

Main Report

Prepared January 2024

Hackney Council

PSPO Dog Control Order Consultation



**Kwest
Research**

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1. Executive Summary

1.1 Introduction & Background

Hackney Council currently has a Dog Control Public Spaces Protection Order (PSPO) in place which includes controls on dog fouling, defines areas where dogs are not permitted – such as playgrounds – and requires dogs to be on leads in some public spaces. The current order is due to expire in March 2024 and the Council is proposing to extend the PSPO by a further three years and to vary it by:

- Adding to the prohibitions/requirements stipulated in the PSPO
- Updating the list of locations from which dogs are excluded
- Updating the list of locations in which dogs must be kept on a lead

The updated PSPO will include:

- A ‘dog fouling of land’ prohibition, which makes it an offence for dog owners not to remove dog faeces from public land in Hackney.
- A ‘dog exclusion’ prohibition, which enables the Council to ban dogs from entering areas such as BMX tracks, children’s play area, fenced off dog free areas, multi-use games areas, outdoor gyms, skate parks, small parks, splash pads and other sports areas.
- A ‘dogs on leads’ requirement, which enables the Council to prevent people exercising off-lead dogs in general public areas, roads, car parks, churchyards, burial grounds (including Abney Park Cemetery), communal areas on estates and some smaller public parks.
- A ‘dogs on leads by direction’ requirement, which gives officers the power to request that dogs are put on the lead if they are not under the control of their owner.
- A ‘maximum number of dogs’ requirement, which is a new rule that makes it an offence for one person to have more than four dogs under their control at any one time anywhere in the borough.

There are exemptions for assistance dogs.

The consultation was published on Hackney’s Citizen Space website on 28th August 2023. The information supporting the consultation was updated in mid-October and the deadline for submitting responses was extended by a month until 15th December. This was in response to comments from residents about providing additional clarity on the proposals. Additionally, some areas were found to be missing from the list of proposed new sites that would be subject to dog controls so these were added and the information re-published.

In September 2023, the Council tendered for an external company to undertake the analysis of the findings from the consultation and Kwest Research was appointed in October.

1.2 Response Rates

By the time the consultation closed on 15th December, 3,888 responses had been submitted online via Citizen Space and a further 101 email responses had been received. The majority of these responses (2,870) were received before the consultation information was updated on the website.

In addition, six responses were submitted on behalf of organisations or groups and these are discussed separately in this report as well as being included, in full, in appendices two to seven.

1.3 Overview Of The Responses

58% of respondents to the consultation own a dog, whilst 42% do not, and dog ownership is the key factor in respondents' views on the proposals:

- 75% of respondents who *are* dog owners have *not* had any problems with dog behaviour in Hackney in the last 12 months (neither they nor anyone they know).
- In contrast, 73% of respondents who do *not* own dogs say that either they or someone they know *have* experienced a problem with dog behaviour.
- 74% of non-dog owning respondents support the updates to the PSPO compared to 10% of respondents who are dog owners.

The table below outlines the headline results from the consultation, showing the findings for all respondents and the results broken down by dog ownership.

Question	Answer	% of all respondents	% of dog owners	% of non-dog owners
Respondent or someone they know has experienced problems with dog behaviour in Hackney in last 12 months	Yes	45%	25%	73%
	No	55%	75%	27%
Current dog control PSPO is effective	Agree	43%	45%	40%
	Neither	27%	28%	26%
	Disagree	30%	27%	34%
It is important to control the way people look after their dogs in shared public spaces	Agree	85%	80%	93%
	Neither	8%	12%	3%
	Disagree	6%	9%	3%
Supports the updates to the dog control PSPO	Yes	37%	10%	74%
	No	58%	85%	21%
	Don't know	5%	5%	5%
Extent of agreement with proposed new requirement to limit the number of dogs a person can walk / have under their control to four	Agree	56%	40%	78%
	Neither	14%	18%	8%
	Disagree	30%	42%	13%
Current dog control PSPO has had negative impact on respondent	Yes	16%	20%	11%
	No	84%	80%	89%

Table 1 Overview of key questions

1.4 Recurring Themes In The Qualitative Feedback

Over 8,000 comments were submitted across the various qualitative questions in the consultation response document. For each question, the key themes have been identified, and the comments categorised, to provide a further insight into the respondents' feedback. The specific themes for each question are discussed later in this report but there were a number of recurring themes that appeared in the feedback to multiple questions.

The table below shows the key recurring themes appearing in the comments made by all respondents, with findings also broken down by dog owners and non-dog owners.

Theme	% of respondents	% of dog owners	% of non-dog owners
Abney Park Cemetery	34%	45%	15%
Proposals are too restrictive / punish responsible owners	26%	40%	7%
Dogs need exercise / implications for dog well-being	23%	33%	6%
Irresponsible dog owners	22%	27%	14%
Enforcement	21%	20%	24%
Criticism of proposal / council's approach to consultation	17%	25%	5%
Financial impact on professional dog walkers / dog day care	13%	20%	3%
Dog fouling	11%	9%	14%
Humans cause more problems than dogs in parks	10%	15%	3%

Table 2 Recurring themes in the qualitative feedback

1.4.1 Abney Park Cemetery

Across the various qualitative questions or in their emails, 1,364 respondents mentioned Abney Park Cemetery and these comments were further analysed and classified into additional sub-themes. Due to the extensive response on this topic, the findings are discussed in detail in a later section of the report.

