

Impact Needs/Requirement Assessment Completion Form

Department: Environment and Neighbourhood Services	Person Responsible: Neil Davies
Service Area: Sports and Parks	Timescale for Equality Impact Assessment : October 2011
Date: 19.10.2011(revised)	Completion date: 19.10.2011
Name of service/policy/procedure/project etc: Dog Control Orders: Brent Council parks and open spaces	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact: Minor: see detail Not found: Generally no adverse impact. Found: Generally positive impact. Service/policy/procedure/project etc, amended to stop or reduce adverse impact No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> On some employed people.	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	7. Professional Dog Walkers; clients of professional dog walkers. Yes 8. Dogs. Yes
Person responsible for arranging the review: Leslie Williams / Paul Hutchinson / Neil Davies	Person responsible for publishing results of Equality Impact Assessment: Neil Davies
Person responsible for monitoring: Neil Davies	Date results due to be published and where: As appendix 2 to Executive Committee report for 14.11.2011
Signed: L.R.Williams	Date: 19 October 2011

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Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

1. What is the service/policy/procedure/project etc to be assessed?

Dog Control Orders: Brent Council Parks and Open Spaces

2. Briefly describe the aim of the service/policy etc? What needs or duties is it designed to meet? How does it differ from any existing services/ policies etc in this area

Brent Council understands that responsible dog walkers are important users of our parks and open spaces and play a prominent role in keeping our parks safe and well used. We fully understand our duties under the Clean Neighbourhoods and Environment Act and will always seek to implement measures that we consider 'necessary and proportionate' and suited to the needs of our customers.

At the same time, the walking and exercise of dogs in parks can sometimes affect the use of parks by other park users. These users include walkers, joggers, those participating in formal and informal sport, young children and those seeking relaxation. The Dog Control Orders aim to enable all users to enjoy the Borough's parks and increase the level of usage. For example, the annual Park Surveys indicated that one of the barriers to use is the fear of packs of dogs and of dog fouling.

What is changing?

A new procedure known as Dog Control Orders is to be introduced. Existing measures will remain in place unless they are replaced by a Dog Control Order.

Brent Council Parks Service proposes to introduce three types of Dog Control Order:

(a) The maximum number of dogs which may be taken onto Brent's parks and open spaces

The Orders will restrict the maximum number of dogs to be controlled by one person to six. It will be an offence for one person to be in charge of more than six dogs in any of the Boroughs Parks or Open Spaces.

(b) Areas where dogs would be excluded

The Orders designate areas where dogs are not permitted at any time. This applies to all playgrounds, multi-use games areas, tennis and netball courts and bowling greens. It will be an offence for anyone in charge of a dog to take the dog onto, or permit the dog to enter, or to remain in such designated areas. This does not apply to registered blind people, deaf people or other people with disabilities who make use of trained assistance dogs.

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(c) Areas where dogs are to be kept on leads

The Council has designated areas where dogs must be kept on a lead. These include all of its smaller/pocket parks, areas containing flower beds, walled gardens and other such areas where the walking of dogs 'off lead' is deemed inappropriate. (See site list). This does not apply to registered blind people, deaf people or other people with disabilities who make use of trained assistance dogs.

Note: Brent Council views these proposals as reasonable and are in no way seeking to disadvantage either dogs and/or dog walkers. Rather the proposed Orders are sensible measures to facilitate safe dog walking in what we deem appropriate places/open spaces within the borough. It is estimated that dogs can still be walked 'off lead' in over 90% of the green space available in Brent.

Has much changed?

The majority of parks and open spaces will have no change to the current measures in place. Generally, the changes will be to:

- introduce greater control of dogs in more sensitive areas namely sports areas, some of our smaller/pocket parks, and three areas of high amenity value. See list of areas.
- limit the number of dogs walked by any one person to six.
- exclude dogs from all children's playgrounds, multi-use games areas, bowling greens, tennis and netball courts.

Dog Control Orders are being introduced by other London Boroughs and by local authorities outside of London. At least 15 other London Boroughs have or are introducing Dog Control Orders or are investigating their introduction. Details may differ between Boroughs.

3. Are the aims consistent with the council's Comprehensive Equality Policy?

This policy is consistent with the Council's aim to ensure that the services we provide are relevant to the needs of all sections of the communities. There may be some minor negative affects on some individuals but outweighed by positive affects on the same groups. Some employed people, (small businesses, employed, employees, clients employed elsewhere) and some others may be negatively economically affected by the reduction in the maximum number of dogs that can be walked but this can be considered as an economic externality that is not currently priced – while the proposals will lead to social, environmental and economic benefits to others. Officers are of the view that the benefits to many will outweigh any adverse impact.

The proposals are expected to have a generally neutral impact on dogs.

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

Each Dog Control Order is considered in turn. Note that each of the proposals is expected to have generally neutral impact on dogs.

