

Committee(s):	Date(s):
Epping Forest and Commons	12 January 2015
Subject: Annual update of dog incidents within Epping Forest and the Buffer lands, 1 December 2013 to 30 November 2014	Public
Report of: Superintendent of Epping Forest SEF 02/15	For Information

Summary

This report informs your Committee of the level of dog-related incidents, recorded on Epping Forest and the Buffer Lands that have been reported to Forest Keepers between December 2013 to November 2014, together with the number of prosecutions and official warning letters for dog-related offences. This annual report now covers a twelve month period between December through to November 2014 to allow year on year reporting of a comparative period.

This is the third annual report in this series and it shows that there is continuity in the figures shown for the five categories of incidents monitored and that further monitoring is necessary to identify any long term trends.

There have been 507 reported incidents from 1 December 2013 to 31 November 2014, identical to the overall figure for the same period in 2012/13. The latest figures confirm a continuing fall in a range of dog-related incidents, particularly dog attacks on people, other animals and other dogs. Dog fouling reports have also fallen. In contrast there has been a further increase of incidents involving dogs not under effective control, which have risen by 25.8% from 310 to 390 incidents.

The report also updates your Committee on the progress of the introduction of revised Dog Control Orders (DCOs) launched in January 2014 by the London Borough of Waltham Forest and plans to work with London Borough of Redbridge on the enforcement of their DCOs.

Recommendation(s)

Members are asked to:

- Receive the report

Main Report

Background

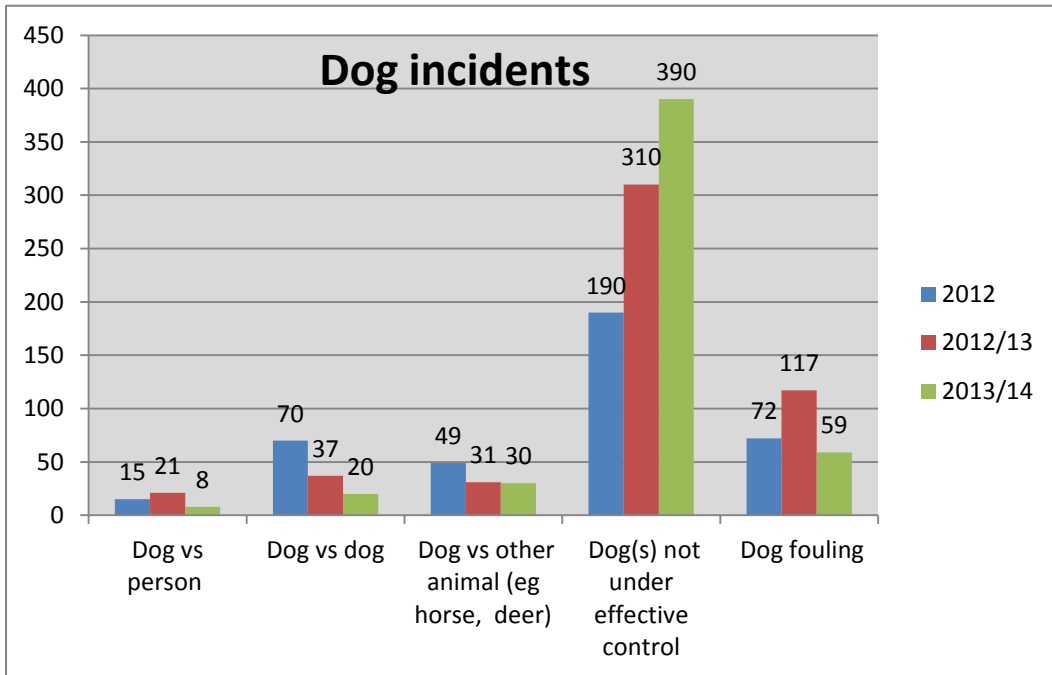
1. Sections 7(1) and 9 of the Epping Forest Act 1878 extend a clear statutory right for the public to use Epping Forest as an open space for recreation and enjoyment. Dogs are generally accepted in law as a 'natural accompaniment' to walkers, provided they are kept under control. While the Epping Forest Act 1878 does not refer specifically to dogs, byelaws can (and have) been made under section 36 to control dogs on Forest Land.
2. The Epping Forest Visitor Survey for 2014 calculates that dog walkers comprise 1,232,000 or 28% of all visits by dog walkers each year, compared to overall visits totalling 4.4 million per year. This shows an increase of 8% on the figures calculated by the 2010/11 visitor surveys, possibly though the use of refined survey techniques and timings. This is still lower than the national average for dog walking visits to Open Spaces which accounts for 51% of all walks in Open Spaces (Forestry Commission 2012). This difference may still reflect the general survey difficulties of intercepting visitors on such a large site and in particular the timings of the current Epping Forest survey work which may undercount early morning and late evening dog walking.
3. A number of surveys have also recognised that dog walking can have physical, psychological and social benefits for dog walkers and indeed dogs. There has been little companion research around the impact of the fear of harassment by uncontrolled dogs that may restrict public enjoyment of open spaces. Dogs are regularly cited in the nuisance related concerns raised by Epping Forest Visitor Survey questions, the figure from the 2014 survey is 19%, a marked increase on the 2012/13 figures and almost reflecting the highest result of 20% in 2010.
4. Dog walking can also conflict with Epping Forest's conservation management responsibilities. Epping Forest's conservation designation as a Site of Special Scientific Interest (4268.16 acres – 70%), and Special Area of Conservation (3964.35 acres – 65%) place responsibilities on the Conservators to positively manage the Forest for species and the habitat interest. Conversely, uncontrolled dog walking can disturb ground nesting birds; disturb wildlife especially deer, sometimes resulting in Deer Vehicle Collisions, while dog faeces and urine are a major source of nutrient enrichment in soils.
5. Your Committee of 10 May 2004 approved the Epping Forest Management Plan 2004 – 2010. That document sets out broad principles by which the Conservators intend to manage the sometimes contradictory pressures arising from its six statutory responsibilities and the conflicts that inevitably arise from shared public use of open spaces. Greater emphasis will be placed on the management of dog-related matters in the new Management Plan.

