

Committee(s):	Date(s):
Epping Forest and Commons Committee	16 th January 2016
Subject: Review Report: Dog Control Orders at Burnham Beeches	Public
Report of: Superintendent – The Commons	For Information

Summary

At the September 2014 meeting of this committee Members approved the introduction of Dog Control Orders (DCOs) at Burnham Beeches commencing 1st December 2014. As part of that approval the Superintendent was required to produce an update report in July 2016 and a 'full review' in January 2017. The purpose of each report being to investigate the impact and effectiveness of DCOs on the site.

This report meets that final requirement and summarises the main findings of the data collected during the two year period commencing the introduction of DCOs i.e. 1st December 2014 until 1st December 2016. Background information can be found in the appendices to this report.

The data indicates that, since the introduction of DCOs at Burnham Beeches:

- The number of dog related incidents reported annually has declined sharply
- Schedule 2 (Dogs on Lead) has provided greater reductions in dog related incidents than Schedule 3 (Dogs off Lead)
- Annual visitor numbers have increased and are currently stable
- Annual car numbers decreased and are currently stable
- Annual dog numbers decreased and are currently stable
- Site income shows no directly attributable reduction. Donations remain buoyant.
- Neighbouring open space property managers do not report an increase in dog related issues or numbers.

Officers are encouraged by the demonstrable improvement in dog related behaviours at Burnham Beeches since the introduction of DCOs.

Recommendation(s)

Members are asked to:

1. Note the contents of this report.
2. Take its findings into account when considering the related report seeking approval to authorise the Superintendent to consult on extending the DCOs at Burnham Beeches beyond November 30th 2017.

Main Report

Background

1. On the 9th September 2014 meeting of this committee Members approved the introduction of the following Dog Control Orders at Burnham Beeches.
See Appendix 1. Map - DCO Schedule Areas.

Schedule 1. Fail to remove dog faeces. To be applied across the whole site.

Schedule 2. Fail to keep a dog on a lead in an area so designated. To be applied across 59% of the site.

Schedule 3. Fail to put and keep a dog on a lead when directed to do so by an authorised officer. Maximum lead length to be 5m. To be applied across 41% of the site.

Schedule 4. Permit a dog to enter land from which dogs are excluded. To be applied only to land covered by the existing zone around the Burnham Beeches café since 2007.

Schedule 5. Take more than 4 dogs on to the land. To be applied across the whole site.

2. Members requested that the Superintendent produce a DCO update report in July 2016 and a review report in January 2017 so that they may assess the impact and effectiveness of DCOs at the Beeches. To provide an assessment framework staff at Burnham Beeches devised a monitoring programme.
3. The summary data collated during the monitoring period is set out in the remainder of this report in three distinct sections.
4. Further details are provided in **Appendices 2 – 5** which should be referred to for all supporting Charts, Tables.

Section 1 – Findings of the 2016 Visitor numbers survey. NB. All data quoted in Section 1 is based on the moving average across the year.

5. Visitor number surveys have been carried out on an occasional basis (approximately every 6 years) since 2002/03. Each survey takes the form of a series of observation days at set access locations spread throughout the year. These observation sessions collect visitor and dog numbers per car and pedestrian, horse rider, cyclist and wheelchair user numbers. This data is then 'fed' into a site specific statistical model that uses the total number of cars counted into the site by the automated traffic counter on Lord Mayors Drive, to calculate how visitor numbers vary over time.
6. The 2015/16 visitor numbers survey has recently been completed and shows some interesting trends that are helpful in teasing out the effect of the various changes in management to the site over the extended monitoring period.
7. The introduction of DCOs is not the only factor when interpreting annual visitor, dog and car numbers to the Beeches. Other factors such as the introduction of car park charges and their subsequent increase, as well as weather patterns must be also be considered when interpreting change.

Annual vehicle numbers 2008 – 2016. CHART A.

