



Formal Response to London Borough of Brent Council's Public Spaces Protection Order Dog Control Measures Consultation

Submitted on 5th December 2024 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.

Overview

We understand that Brent Council has received complaints relating to dog behaviour in Paddington Old Cemetery, located in Willesden Lane NW6 and are seeking views on the rules that currently apply under your Public Spaces Protection Order (PSPO). We also note that Paddington Old Cemetery is one of four Brent cemeteries and the only one that allows dogs.

It should be noted that PSPOs are only one element of a wider toolkit available to councils to address issues related to irresponsible dog ownership. PSPOs are blunt instruments, albeit they can serve a purpose, such as tackling dog fouling and excluding dogs from children's playgrounds. It is also worth noting that pets often provide emotional support during difficult times, helping to reduce stress and anxiety. For many individuals, the presence of a familiar comforting dog can be a source of solace while grieving.

Response to proposed measures

General exclusions

Dog owners are required to provide their dogs with appropriate daily exercise, including "regular opportunities to walk and run" – in most cases, this will be off the lead while still under control. Banning dogs, or requiring them to be kept on a lead in specified areas, is likely to reduce the risk of instances like dog attacks taking place in that location. However, at best this simply displaces an aggressive dog into another location, where such restrictions don't apply. Therefore, the potential bite incident is arguably no less likely to take place. If



the restrictions result in a dog receiving less exercise, stimulation and social contact, then it is possible that this will increase the risk that a dog exhibits aggressive behaviours and the risk of a serious dog bite incident taking place, in either a public or private setting, may increase overall.

A separate consideration for the Council around excessive restrictions and moving off lead space from the large space of Paddington Old Cemetery to a much smaller space nearby like Tiverton Green. A common unintended consequence of restrictions is displacement onto other pieces of land, resulting in new conflicts being created. It can be difficult to predict the effects of displacement, and so the council should consider whether alternative sites for dog walkers are suitable and can support an increase in the number of dog walkers using them.

It is also noted in the survey some of the questions come across as loaded to receive negative feedback but no option to express if you are happy with the current measures in place. For example, when asking if you agree with dogs running around on graves – you can disagree with that statement but still want dogs to be allowed off lead. We encourage local authorities to make use of more flexible and targeted measures at their disposal, including Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can assist owners whose dogs run out of control due to them not having the ability to train a reliable recall. We can support reasonable 'dogs on lead' Orders which can, when used in a proportionate and evidence-based way for areas such as picnic areas or on pavements in proximity to cars.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect. These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog faeces can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Maximum number of dogs

We feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that can result in displacement and subsequently intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner is



dependent on a number of other factors relating to the walker, the dogs being walked, whether leads are used, and the location where the walking is taking place.

If the proposed measure is being considered as a result of issues arising from commercial dog walkers, we suggest councils instead look at accreditation schemes that have worked successfully in places like East Lothian. These can be far more effective than numerical limits as they can promote good practice rather than simply curbing the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners.

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.

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>