31% of all respondents submitted comments disagreeing with the proposed requirement making the cemetery a dogs on lead area, whilst 3% of respondents made comments in support of the change.

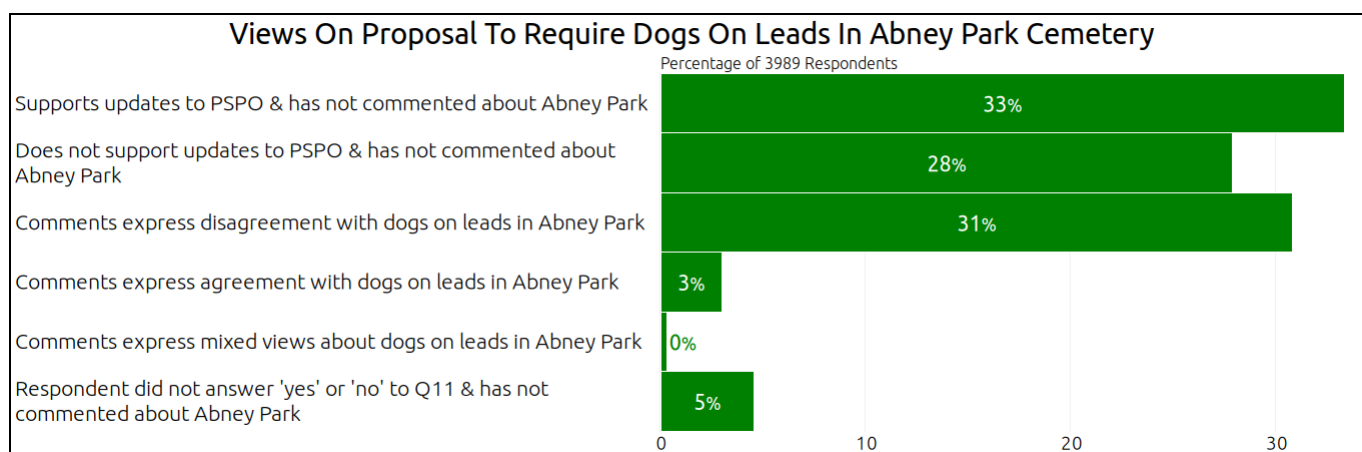


Figure 1.1

The consultation questionnaire did not ask respondents about their use of Hackney parks in general, or specific locations, such as Abney Park, in particular. In their feedback, 393 respondents explicitly mentioned walking a dog in Abney Park, although there were also many further comments where this was unclear. In the section of this report that discusses Abney Park, the themes in the feedback are analysed in a number of ways: 1) as a percentage of all respondents; 2) all dog owners; 3) all respondents who gave an N16 postcode; and 4) those respondents who explicitly mention walking a dog in the cemetery. In all these cases, the most common themes in the comments from respondents are those shown below.

- The cemetery is a particularly suitable area for dogs to be exercised off the lead. Examples of the reasons given in the comments include the trees providing shade and stimulation for dogs; the lower number of other users compared to the more open parks; the types of other park activities – people are typically moving through the cemetery and do not picnic, sunbathe, or play sports there; the enclosed space; the absence of cyclists, electric scooters or skateboarders.
- Dogs are not perceived as a problem in the cemetery. These respondents talk about never seeing problem dog behaviour despite having walked in the cemetery on a daily basis for years. Some support their argument by referring to data released under Freedom of Information requests to the Metropolitan Police and Hackney Council which they say show virtually no record of any issues in the park.

1.4.2 Proposals Are Too Restrictive / Punish Responsible Owners

In answers to several qualitative questions, a common complaint from respondents was that if the proposals come into force they will restrict where responsible owners can exercise their dogs. Many such owners point out that they already follow all the existing rules and do not feel they are the people causing the problem.

1.4.3 Dogs Need Exercise / Implications For Dog Well-Being

Many comments, in response to several questions in the consultation, highlight the importance of exercise for dog well-being. These respondents point out that lack of exercise can result in behavioural problems and many breeds of dog cannot get sufficient exercise from on-lead walking alone. Additionally, some disabled respondents express concern about being able to give their dog enough exercise if their access to suitable local areas is restricted.

This is an issue highlighted in the responses to the question about the restriction on the maximum number of dogs. Respondents express concern that dogs will get less exercise if the proposed change forces professional dog walkers and day cares out of business or to put up prices. They worry this may result in dogs being left at home for longer affecting their well-being and, potentially, their behaviour when they are taken out for exercise.

