

Appendix 1. PSPO CONSULTATION RESPONSES 2023

Comments from – required Audience. (Buckinghamshire Council, Police and Crime commissioner, Thames valley police + Farnham Royal and Burnham Parish Councils)	Order 1	Order 2	Order 3	Order 4	Order 5
Chief of Police Thames Valley Police					
Police and Crime Commissioner					
Buckinghamshire Council					
Farnham Royal Parish Council					
Burnham Parish Council					
<i>Thames valley Police - Commended PSPO use at BB as an example of good practice</i>					
Comments from Appropriate Audience (55 groups/organisations) directly engaged					
BCA					
Herts Orienteers					
Kennel Club					
Open Spaces Society					
British Horse Society					
Ramblers Association					
BBOWT					
National Trust					
Caldicott					
Fc Infant & Junior Schools					
Dair House School					
Dropmore School					
Claycotts School					
Burnham Grammar School					
Priory School					
Stoke Poges School					
Ecole Jeanine Mauel School					
Cippenham Primary					
Western House Academy					
Khalsa School					
Claire's Court					
Godolphin And Latymer School					
West Drayton Mbc					
Beaconsfield Cycling Club					
Stoke Poges And Gerrards Cross Cycling Club					
Burnham Lions Club					
Burnham Joggers					
Burnham Health Promotion Trust					
Rotary Club Of Burnham Beeches					
Chilterns Nordic Walkers					
Bucks Bird Club					
Berkshire Vision					
Burnham Access Group					
Lent Rise Scouts					
1st Burnham And Hitcham Scouts					
Hedgerely Scouts					
1st Cippenham Cubs					
1st Cookham Cubs					
Photography licence holder					
Loddon District Scouts					

Richmond Upon Thames Dist Scouts					
Taichi licence holder					
Bucks Search And Rescue Dogs					
Bucks Fungus Group					
Vets4pets					
Family Friendly Vets					
The Beeches Veterinary Hospital					
Penstone Veterinary Group					
Cippenham (Slough)Dog Training Group					
Buckinghamshire Canine Society					
Maidenhead And District Canine Society					
Rspca Bucks South Branch					
Dogs Trust					
Snowball Farm					
Leys Farm					
Comments from BBSCCG – collated /anonymised	7	7	7	7	7
<i>It should be noted that 2 BBSCCG members, whilst supporting PSPO renewal, suggested that on lead areas should be expanded. Also 1 member, whilst supporting PSPO renewal, suggested the on lead areas could be reduced – however these 3 members were present at BBSCCG meeting on the 12/07/23 (14 members present) and supported the PSPO extension, as consulted on, for a further 3 years.</i>					
Comments from Individuals anonymised					
Identity removed for public use					
Identity removed for public use					
Identity removed for public use					
Identity removed for public use					
TOTAL % Support/neutral response	100%	94%	100%	100%	94%
17 responses in total					
Key					
Support	100%	88%	100%	94%	94%
Neutral		6%		6%	
Against		6%			6%

Appropriate audience - additional comments

Herts Orienteers - commented on how helpful it was to have the dogs on lead area at BB for their events.

Details of all consultation responses received

1) Thames Valley Police chief constable – received 18/05/23

Thank you for providing documents to the Chief Constable's office, regarding the proposed extension and revision of existing PSPO powers for Burnham Beeches: I have been tasked with responding on behalf of Thames Valley Police, and the local policing area. I consider the existing arrangements to have proven effective in managing dog-related issues, and regard the small variation as both prudent and uncontentious. We have no representations to offer.

In comparison with other local parks, the proactive stance adopted by these provisions has seemingly averted virtually all reported incidents of dangerous dog behaviour and resulting injuries. I would regard them as an example of good practice and have shared them with Community Safety colleagues at Buckinghamshire Council, for their consideration.