8. Data indicates that vehicle numbers per annum were at their highest in 2009/10 and had started to decline just before the introduction of car park charges in 2011. The decline steepens after car park charges were introduced and reached their lowest point in 2013 when they increase slightly before commencing a shallower decline in mid 2014 i.e. prior to the introduction of DCOs.
9. This very shallow decline continues after the introduction of DCOs with the main reduction mainly occurring some 7 months after the date that DCOs were introduced. This decline continued after the increase in car park charges introduced in April 2016 and now appears to have stabilised.
10. As will be noted below visitor numbers have increased as car numbers have fallen. The underlying data indicates a modal switch when visiting the site from car use to walking and cycling. This is beneficial to the local environment (less traffic, air pollution etc.) but makes the delivery of income targets harder to achieve. Overall, the current situation seems to be a helpful improvement.

Estimate of annual visitor numbers. 2008 – 2016. CHART B.

11. Visitor numbers rose and peaked in 2010/11 at around the time that car numbers peaked. They then fell quite steeply when car park charges were introduced in 2011 and stabilised in mid 2012.
12. Visitor numbers began to increase at the point that DCOs were introduced and then peak at the time that car park charges were increased from £2/day to £3/day. At the present time annual visitor numbers appear to be stable.
13. A statistical analysis of the data shows a correlation between visitor numbers and sunshine (more sunshine = more visitors). Therefore, visitor numbers may fluctuate according to the clemency of a particular long term weather pattern irrespective of local management activity.

Estimate of annual dog numbers 2008 – 16. CHART C.

14. Annual dog numbers to the site peaked in 2010/11 and broadly followed the same decline as visitor and car numbers at which point they stabilised. They fell again less abruptly when DCOs were introduced with the decline stabilising approximately one year later. Dog numbers remain stable and show some slight sign of further growth.
15. This pattern may indicate a loss of a small number of regular dog walkers and the slight increase either by their subsequent and partial return or replacement by an influx of new dog walkers.
16. Estimates of dog numbers prior to 2010 are less reliable as, until that time, they were based on what could be seen as the car was driven past. Since 2010 all cars have been stopped and dog numbers have been manually counted. Other factors such as the introduction and/or increase in car park charges at neighbouring open spaces at this time may also have led to an increase in dog walkers at the Beeches where parking remained free until August 2011.

17. The combined data indicates that, along with car numbers, dog numbers have decreased at a time when visitor numbers have increased. The data indicates that car park charges have longer term impact on visitor and dog numbers than the introduction of DCOs in 2014 although it is difficult to conclusively separate their combined and various impacts.

Section 2. Outcome of monitoring programmes to date. TABLES 1-9 and CHARTS D - M

19. This section looks at dog related incident's across prior to and since the introduction of DCOs and builds upon the report to this committee of July 2016.
20. Since the introduction of DCOs Rangers have adjusted their patrol activities slightly to facilitate the consistent reporting of incidents and to generally improve their visibility to all site visitors. For example, the Rangers now carry the DCO explanatory leaflets with the instruction to use for any DCO offence. They also carry out the transect walks mentioned later in this report.
21. The data is complex but the 'headlines' are shown below and generally indicate that:
 - a. There has been a sharp decline in the number of both 'nuisance' and 'serious' DCO approaches reported each year to maintain.
 - b. This decrease is reflected across all DCO Schedules.
 - c. Of a total of 1001 DCO challenges carried out a very small number (5.7%) have had a negative response from the visitors concerned.
 - d. The majority of challenges involve 'dogs off lead' in the Schedule 2 area and whilst the percentage of this type of offence has remained broadly constant, the actual number of incidents has seen a major reduction.
 - e. There has been a sharp decline in 'serious incidents' on the site with no 'serious' DNUEC (Dogs Not Under Effective Control) incidents in the Schedule 2 (dogs on lead) area. All that have occurred have done so in the Schedule 3 (dogs off lead area).
 - f. The number of lost dogs reported or otherwise dealt with by staff has decreased.
 - g. Many 'improvements' in dog related behaviours appear to have started during the DCO consultation period i.e. shortly before their formal introduction.

DCO Signage.

