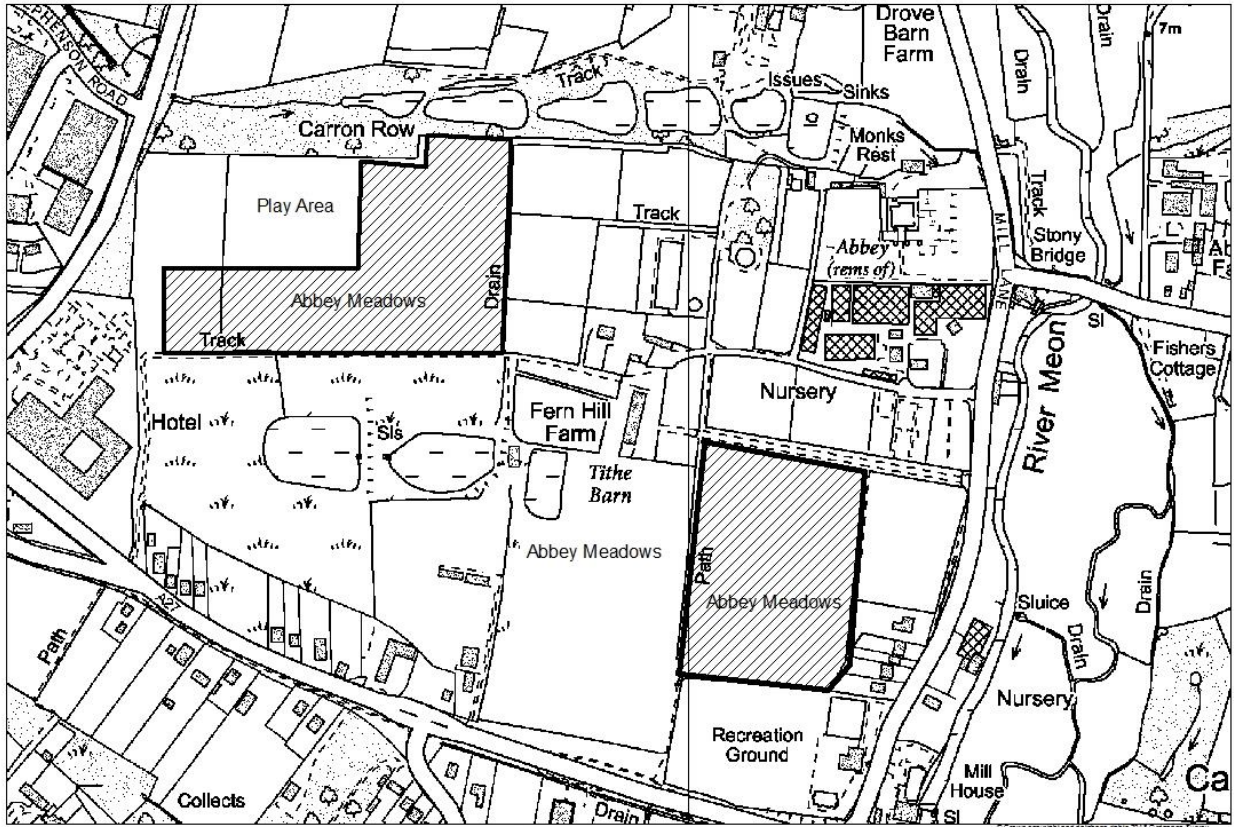


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BOROUGH COUNCIL

**Portchester Common**

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FAREHAM  
BOROUGH COUNCIL

Abbey Meadows, Titchfield

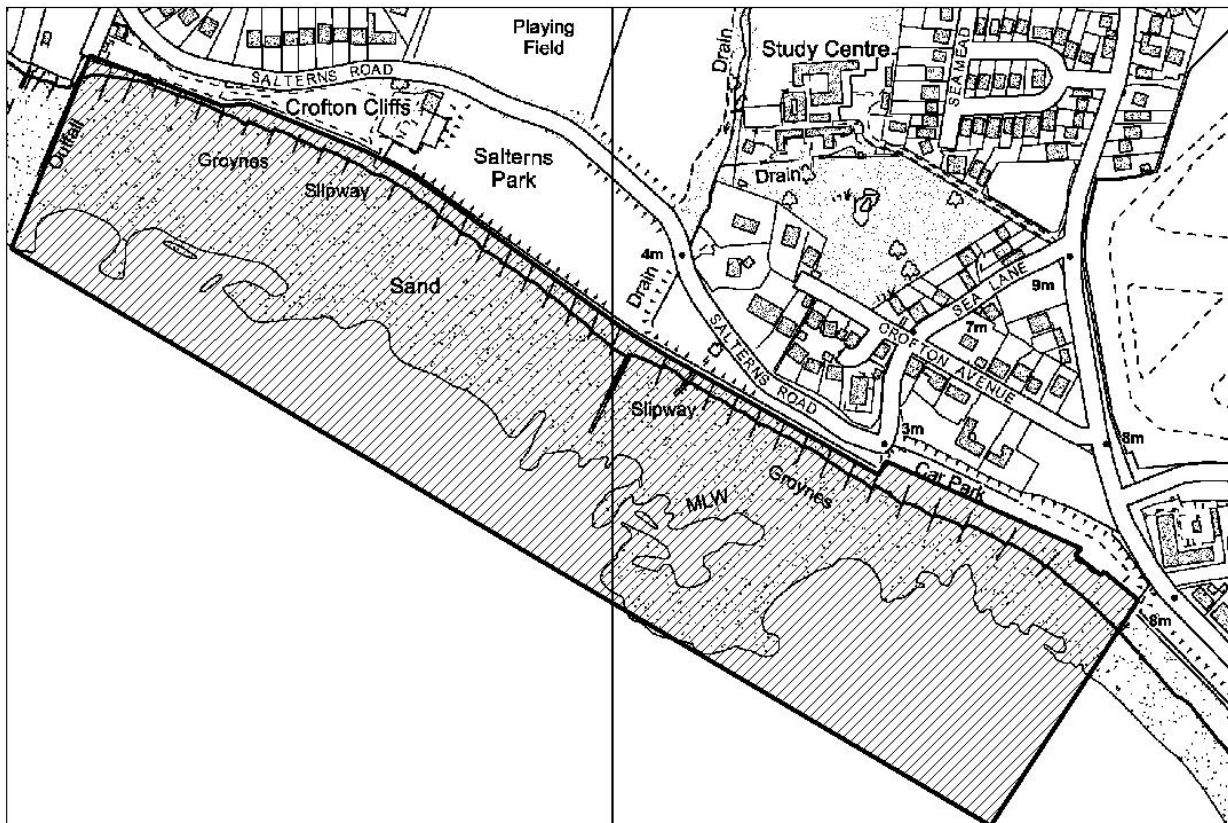
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## SCHEDULE 3

### PARAGRAPH 8 EXCLUSION OF DOGS

This Order applies to the following Public Places in the Borough of Fareham

1. Between 1 May and 30 September inclusive in any year the following beach area;
  - i. Any area of beach between the promenade and Low Water Mark of Medium Tides and contained between the points enclosed with notional lines extending from the westernmost of Salterns Road car park and the Borough Boundary with Gosport which is shown outlined in black on the accompanying plan.
2. Any enclosed area designated solely for the purpose of children's play on which there is fixed play equipment or apparatus installed and where signage refers.
3. Any unenclosed area designated for the purpose of children's play on which there is fixed play equipment or apparatus installed and where signage refers. *(please refer to the plan(s))*
  - i. Holly Hill Play Area
  - ii. Abbey Meadows Play Area