Kind Regards,

James Ellis | Neighbourhood Inspector | [Amersham and Taplow](#)

2) Burnham Beeches and Stoke Common Consultative Group (BBSCCG) Member – 18/05/23

I am in agreement that the PSPOs should be extended for a further three years as per the email from Martin Hartup.

Regards

3) Member of Public (MOP) – 26/05/23

Hello

First of all, I'd like to thank the Rangers, and volunteers, for keeping Burnham Beeches as a welcoming and pleasant place to visit.

However, as a dog owner, my wife and I miss the opportunity to walk in the parts of Zone 2 (in the map above) between Victoria Drive and Sir Henry Peeks Drive, with our dog off lead. We are ageing and find large parts of Zone 3 rather too hilly for a relaxed walk; we would very much appreciate the opportunity, once again, to be able to walk in the parts Zone 2 described above.

I hope that the wishes of your older visitors will be given sufficient weight when deciding whether to re-introduce PSPOs again.

With best regards

4) BBSCCG Member 31/05/23

I am responding to the PSPO consultation.

I fully support the proposed extension of the five public spaces protection orders at Burnham Beeches from 1 December 2023 for a further three year period and support the one minor variation to Order 3.

5) BBSCCG member 02/06/23

To whom it my concern.

I would like to give my feedback on the PSPO consultation 2023.

After receiving and digesting all the relevant documents, I am in full support of the extension of the PSPO's for a further three years.

I am also in support of the slight variation to the dogs on leads by direction order.

Kind regards

6) BBSCCG member – 13/06/23

I have been through the documents and fully support the proposal to continue the PSPO for the next period.

7) BBSCCG member 14/06/23

I offer the following comments:

The justification for seeking an extension to the current PSPOs is very strong and I completely agree with its continuation under the proposed new measures.

However, I feel that your document entitled 'Dog Management Strategy for Burnham Beeches' which is offered to support the extension of the PSPOs and which is subtitled 'Achieving a balance for all site visitors' is unfocused when the entitlements of Burnham Beeches own wildlife habitats are accounted for. I appreciate that my observation goes some way beyond the scope of the current PSPO initiative but I will argue that your dog management strategy falls short of the unique status which the Beeches enjoys both nationally and internationally.

The said document is very persuasive in its efforts to manage the undoubtedly detrimental effects of dog fouling, its aim being, and I quote, 'To help balance the needs of dog walkers with those of other visitors'. Therefore the document appears, in its thrust, to principally balance intra-human demands, that is dog owners with others, at the expense of the multifaceted human - wildlife interface which should be your principal focus. Of course, much evidence can be furnished using other Beeches' management strategies in defence of my assertion, not least in the said document's statement, and I quote, '...the principle (*sic*) aim of the management of Burnham Beeches has been to protect the site from the growing impact of urbanisation at its fringes...'. However, the current public consultation on PSPOs throws into stark relief, in my opinion, a certain conflict in achieving what is best for maintaining and improving the Beeches biodiversity and what is best to balance the needs of visitors to the reserve. I am of the mind that the majority of dog owners visit the beeches principally to exercise their pets and in doing so enjoy the Beeches for what it is and for what it offers, including the EcoCafe. This is to their advantage to be sure but their purpose is, I would argue, one step removed from the principal purpose of the Beeches. I'd find it hard to imagine that a dog owner when intending to visit the Beeches to immerse themselves in the wonder of its biodiversity, then brings along their uninterested pet.

Here is the broader issue: dog faeces and dog urine in no way contribute to maintaining and improving the amazing biodiversity in the Beeches. Their faeces and urine contains high levels of nitrogen and phosphorous which fertilise the soil and contribute towards the diminution of biodiversity. In many nature reserves the management is specifically directed towards lowering soil nutrient levels to enhance plant and animal biodiversity. In your own FAQ document which accompanies the present consultation, clause 12 admits that soil nutrification contributes to the decline in the health of the beech trees. Therefore, knowingly allowing such nutrification via dog fouling is extremely difficult to defend however much your dog management strategy seeks to limit

its effects. I concede that the PSPOs and the earlier DCOs recognised these impacts on the Beeches and sought to minimise them in accordance with the obligations in being SSSI, NNR and SAC designated reserves, but in the longer term the measures set out in the present PSPOs may prove inadequate.