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Areas where dogs would be excluded:

This proposal will apply to a large number of locations (playgrounds, multi-use games areas, tennis and netball courts and bowling greens, (these are areas currently covered by our existing byelaws) but generally to only a small proportion of each park or open space. Other dog walking routes will be readily available. This will therefore have only a very minor adverse impact on groups that could be expected to be negatively impacted: for example the elderly and disabled. There will also be an exemption for registered blind people, deaf people or other people with disabilities who make use of trained assistance dogs. Positive impacts are expected for all groups of people.

Areas where dogs are to be kept on leads:

This proposal will apply in smaller parks and in areas such as gardens containing flower beds and walled gardens. This will therefore have only a minor adverse impact on groups that could be expected to be negatively impacted: for example the elderly and disabled. However, some people who would previously have walked a dog in designated small parks may need to walk or travel to a larger park elsewhere if they want to walk dogs off the lead. There will also be an exemption for registered blind people, deaf people or other people with disabilities who make use of trained assistance dogs. Positive impacts are expected for all groups of people.

Limiting to six the maximum number of dogs which may be taken onto land and controlled by one person:

This proposal is expected to have a negative economic impact on employed dog walkers, on their clients employed elsewhere; and on clients who are disabled or elderly. The proposals could possibly make the service provided by some dog walkers unviable and/or increase the prices charged to clients. However, the current situation, where there is no limit to the number of dogs walked by dog walkers means that negative impacts on the environment (e.g. uncollected faeces) and on the enjoyment of other people using parks are effectively market externalities (i.e. some people receive the benefits of a 'free' service while the environment, other Council tax payers and park users pick up their costs). The proposals are expected to benefit most other park users.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make your judgement separately (by race, gender and disability etc).

The evidence that has been used to make this judgement is from several sources. Firstly, a considered but subjective analysis of each part of the proposal in comparison with groups of people (and dogs) who may be affected; and secondly the results of consultation. The summary of the consultation is presented below:

Consultation Summary

Consultation was undertaken in two parts. A pre-consultation ran between 7 February and 5 April 2011, albeit a number of responses were based on aspects of a media report which contained some inaccuracies. Respondents were advised of the forthcoming formal consultation and this second part of the consultation was available through Brent Council's online Consultation Tracker and ran from 29 March to 3 May 2011.

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The pre-consultation resulted in 66 responses. Some respondents may have submitted more than one response; while some stated that they were representing more than their own view. These responses were analysed by considering the themes and points raised, which approximated to 341 specific comments. The distinction between comments on exclusion of dogs in some sensitive areas of parks and keeping dogs on leads was blurred. Responses were received from non-dog walkers, dog walkers and from professional dog walkers. The formal consultation was facilitated via an electronic questionnaire on the Brent Council Consultation Tracker with paper copies available on request. It was open to all Brent residents and other interested parties. However, the number of responses was lower (40) than that for the pre-consultation (66). Some respondents may also have commented during the pre-consultation period. Respondents were not asked to identify whether or not they were dog walkers, professional dog walkers, clients of dog walkers, or non-dog owning / walking park users. Many did however identify their interest in their comments.

Summary of key points raised by respondents

- There was general support that dogs should be excluded from children's playgrounds, bowling greens and tennis courts.
- There was mixed support, for and against, that dogs should be kept on leads in sports areas, some smaller pocket parks and areas of high amenity value.
- There were a wide range of views on limiting the numbers of dogs that can be walked by a single person to six.
- Residents and park users need to be kept informed when the Dog Control Orders are introduced.
- Some sports have particular problems with shared-use of pitch space. Fenced play areas, tennis courts etc. are specifically covered by the new proposals; but cricket wickets are also vulnerable. Rugby was cited during the consultation due to contact of players and children with the ground. However, it may not be practicable to exclude dogs from all such sports areas: policy and guidance needs to be clear on whether sports pitches are included in any restrictions.
- Rules need to be as clear as practicable in relation to any areas where there are restrictions on dog walking or keeping dogs on leads.
- Guidance should be produced in plain English and should avoid the use of the acronym 'MUGA' or even 'Multi Use Games Area'.
- A wide range of dog related legislation already exists. The new Dog Control Orders will contribute to responsible dog ownership in parks. The council should bear in mind that a wide range of park users (dog owners and non-dog owners) are of the view that the council is not enforcing the existing legislation; and that this will be made more difficult with reductions in Warden Services. Respondents asked if there will be more training for grounds staff and officers.
- Many park users and dog owners would agree that dog walkers should be restricted to a maximum of six dogs, though there is also support for the limit to be four dogs. The legislation allows for specifying the maximum number of dogs walked together by one dog walker, rather than the maximum number of dogs walked together, which may be different. The above view is not shared by professional dog walkers and their clients, who would prefer no stated limit. In introducing the limit, the Council should be mindful that there will be an economic effect on a small number of professionals; however, there is a view that a proportion of these are using Brent's parks following limits to the maximum number of dogs implemented by other London boroughs.
- Numerous comments referred to individual parks. A local press report, not originating from the Council, had given the impression that there could be a requirement that dogs would need to be kept on leads throughout Gladstone Park. Respondents to the consultation raised much opposition to keeping dogs on leads at Gladstone Park; and indicated that while some areas should be dog free, that in the other areas of the 'Pleasure Grounds' of the Park that it could be practical for dogs to be walked off the

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lead. The only areas where dogs will be required to be kept on leads will be the Walled Garden. Dogs will be excluded from the playgrounds, multi-use games areas, tennis courts and bowling greens. But dogs will be able to be walked off the lead throughout the large majority of Gladstone Park.