22. 43 DCO signs have been vandalised and replaced over the period. Whilst this is 4 more than in the July 2016 report the number of incidents has dwindled significantly following assistance from site visitors and ranger activity. Each sign costs approximately £12 to purchase and erect on site. The total cost of vandalism is approximately £516.

Number of Fixed Penalty Notices (FPNs) Issued for DCO offences.

23. No FPNs were issued at the time this report was drafted. Five people (an increase of 2 since July 2016 report) have received final warning letters and

will be issued with an FPN (or will appear in court) if found to be in breach of any DCO. One of these individuals has recently been informed of the City's intention to seek a prosecution for very serious Byelaw and DCO offences. One person's details are being traced so that they may also receive a final warning letter.

24. Given that the site has welcomed over 300,000 dog visits during the monitoring period the extremely low use of FPN's or Magistrates Court is a welcome outcome and indicates that the Dog Management Strategy and Enforcement Protocols developed and implemented by Officers are working in an effective, fair and proportionate manner.

Use of Dog Bags

25. Use of dog bags provided by the City at the site can act as a rough monitor of the level of dog walking at the Beeches although figures can be distorted by periods where individuals take large numbers of bags for use elsewhere. During the initial DCO period use of dog bags fell to levels last recorded in 2012/13. This equates to the potential loss of around 40 - 50 regular dog walkers from the site. That reduction appears to have been temporary as dispenser records since April 2016 indicate that numbers are returning to and may soon exceed their previous high.

Dog Mess incidents

26. There has been a dramatic reduction in dog mess found on site since the introduction of DCOs. This effect is most marked in the Schedule 2 area where dogs are required to be on lead at all times.
27. There is some indication that more dog mess is left on site in the winter period when daylight hours are. This 'effect' may be due to the relative difficulty of monitoring dog behaviour in darker conditions perhaps indicating a further benefit concerning the use of leads under these conditions.

Transect Data – Compliance with Schedules 2 and 3. Table 10 and Appendix 4.

28. Two transects were designed by the site's Conservation Officer that could be walked as either a single long transect or two shorter ones. They cover both Schedules 2 and 3 and are designed to indicate compliance levels for each schedule.
29. Data sitting beneath the headline figures for Schedule 2 (dogs on leads) indicates that the lowest compliance was recorded during the earliest transects i.e. closest to the introduction of DCOs. Compliance levels thereafter appear to improve significantly over time with a slight increase in non-compliance in the last 12 months. The level of compliance remains high (currently fluctuating between 100 and 67%) with the lower figure perhaps reflecting the occasional need to raise the Rangers' presence.
30. Data for the Schedule 3 (dogs off lead) area indicates a higher level of dogs being kept on lead than anticipated. The reasons for this would benefit from further study

Section 3 – Issues and concerns raised during the 2014 DCO consultation process. TABLES 11-17 and CHARTS N-Q

31. A range of concerns were raised by the public during the DCO consultation period in 2014. These are now examined and compared to the data gleaned during the monitoring period.

A. Concentrating dogs on the Main Common and Café area (Schedule 3, dogs off leads) will see an increase of incidents in these busy areas.

32. The data indicates a reduction in reported incidents in the Café and Main Common Areas following the introduction of DCOs. These areas are both within the Schedule 3 'Dogs off Lead' area.

33. It is evident that the overall, dog behaviour across all parts of the Schedule 2 and 3 areas have improved.

34. The underlying data also indicates a reduction (to zero) of incidents in the other busy areas around the ponds and easy access paths. These areas are within the Schedule 2 'Dogs on Lead Schedule'.

B. Dog walkers will show a preference for the Schedule 3 (Dogs off leads) area

35. A survey was conducted in 2016 to indicate patterns of visitor activity. This allows a comparison of similar data (not exact) collected in 2013.

36. A random sample of visitors were given GPS devices (or filled in paper maps) and their movements were tracked across the site during their visits. Visitors were also asked a few standard questions to facilitate data analysis.