The hard question remains: How to devise a management strategy that balances public access with conservation obligations. When the current PSPO was being offered for public consultation 3-4 years ago I submitted a document proposing that Burnham Beeches becomes, in time, a totally dog-free nature reserve. The proposal offered a step-wise plan (in five year periods) starting with requiring all dogs to be on leads at all times in permitted areas, through to prohibition of dogs in certain areas, culminating in prohibition of dogs entirely in the Beeches excepting for assistance companion dogs. The strategy required intense public engagement in understanding the need for such a strategy and cooperation with other public amenities where dog exercising is permitted.

In closing, and mindful of the length of this missive, I want to also offer short term suggestions to assist in reminding dog owners of the measures in the proposed PSPOs:

>More signage informing the requirements of dog control measures, placed at frequent intervals along pathways e.g. every 50-100 yards on Lord Mayors. I believe that if such signage was evident it would assist dog owners in compliance and assist concerned visitors to engage with dog owners where the owner was not compliant.

>Larger signs and symbols at information notice boards and at gates were dog control measures change. Current symbols are insignificantly small and do not sufficiently convey the importance of dog control in the designated areas.

I think that's it.

8) BCA – 19/06/23

I would like to see that the Extension of Public Spaces Protection Orders at Burnham Beeches continue. It is a great benefit for all areas of the Woods in looks and maintenance helping to keep the open space clean and hazard free. The Public enjoy the facilities who visit for recreation, exercise and pleasure as well as walking their dogs. All dogs must always be under control on a lead in a safe manner period. May it continue to be a joy for all who visit, not having to worry about stepping onto dog mess.

I look forward knowing a protection is in place continuing a high standard for those that work, live and volunteer at Burnham Beeches in a safer environment.

Yours Sincerely

9) BBSCCG member 20/06/23

I am writing in response to your recent email inviting feedback on the extension and variation of the PSPOs relating to:

Fouling of Land by Dogs Order

Dogs on Leads Order

Dogs on Leads by Direction Order

Dogs Exclusion Order

Dogs (Specified Maximum) Order.

Having reviewed your documentation and based on my personal experiences of visiting Burnham Beeches I am very happy to support your proposals. They seem to work well in practice and are necessary for safety and public health.

If you need any further information or comments from me please get in touch.

Kind regards.

10) BBSCCG member 23/06/23

I agree with maintaining all of the current PSPO guidelines, except for one proposed change.

I propose that the off-lead area be expanded to include the area between Victoria Drive and Park Lane. This would keep the child-friendly and easy walking areas on-lead and expand the off-lead areas, reducing the traffic on the other paths.

Kind regards,

11) Herts Orienteers 25/06/23

I have read the details of the proposed "extension of four of the five existing Public Spaces Protection Orders (PSPOs) at Burnham Beeches" and as representative of Herts Orienteering Club , I support the proposals.

Orienteering events at Burnham Beeches and other location, include courses for children aged 10 up to veterans, and involve running along paths or through the woods or open areas, so incidents with dogs are a known risk. At best it's not enjoyable to be chased or jumped up at by a dog who judges a runner / walker is novel and needs to be challenged

Consequently to know in which part of Burnham dogs have to be kept on a lead is very useful, as that will help reduce the risk of dog related events.

Kind Regards

Herts Orienteering Event Co-Ordinator

12) BBSCCG member 25/06/23

I agree with the proposed extension of all 5 schedules of the PSPO's at Burnham Beeches. In addition I would like to see an extension of the schedules so that dogs are on leads across the entire nature reserve.

