

FAREHAM

BOROUGH COUNCIL

Report to the Executive Member for Health & Public Protection for Decision 20 June 2023

Portfolio:	Health and Public Protection
Subject:	Dog Control Public Spaces Protection Order
Report of:	Director of Leisure and Community
Corporate Priorities:	Leisure Opportunities for Health and Fun Protect and Enhance the Environment

Purpose:

This report sets out the results of the recent Public Spaces Protection Order (PSPO) engagement exercise for an additional seasonal dog exclusion zone at Hill Head beach. The report requests consideration by the Executive Member and a decision on the making of an updated Public Places Protection Order (Dog Control).

Executive summary:

At the 6 March 2023 Executive meeting a draft PSPO was presented which included an additional seasonal dog exclusion zone at Hill Head beach between the 1 October and 31 March. At the meeting it was agreed that a consultation on the draft Order be conducted.

The consultation ran from 2 May 2023 – 30 May 2023. Overall, the Council received 262 responses of which 195 (74%) were in favour of the proposal. The main theme from those in favour of the proposal focused around ensuring that there would be sufficient enforcement to ensure the exclusion is adhered to, if implemented.

From those who were not in favour of the proposal, the main theme was that there are other bird disturbances at Hill Head beach other than dogs such as people, water sports and boats.

If the draft PSPO attached at Appendix A to the report is approved, signage will be put in place at the exclusion zone. The signage would be designed by Bird Aware Solent in conjunction with Fareham Borough Council.

The draft PSPO would come into effect on 30 June 2023.

Recommendation:

It is recommended that the Executive Member for Health and Public Protection agrees the making of the draft Public Spaces Protection Order attached at Appendix A to the report.

Reason:

To allow the introduction of an additional seasonal dog exclusion zone at Hill Head beach.

Cost of Proposals:

The cost of the proposal can be met from within existing budgets.

Appendices: **A:** Draft Public Spaces Protection Order (Dog Control) with map and schedule

Background Papers: None

Reference Papers: 6 March 2023 Executive Report – Proposed Changes to Dog Control Public Spaces Protection Order

FAREHAM

BOROUGH COUNCIL

Executive Member Briefing Paper

Date:	20 June 2023
Subject:	Public Spaces Protection Order for an additional seasonal dog exclusion zone at Hill Head beach – consideration of consultation responses
Briefing by:	Head of Environmental Health
Portfolio:	Health and Public Protection

Introduction

1. This report provides feedback on the results of the Public Spaces Protection Order (PSPO) engagement exercise, which ran from 2 May 2023 to 30 May 2023. The report seeks approval for the making of the draft Public Spaces Protection Order (Appendix A) to introduce an additional restriction on dogs between 1 October and 31 March, in the exclusion zone at Hill Head, as identified in Appendix A.

Background

2. In April 2022 the Council's Dog Control Public Spaces Protection Order (PSPO) was due to expire and therefore the Council proposed to extend the PSPO for a period of three years. As part of the process required, a consultation was conducted on a draft PSPO.
3. Alongside the Executive report, a tabled item detailing a consultation submission from Bird Aware Solent was presented at the meeting. It was agreed that Officers work with Bird Aware Solent and report back to a future meeting of the Executive if further changes to the Order were necessary.
4. Following the meeting, Officers worked with Bird Aware Solent to create an amended draft PSPO which included the proposed additional seasonal dog exclusion zone at Hill Head between 1 October and 31 March.
5. The draft PSPO was presented at the 6 March 2023 Executive meeting, and it was agreed at the meeting that a consultation on the draft Order be conducted. The consultation took place between the 2 May and 30 May.
6. The proposed draft Order and details of how to take part in the consultation were placed on the Council's website. Consultees, including Hampshire Constabulary, Hampshire County Council, and various local organisations/groups were contacted. Public notices were placed on the Council's noticeboards and emails were sent to members of the E-panel.

Consultation Results

7. Overall, 262 responses were received from a wide range of interested parties including members of organisations such as Hill Head Sailing Club, Royal Society for the Protection of

Birds (RSPB), and the Hampshire and Isle of Wight Wildlife Trust. Responses from The Kennel Club and Aqass Ltd were also received.

8. Of the 262 responses, 195 (74%) were in favour of the proposal. Of the remaining 67 responses, 61 (23%) were against the proposal and 6 (3%) were unclear whether they were for or against.