37. Whilst the lengths of routes walked between 2013 and 2016 remain very similar the data indicates that the western side of the site (dogs on leads) appears to be used slightly less than it was pre DCOs with the balance appearing in the eastern side (dogs off leads). Some dog walkers clearly prefer to use the Schedule 3 area so that their dogs may be exercised off lead. However, many other dog walkers continue to use the Schedule 2 (dogs on leads) area.

C. Dog Walkers will leave Burnham Beeches and use other local open spaces.

38. It was suggested by some that dog walkers would 'desert' the Burnham Beeches and any associated problems would move to other local open spaces. This was of particular concern to local Councillors.

39. When compared to a similar survey in 2013 the 2016 GPS survey indicates that the percentage of dog walkers using the site has remained generally constant. However the visitor numbers survey indicates a decrease in dog numbers and an increase in visitor numbers so it seems that the picture is complex and that it is difficult to draw conclusions on this matter for the time being. However, in general the data suggests that any loss of regular dog walkers from the Beeches has been low and is currently stable.

40. To further investigate this issue the main local open spaces were recently contacted in May 2016 and again in December 2016 to seek any observed changes since the introduction of DCOs at Burnham Beeches:

A. Buckinghamshire Country Council - Black Park Country Park, Langley Park and Denham Park.

- i. Have not reported any significant displacement of dog walkers to their sites since December 2014 nor do they report any increase in dog related incidents/issues.
- ii. Black Park reports an increase in commercial dog walkers during the period i.e. people bringing over 4 + dogs. The site aims to introduce a licensing scheme to manage this activity. Burnham Beeches Rangers' have not noted a marked reduction in commercial dog walking at the site. Other recent influences that might explain this increase are the licensing of commercial dog walkers at the Royal Parks and parking restrictions at Windsor Great Park.
- iii. There has been a drop in reports of lost dogs and dog on dog incidents.

B. The National Trust - Cliveden

- i. Visitor numbers have not shown an increase over last 3 years
- ii. Commercial Dog walking is not allowed however they report an increase in this activity since the introduction of DCOs at Burnham Beeches. The NT's dog policy will be re-launched and will emphasise rules concerning commercial dog walking.
- iii. Anecdotally the Trust's managers feel that they have seen an increase in dog numbers in recent years but not suddenly over the last couple of years – just a gradual year on year increase.

D. *'Reputational harm' will be caused to the City if DCOs are introduced'*

41. The number of comments received over the two year reporting period is very low (38) and decreasing further with the passage of time.
42. The number of complaints outweighs the neutral and supportive comments although some of this difference is due to the incidence of repeat complaints from the same individuals.
43. Press activity since the introduction of DCOs has been extremely low (1).
44. Visitor feedback from the 60 second surveys shows a relatively small response concerning dog issues at Burnham Beeches since the introduction of DCOs on the site. The data sitting beneath these figures indicates that those comments 'for' and 'against' the introduction of DCOs remain quite balanced with increasing support for DCOs during 2016/17.

E. *Income to the site will fall dramatically due to fewer visitors to the site.*

Car Park income – donations via car park machines during normal weekdays

45. Donations to the charitable activities of the site via the car park machines have stayed remarkably consistent over the last 5 full years with donations in 16/17 being higher than in the previous three years.

Car Park Income – Charges for parking at weekends and Bank Holidays

46. Car numbers have been in decline since 2009/10 following a series of management control measures designed, in part at least, to encourage other modes of transport as well as to generate income.
47. There has been a reduction of around £10,000 (approx. 13%) in car park takings from 13/14 – 14/15. However, it should be noted that DCOs were not introduced until the fourth quarter of that financial year so their impact may only account for a proportion of that amount.
48. Car park charges were increased from £2/day to £3/day on 1st April 2016 and this has provided an annualised 20% increase in income in 2016/17 and since the introduction of DCOs.
49. These factors, plus any variance in seasonal weather conditions, combine to increase the difficulty of isolating the impact of DCOs on car park income but separately each factor would appear to have had a small impact.

Café Income.