Also, I would like to see dogs on leads at Stoke Common, at least during the bird nesting season, so perhaps consideration could be given to this proposal.

Thank you for all your hard work on the PSPOs.

Regards

13) MOP 27/06/23 – letter by post

Dear Sir or Madam

I visit Burnham Beeches every day with my dog. I love the park very much and all the hard work you wonderful people put in Thanks. My sad days are when dogs are not under orders running everywhere, people should show respect to you and others.

Confirmed support of PSPO in telephone call to BB office of 29/06/23

14) MOP 30/06/23

As a dog walker I fully support the extension of the PSPOs at Burnham Beeches for a further 3yrs.

These orders help all visitors to enjoy the area that we are so lucky to have.

Kind regards

15) MOP 30/06/23

Dear team, my name is xxxxxx and I am an active South Buckinghamshire Birdwatcher (member of Bucks Bird Club) who has the pleasure of regularly visiting Stoke Common. Firstly I would like to thank you for your ongoing management of this fantastic health land common (quite rare in Buckinghamshire).

As you and your team are aware this relatively small common is home to locally and nationally rare flora and fauna including rare ground (low to ground) breeding birds (xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx).

However, I am sad to report I have witnessed a number of incidents that put success of these breeding birds at risk. At the beginning of June I have had to approach a local photographer who was using flash photography to capture flight shots of xxxxxx (this clearly has the potential for courtship disturbance and therefore breeding disturbance).

I have also encountered on numerous occasions Dogs running off paths across the Heathland. When approaching owners to say the dog should be on its leads (during breeding) they have said they are not aware of such a ruling.

I have forwarded them onto your signage (see attached). I wondered if there is a way for the signage to be clearer. "Under control" leaves too much ambiguity for some dog owners who claim their dog running in and out of the Gorse is "under control". I also wonder if setting a date (ie April-August) might also set a clearer message. I am sure myself /the Bucks bird Club would also be more than happy to help with temporary seasonal signs.

Finally, I have noticed you are applying to extend the PSPO for Burnham Beeches (which is great news!!). I am therefore staggered to find out that Stoke Common has no such order? I am sure Buck Bird Club would be more than happy to help your team with historical bird records for the site in the application for PSPO. It's smaller more intimate SSSI reserves such as Stoke Common that massively benefit from such orders.

I hope you understand my concerns. And hope we can find away to better protect this increasingly rare habitat.

16) BBSCCG member 30/06/23

Just to note that I am in support of the continuation of the PSPOs that are currently in place for the next period.

Thanks

17) Kennel Club 23/06/23

Formal Response to City of London's Public Spaces Protection Order Consultation Submitted on 23rd June 2023 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.

Response to proposed measures

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.

On lead

We can support reasonable 'dogs on lead' Orders which can, when used in a proportionate and evidence-based way, include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

On lead by direction

The Kennel Club strongly welcomes 'On lead by direction' Orders. These allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under kcdog@thekennelclub.org.uk control, whilst simultaneously giving the local authority powers to restrict dogs not under control. We recommend that the authorised officer enforcing the Order is familiar with dog behaviour in order to determine whether restraint is necessary. There exists the possibility that a dog, through no fault of its own, could be considered a 'nuisance' or 'annoyance' to someone who simply does not like dogs. 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.

Exclusions

We do not normally oppose Orders to exclude dogs from playgrounds or enclosed recreational facilities such as tennis courts or skate parks. It is important that alternative provisions are made for

dog walkers in the vicinity to avoid displacement or the intensification of problems in nearby areas. However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. 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. When seeking to restrict access to playing fields, local authorities should consider whether or not it is absolutely necessary. When they are not in use, they can be a vital resource for dog owners to ensure that their dogs get their required daily exercise. As such, time and/or seasonal restrictions may be more appropriate than a continuous exclusion order.

Displacement

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.