6. The continuing popularity (see 2) of Epping Forest with dog walkers provides a real challenge in managing the impacts of dogs on Forest Land. In 2009 and following consultation with visitors, the site introduced a 'PAWS in the Forest' education-based scheme designed to promote responsible dog ownership in Epping Forest and a dedicated forum for dog walkers. More recently Forest Keepers have organised several successful events such as "Paws in the Park" and "Paws at the View" along with other dog training and behaviour lectures at various sites around the Forest. This has strengthened the Conservator's overall commitment to healthy exercise and good behaviour for dogs and their owners.
7. The Clean Neighbourhoods and Environment Act 2005 introduced powers for Primary Authorities to make Dog Control Orders (DCOs). The Common Council of the City of London was designated as a Secondary Authority from 31st May 2012 in its open spaces outside the City. This enables it to make DCOs where the relevant Primary Authority has not already made an Order in respect of the same offence on the same land.
8. As outlined in a report to your Committee of 10 September 2012 (Appendix 2), a number of Primary Authorities have implemented DCOs affecting Forest Land. The London Boroughs of Newham (LBN), Redbridge (LBR) and Waltham Forest (LBWF) have all introduced DCOs for public open space in their jurisdiction. The LBN 2010 and 2011 DCOs cover Forest Land at Manor and Wanstead Flats, while the LBR 2010 DCOs include all Forest Land from Wanstead Flats to Woodford Green. The LBWF introduced new DCOs in 2014 which now include Epping Forest land and after training Epping Forest Keepers will be authorised to record breaches of the said DCOs and to carry out joint enforcement operations with LBWF officers.
9. In 2012 Epping Forest District Council (EFDC), after consultation with the Public and the City of London, introduced three DCOs to cover all land open to the public within the whole of the District including land owned by the City of London, as reported in the above mentioned report to your Committee. Epping Forest Keepers are authorised to record breaches of the said DCOs and to carry out joint enforcement operations with EFDC officers.