50. Café income (figures excluded for this public report) shows a plateau in the period 2013-15 which includes part of the DCO period. There is a decline in income thereafter of approximately 13%.
51. When compared to the findings of Section 1 of this report it is notable that this decrease comes at a time when annual visitor numbers have increased. There is nothing locally to suggest that dog walkers spend more money at the café than non dog walkers although this would make an interesting study.
52. For the time being it would appear that reasons for the decline in café income are complex and at least as equally influenced by the recent rise in car park charges and long term weather patterns as they are the introduction of DCOs. Increased competition from the nearby Costa Coffee (and others) may also be relevant.

General donation income

53. 'Donation badge' income has stayed comparable year on year. At the 11 month stage 2016 is a record (calendar) year.

Next Steps

66. Officers propose to continue all monitoring programmes
67. In a subsequent report members approval is sought to authorise the Superintendent to consult on extending the effect of the existing DCOs at Burnham Beeches beyond 30th November 2017 as Public Space Protection Orders.

Conclusions.

54. This report seeks to provide members with an update on the effectiveness of DCOs at Burnham Beeches. Whilst the data would continue to benefit from a

longer monitoring period it has now been running for a period of two years and much of it for considerably. As such your Officers summarise as follows:

- i. Annual visitor numbers have increased since the introduction of DCOs.
 - ii. Annual car numbers recorded have decreased on the site has forming part of long term trend commencing 2011. More people are now walking and riding to the site.
 - iii. Annual dog numbers have fallen since the introduction of DCOs on the site. This figure is currently stable.
 - iv. There is a correlation between sunshine and visitor numbers with more visitors on sunnier days and this will effect patterns of visitor use.
 - v. The number of dog related incidents across the site has greatly decreased since the introduction of DCOs, when compared to use of the voluntary dog walkers code.
 - vi. The largest decreases (across all DCOs) have been achieved by the Schedule 2 (Dogs on Leads) Area including greater reductions in dog mess and serious and nuisance behaviour.
 - vii. In general dog walkers have shown a slight preference for the Schedule 3 (dogs off lead) Area. Many dog walkers continue to use the Schedule 2 (Dogs on Leads) Area.
 - viii. No FPNs have been issued since the introduction of DCOs. The high profile and ability of Rangers to enforce the DCOs has significantly helped to ensure the overall improvements.
 - ix. Public donations remain buoyant. The reduction in car park charge income appears to be most closely related the long term trend of falling car numbers than the introduction of DCOs
 - x. Café income has fallen against a backdrop of increasing visitor numbers.
 - xi. There is no evidence from neighbouring open spaces to suggest that the number of 'leisure' dog walkers visiting those sites has risen due to the introduction of DCOs at Burnham Beeches. However, they do report an increase in commercial dog walking activity which they are managing locally.
 - xii. Officers have not needed to issue any FPNs during the reporting period to achieve these improvements.
 - xiii. There appears to be some indication that Burnham Beeches has started to attract a new and growing audience since the introduction of DCOs.
68. Officers are encouraged by the outcome of the monitoring data which indicates that visitor numbers are increasing against a trend of car park charge increases and the introduction of DCOs.

69. Dog Control Orders have been effective in reducing antisocial dog related incidents at Burnham Beeches without serious consequence to site income or to neighbouring open spaces.
70. The level of 'rangering' required to achieve this improvement has remained consistent with that required when dog behaviour issues were governed by the voluntary dog walker's code.
71. The Schedule 2 Area is proving to be particularly effective and since its introduction has provided a significant part of the site where visitors can ride, jog, cycle, walk and exercise their dogs confident that antisocial dog behaviour will be an irregular experience.
72. The extremely low use of FPN's or resort to Magistrates Court indicates that the Dog Management Strategy and Enforcement protocols developed by the site to guide the use of DCOs are working in an effective, fair and proportionate manner.

Appendices

- Appendix 1. Dog Control Order Map.
- Appendix 2a & 2b. Summary data and interpretation
- Appendix 3. Visitor Numbers survey
- Appendix 4. Transect walks
- Appendix 5. Comments from local open Spaces Managers

Background Papers:

- Report to the EFCC dated September 2014.
- Report to the EFCC dated November 2014
- Report to the EFCC dated July 2016

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