- At King Edward VII Park (Willesden) comments tended to the view that dogs should be kept on leads.

Recommendations The consultation process informed the final version of the proposed Dog Control Orders and of their implementation. Changes included the addition of King Edward VII Park (Willesden) to the list of areas where dogs are to be required to be kept on leads; the need to communicate the Dog Control Orders when they are introduced; and that a review be held after one year of the maximum number of dogs that can be walked by one person.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

As far as is practical the proposals include exemptions for blind people, deaf people or other people with disabilities who make use of trained assistance dogs. The effect on employment (employed people; and their employed clients) has been considered above. The proposals are expected to have a generally neutral impact on dogs.

It is not possible to consult directly with dogs that may be affected. However, the proposals are considered to be at least neutral to their welfare, and possibly positive. There was some concern by some consultees that the opportunities for dogs to be exercised may be restricted as part of the proposals. However, while dogs will be excluded from some areas of park and sport facilities, large areas of parks will remain available for dog walking.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

The proposals have also been discussed with officers from other Councils; and with Government Departments as appropriate.

The limit to 6 dogs follows guidelines provided by the Kennel Club.

External consultation was undertaken via the Brent Council Consultation Tracker and a summary is provided as part of the evidence (see 5 above).

It is not possible to consult directly with dogs that may be affected.

8. Have you published the results of the consultation, if so where?

The consultation summary will be on the Consultation Tracker.

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

Press reports prior to the formal consultation suggested that some people (and dogs) would be affected; however, the original press report was inaccurate in several respects.

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be

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justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

The view of Council officers, and of many consultees (including some dog owners) was that the proposals were reasonable and did not unduly restrict the walking of dogs or people. A few changes were made to the proposals as a result of the consultation. Moreover, the view of officers is that the proposals will enhance the use of parks and some sport facilities for many people and groups of people, and will also reduce environmental problems.

11. If the impact cannot be justified, how do you intend to deal with it?

The minor negative impacts (see sections above) can be justified. Where there are negative impacts; there are alternative routes, parks or arrangements available for dogs and dog owners. In general, the positive impacts out-weigh the negative impacts.

12. What can be done to improve access to/take up of services?

The proposals are expected to enhance some play, sport and other areas of parks which should make them more inviting to park / sports users.

13. What is the justification for taking these measures?

The Dog Control Orders enable more control, primarily aimed at reducing anti-social behaviour, damage to sensitive areas (e.g. flower beds) and reducing dog-fouling on sports and parks; and control of large groups of dogs. Responsible dog walking is already the norm by most dog owners: these proposals are primarily aimed at the minority, irresponsible use of park and sport facilities.

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

Monitoring proposals will consist of a review by officers after the first full year of implementation. Contact: Neil Davies.

15. What are your recommendations based on the conclusions and comments of this assessment?

Recommendations

- The Dog Control Orders should be implemented. The implementation should be backed up by a communication campaign to address some of the points raised during the consultation process.
- The communication campaign should comprise a presence at six roadshows organised by the Animal Welfare team, liaison with Brent BARK forum, updates in the Brent Magazine and posters on park noticeboards. The campaign should prioritise the use of plain English and avoid acronyms wherever possible.
- Issues identified during the consultation relating to dog fouling in public open spaces are covered under the Clean Neighbourhoods and Environment Act 2005 (section 55.) Allotment sites, sports pitches and cemeteries are all covered by the act in addition to parks and the importance of responsible dog ownership should be stressed as part of the communication campaign.

Should you:

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1. Take any immediate action? **No**
2. Develop equality objectives and targets based on the conclusions? **No**
3. Carry out further research? **Review after one year the maximum number of dogs that can be walked by one person (see section 5, above).**

16. If equality objectives and targets need to be developed, please list them here.

See (15) above.

17. What will your resource allocation for action comprise of?

Within existing budget: officer time.

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment:

Full name (in capitals please):

LESLIE WILLIAMS

Date: 19 October 2011

Service Area and position in the council:

Strategy and Service Development Officer, Sports and Parks, Environment and Neighbourhood Services

Details of others involved in the assessment - auditing team/peer review:

Neil Davies, Strategy and Service Development Team, Sports Service.

Paul Hutchinson, Sports and Parks Service

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**