Current Position

10. There have been 507 dog-related incidents reported to the Epping Forest Conservators during the period 1 December 2013 to 30 November 2014, exactly the same overall figure as during the same period in 2013/12. This included 8 dog attacks on members of the public (down 13 or 62% in previous year); 20 dog attacks on other dogs (down by 17 or 46%); 30 dog attacks on other animals, principally horses, together with a further 390 incidents of dogs not being under effective control (up 80 or 26%). See Table 1 below.

Table 1



11. There have been no prosecutions for dog-related offences in the current year, but one official warning letter has been issued by the Superintendent for dog-related offences during the period of this report. The figures in Table 1, above, show a decrease in four of the areas monitored. While there is a marked increase in the number of “dogs not under effective control” reported to Forest Keepers.
12. Forest Keepers are currently in discussion with Officers from the London Borough of Redbridge in an effort to form a working partnership with them to carry out joint enforcement of their DCOs that include Forest land as outlined in 8. Above.

Corporate & Strategic Implications

13. The City Together Strategy is directly supported by the enforcement of byelaws within the City of London Open Spaces. In particular this strategy matches the *City Together* theme of “a World Class City which – protects, promotes and enhances our environment:
 - To promote and enhance safe access to the City Of London Open Spaces;
 - To improve people’s health, safety and welfare within the City Of London Open Spaces environment through proactive and reactive advice and enforcement activities;
 - To protect and enhance the City of London Open Spaces environment and public realm;

- To conserve and enhance biodiversity within the City of London Open Spaces;
- To continue to ensure the City of London Open Spaces are a safe place in which to do business, work, visit and live

Implications

14. **Financial** - There are no immediate costs associated with the support of EFDC and LBWF DCOs. Epping Forest would expect to meet the costs of any training required to enable Forest Keepers to support LBWF Officers with enforcing their DCOs. The income from FPNs would be received by the relevant local authority.
15. **Legal** - The Clean Neighbourhoods and Environment Act 2005 and associated regulations (Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 and the Dog Control Orders (Procedures) Regulations 2006) allow local authorities, parish councils and some other bodies to introduce DCOs. They provide for five offences to be prescribed in a Dog Control Order:
 - 15.2. failing to remove dog faeces;
 - 15.3. not keeping a dog on a lead;
 - 15.4. not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
 - 15.5. permitting a dog to enter land from which dogs are excluded;
 - 15.6. taking more than a specified number of dogs onto land.
16. The above legislation has now been superseded by “The Anti-Social Behaviour, Crime and Policing Act (2014) which gives new powers to local authorities and the police to deal with irresponsible dog owners.
17. The new law came into effect on 20 October and includes Community Protection Notices which are intended to reduce the number of irresponsible owners that allow their dogs to be out of control in public places, by targeting them at the first signs of anti-social behaviour.
18. **HR** - The Forest Keepers at Epping Forest currently issue summonses in the magistrates’ court for offences under the Epping Forest byelaws and the Environmental Protection Act 1990. It is proposed that they will also enforce the DCOs through the issue of FPNs alongside Local Authority Enforcement Officers, Local Authority Dog Wardens and Local Neighbourhood Policing Teams Police Community Support Officers. Training has already been given by EFDC and will also be given by LBWF.

Conclusion

19. Dog walking is undoubtedly an important pursuit for a substantial number of visitors to Epping Forest. The figure of 507 reported incidents represents a very small percentage (0.04%) of the estimated 1,232,000 dog visits to Epping Forest. While the benefits of dog walking to individual visitors are very clear, a lack of effective dog control and responsibility by owners can have a detrimental impact for some Forest visitors; their dogs; wildlife and the wider environment.
20. The introduction of DCOs with growing consistency across all public open space in Epping Forest District, including City of London Epping Forest land, is a good example of inter-Authority cooperation and offers a real opportunity to encourage consistent and responsible dog ownership which should benefit all visitors to Epping Forest and its wider environment.

Appendices

- None

Background Papers:

Epping Forest and Commons Committee 10 September 2012

SEF 25/12

Consultation by Epping Forest District Council on the introduction of three Dog Control Orders on public open space, currently including Epping Forest Land

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