For the Proposal

9. The following main themes emerged from the 'in favour of' responses:

More enforcement required: 27 respondents mentioned that more enforcement would likely be required to ensure the zone is adhered to.

The Enforcement Team have been consulted and could include enforcement of this site within existing resources.

Dogs should be on leads along the Promenade: 21 respondents raised concerns around the proposal allowing dogs to be off the lead along the promenade as it would be easy for dogs to run onto the beach.

Whether a dog is on or off the lead along this section of promenade does not currently have a significant effect on bird disturbance and therefore, a dog on lead zone along the promenade was not proposed.

Extend the proposed zone to include Meon Shore: 18 respondents suggested that the proposed refuge area be extended west to include Meon Shore, up to Solent Breezes.

The exclusion area proposed was identified as the site that could benefit the most in the area from having a dog exclusion zone.

Against the Proposal

10. The following main themes emerged from the 'against' responses:

Other disturbances other than dogs: 22 respondents mentioned that there are other bird disturbances other than dogs at Hill Head beach such as people, sewage, water sports and boats.

Of the 105 site visits where bird disturbance was noted at Hill Head, 86 visits (81.9%) featured disturbance relating to a dog's presence or behaviour. Therefore, the proposal focuses on a significant cause of bird disturbance at Hill Head.

Already have a safe haven for birds: 11 respondents mentioned that birds have a safe area close by at Titchfield Haven Nature Reserve.

The beach area identified in the proposal is a key feeding spot for overwintering migratory birds. The beach provides birds with rich sand and mud flats to feed from.

Dogs on lead area rather than an exclusion zone: Seven respondents suggested that instead of an exclusion zone the area could be a dog on lead zone.

An exclusion zone would have a greater benefit on the area than a dog on lead zone.

Dog Walkers

11. There were 69 responses from dog walkers. Of these 25 (36%) were in favour of the proposal and 44 (64%) were against.
12. The main theme from dog walkers who were in favour of the proposal was:

More signage required to educate dog walkers: Five respondents suggested that more signage is required to educate dog walkers.

Signage will be installed on site which will provide information on birds in the area and the importance of the site.

13. The main theme from dog walkers who were against the proposal was:

There are other bird disturbances at Hill Head beach other than dogs: 15 respondents mentioned that there are other sources of disturbance such as people, sewage, water sports and boats.

Respondents who were not dog walkers

14. There were 193 responses from people who are not dog walkers. Of these 170 (88%) were in favour of the proposal and 17 (9%) were against.

15. The main theme from respondents who were in favour of the proposal was:

More enforcement required: 16 respondents mentioned that more enforcement would likely be required.

16. The main theme from respondents who were against the proposal was:

Already have a safe haven for birds: Three respondents mentioned that birds have Titchfield Haven Nature Reserve close by.

The Proposed Order

17. A PSPO may be made or varied where the following conditions are met:

- a) Activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality; and
- b) The effect is of a persistent or continuing nature, such as to make the activities unreasonable and justifies the restrictions imposed by the PSPO;

(section 59(2) and (3) of the Anti-Social, Crime and Policing Act 2014).

18. Reducing the disturbance to birds increases their chance of survival. Birds are an integral part of the surrounding natural environment and help ensure that the area is vibrant and healthy. Natural environments are an important aspect of human health. They provide health benefits both physically and mentally, such as enhancing the aesthetics of an area. The protection of birds would ensure that residents' health and wellbeing continues to be enhanced by protecting the natural environment.

19. Appendix A contains the proposed Public Spaces Protection Order (Dog Control) with map and schedule for approval. The order includes the additional restriction on dogs between 1 October and 31 March, in the exclusion zone at Hill Head, identified in the Appendix.

Next Steps

20. If the proposed Public Spaces Protection Order (Dog Control) is approved, signage will be put in place at the designated site. The signage will be designed by Bird Aware Solent in conjunction with Fareham Borough Council. Bird Aware Solent will provide the funding for the signage.

21. If approved, the draft Public Spaces Protection Order (Dog Control) will come into effect on 30 June 2023.

Conclusion

22. Following public consultation, a draft Public Spaces Protection Order (Dog Control) has been presented for consideration and approval.

Enquiries:

For further information on this report please contact Alexander Jolley (01329 824470)