The All-Parliamentary Group for Animal Welfare (AGPAW) published a report which provides guidance to local authorities considering PSPOs, highlighting the increased risk to livestock if dog walkers are displaced to farmland.

“When reviewing Public Spaces Protection Orders (PSPOs), local authorities should be careful to consider the availability of open space for use by dogs off lead. To restrict such areas or remove them via a PSPO may increase the risk to livestock in the countryside as more owners and walkers find that location as the only alternative. APGAW believes that local kcdog@thekennelclub.org.uk authorities should carefully consider alternative locations for dog owners and walkers to take their dogs when looking at issuing PSPOs and other measures such as introducing car parking charges and conservation grazing.

Given that there is a dog in around a quarter of all homes, as normal good practice, local authorities should seek to ensure adequate provision of green space for dog walkers during planning applications for new developments to avoid adjacent farmland becoming in effect local public amenity areas. Good practice already exists in the provision of such green space when planning to minimize any impacts on sensitive wildlife areas adjacent to new homes arising from dog walking.” (Tackling livestock worrying and encouraging responsible dog ownership, 2017 Page 6 - <http://www.apgaw.org/wp-content/uploads/2017/11/APGAWLivestock-Worrying-Report-2017.pdf>)

Maximum number of dogs

An arbitrary maximum number of dogs that a person can walk is an inappropriate approach to dog control that will often displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used, time of day and the location where the walking is taking place.

As such we advise against the use of arbitrary numerical limits. Instead we suggest that the behaviour of individual commercial dog walkers is considered on a case by case basis, with Community Protection Notices used to tackle those behaving in anti-social manner.

If a maximum number of dogs measure is being considered due to issues arising from commercial dog walkers, we instead suggest that councils look at accreditation schemes – as seen in places such as the East Lothian Council area. These can be far more effective than numerical limits as they can promote good practice, rather than just curb the excesses of one aspect of dog walking. Accreditation can also ensure that dog walkers are properly insured – which will typically cap the number of dogs that they can walk at any one time – and act as advocates for good behaviour by other dog owners.

Government guidance has been relatively consistent that the maximum number of dogs being walked should not exceed six dogs. ^{1,2} This is in line with typical limits imposed by insurance companies, for which annual dog walking insurance for walking up to six dogs on or off lead, is readily available for under £100 per annum. Councils should be clear as to what behaviour they're aiming to address when introducing PSPOs to regulate the behaviour of commercial dog walkers. As there is a high chance rogue operators will make a financial calculation that the risk of being caught and maximum fine under a PSPO, is outweighed by the income generated by exceeding the numerical limit set out in the PSPO. Or indeed, it may encourage multiple dog walkers to share a single vehicle and walk in groups, resulting in larger groups of dogs being walked together.

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>

We would therefore encourage the Council to allow for some flexibility when considering whether a disabled person’s dog is acting as an assistance dog. The Council could consider adopting the definitions of assistance dogs used by Mole Valley District Council, which can be found below from their 2020 PSPO which included the following exemption provisions on dog control:

Nothing in this Order shall apply to a person who

- a) is registered as a blind person on a register compiled under section 29 of the National Assistance Act 1948; or
- b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c) has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any current or future members of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he relies for assistance
- d) has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability. or that of Northumberland County Council:

“(4) The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

(5) The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”

1. Defra / Welsh Government - Dealing with irresponsible dog ownership, Practitioner's manual, October 2014

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownershippractitioners-manual-201411.pdf

2. Animal activities licensing: statutory guidance for local authorities March 2023 -

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/home-boarding-for-dogslicensing-statutory-guidance-for-local-authorities>,

<https://www.gov.uk/government/publications/animal-activities-licensingguidance-for-local-authorities/dog-day-care-licensing-statutory-guidance-for-local-authorities> and

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-kennel-boardinglicensing-statutory-guidance-for-local-authorities>

kcdog@thekennelclub.org.uk