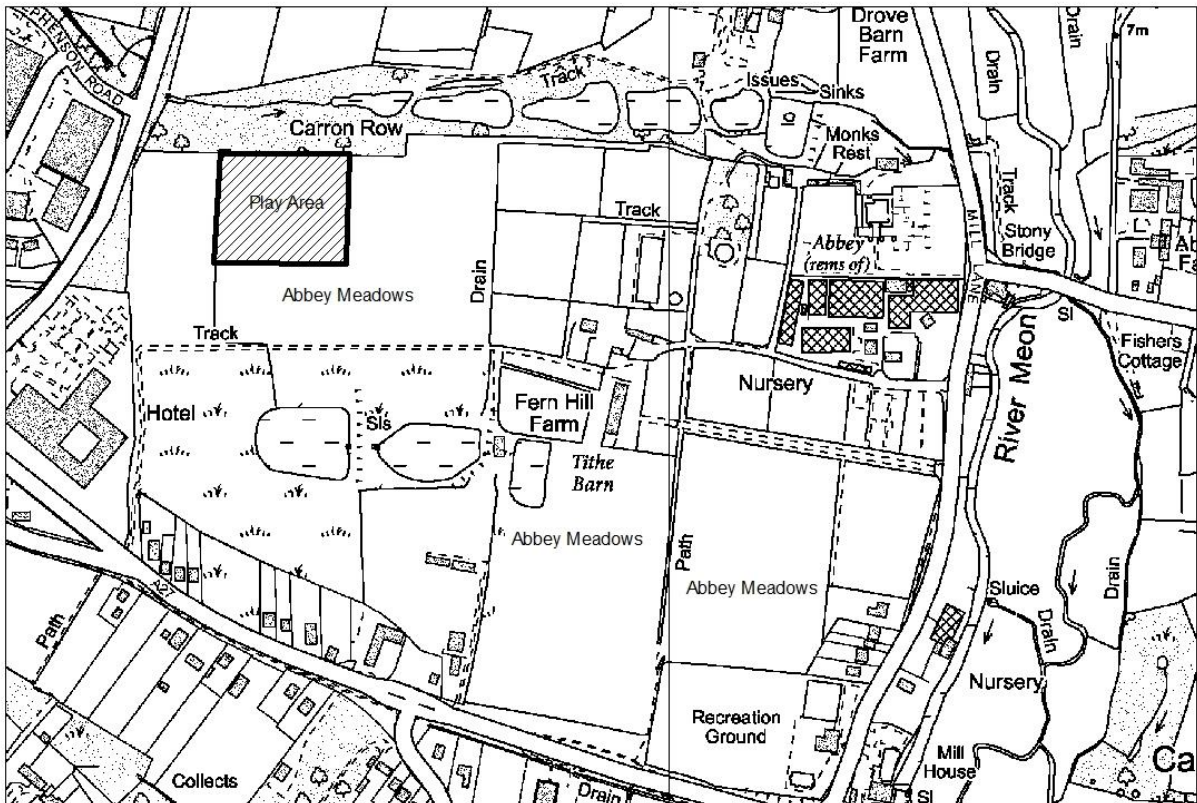




FAREHAM  
BOROUGH COUNCIL

**Holly Hill Play Area**

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FAREHAM  
BOROUGH COUNCIL

**Abbey Meadows Play Area, Titchfield**

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# Equality Impact Assessment

This document is intended to act as a guide and point of reference, rather than be a template. There is no requirement to use this document as part of the policy development or decision making process; although it may help.

When using this form, please feel free to enter as much or as little information as you feel is appropriate.

Name	Roy Brown	Date	29/01/19
Job title	Customer Engagement Manager		
<b>What are you thinking of changing or implementing?</b>			
<p>The Council's current Dog Fouling Public Spaces Protection Order (PSPO) will expire on 31 March 2019 unless extended. Instead of extending this order, the Council is proposing to make a new order that not only includes dog fouling but includes restrictions on the following:</p> <ul style="list-style-type: none"> <li>• Fouling and means of pick up</li> <li>• Dogs on lead by direction</li> <li>• Maximum number of dogs</li> <li>• Dogs on leads and</li> <li>• Exclusion of dogs</li> </ul>			
<b>What is the expected or anticipated impact of this change?</b>			
<p>The proposal will affect all dog owners who walk and exercise their dogs in Fareham. There is no record of the number of dogs in Fareham, but national estimates are that 26% of households have at least one dog.</p> <p>Considerate dog ownership is of concern to residents, who want the Council to take action against irresponsible dog owners and there was strong support for the majority of the proposals during the PSPO consultation.</p>			
<b>Protected characteristic: Age</b> (including children and young people)			
Points to consider:			
<ul style="list-style-type: none"> <li>• How have you considered the potential impact on people with this protected characteristic?</li> <li>• What, if any, is the expected impact on people with this protected characteristic?</li> <li>• What steps or action is planned to mitigate any negative impact?</li> </ul>			
The proposed PSPO may have a positive impact on young people who are more likely to come into contact with dog fouling and are at greater risk of infection.			

**Protected characteristic: Disability** (including physical and those with mental health conditions)

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

Trained assistance dogs will be exempt from the controls. For example, they will be able to support their owner in dog prohibited locations. Following feedback received during the consultation, the definition of assistance dogs in the PSPO has been widened to include dogs that support people with a greater range of disabilities.

**Protected characteristic: Gender reassignment**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Marriage and civil partnership**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Pregnancy and maternity**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Race**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Religion or belief**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Sex**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.

**Protected characteristic: Sexual orientation**

Points to consider:

- How have you considered the potential impact on people with this protected characteristic?
- What, if any, is the expected impact on people with this protected characteristic?
- What steps or action is planned to mitigate any negative impact?

No impact identified.