1.4.4 Irresponsible Dog Owners

There is a perception, amongst some respondents to the consultation, that “the wrong group of people is being targeted here and [this] will not solve the problem of dog related incidents”. These respondents consider “the problem is always the owners, not the dogs”. The comments include concerns about the lack of action taken against owners already known to be irresponsible and a feeling that these owners will continue to ignore the rules. Examples are given of people seen in public training their dogs to attack or with large status dogs off the lead and not under their control.

1.4.5 Enforcement

Enforcement is the most frequent recurring theme in the comments from respondents who do not have dogs. The feedback relates to complaints about the lack of enforcement of the current rules and, often following on from this, doubts that the new rules will be adequately enforced. Respondents mention never seeing any council staff enforcing the rules or being aware of anyone being fined.

Lack of enforcement is the most frequently cited reason why respondents disagree the current PSPO order is effective. Therefore, the comments from many of these respondents question the rationale behind introducing additional rules when the current order is not perceived to be effective because it is not enforced.

1.4.6 Criticism Of Proposal / Council's Approach To Consultation

Criticism of the proposals and the council's approach to the consultation are particularly prevalent in the comments from respondents giving feedback about Abney Park. Comments from these respondents raise concerns that one of the councillors involved in the decision making is also a trustee of Abney Park Trust, who publicly support the ban on off lead dogs, resulting in accusations of “a conflict of interest”.

More generally, respondents raising these issues also object to not being able to comment on individual aspects of the proposals and consider the consultation questions to be leading, biased and negatively framed. They also refer to the lack of data to support the proposals, question the sources of the information that has been provided, and think the situation with dogs should be considered as part of wider anti-social behaviour issues in Hackney's parks.

Furthermore, the feedback identifies issues with the consultation process itself including a lack of publicity and engagement with local residents; changing the scope of the consultation retrospectively; and contradictory information being provided about whether emails sent to councillors would be included in the consultation responses.

The comments from many professional dog walkers make objections that they have not been consulted on the proposed changes, particularly around the number of dogs, prior to the consultation being publicised.

1.4.7 Financial Impact On Professional Dog Walkers / Dog Day Care

Many respondents who own dogs use professional dog walkers or day care providers to ensure their pets get sufficient exercise. The proposal to limit the number of dogs a person can have under their control to four is perceived as being *"targeted at professional dog walkers"*. Respondents are concerned about the impact this will have on the financial viability of these small businesses and the potential repercussions for dog well-being.

Professional walkers and day care providers also made similar comments about the reduction in their income and the increased costs if the proposed changes come into effect or about the additional hours they would have to work to make the same money. Several of these respondents referred to the negative impact the stress associated with worrying about the proposals putting them out of business is having on their mental health. Typically, the feedback suggests many of these respondents walk six dogs, in line with the limitations in their insurance cover.

1.4.8 Dog Fouling

Dog fouling is the most frequently cited problem with dog behaviour respondents have experienced in the last 12 months (question 7 in the consultation). It is also an issue referred to when respondents talk about the lack of enforcement of the existing order. There were no questions in the consultation about the location of this problem to determine whether it is more of an issue on the streets or in parks and green spaces. Some respondents suggest the provision of additional bins, free poo bags and increased signage as a means of addressing the issue.

1.4.9 Humans Cause More Problems Than Dogs In Parks

One of the criticisms of the consultation, discussed above, is respondents' concern that it does not address dog behaviour as part of the wider anti-social behaviour issues and potential conflict between different user groups in Hackney's parks and green spaces. Respondents comment on problems caused by drug users and littering as well as activities with the potential to interrupt other groups' enjoyment of the area, such as people cycling or riding electric scooters through the parks.

Additionally, and particularly with regard to Abney Park, some respondents comment that frequent dog walking keeps parks safe and helps prevent anti-social behaviour.

1.5 Summary Of Consultation Submissions On Behalf Of Groups Of Respondents

Six responses were submitted on behalf of organisations or groups and these are discussed separately later in this report as well as being included, in full, in appendices two to seven. A brief summary of these groups' position on the proposed changes to the PSPO is outlined below.

1.5.1 Kennel Club

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training. The submission states the 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"*.

The organisation is in favour of dogs on leads by direction orders, supports controls on dog fouling and is not against dog exclusion zones or dogs on leads orders where appropriate.

However, the Kennel Club does not support the maximum number of dogs restriction stating that *"an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control"*. This is because it *"can result in displacement and subsequently intensify problems in other areas"*. Also, the submission says that number of dogs a walker can control depends on their experience, the dogs themselves and the location. If the proposed measures are being considered due to concerns about commercial dog walkers, the submission considers that a better approach would be to consider accreditation schemes. These *"can be far more effective than numerical limits as they can promote good practice"*.

The full submission from the Kennel Club can be found in appendix two.

1.5.2 Dogs Trust

Dogs Trust is the UK's largest dog welfare charity. Its submission references the PDSA's Paw Report 2018 saying this found that 89% of vets believe dog welfare would suffer if owners were prohibited from walking their pets in public places, such as parks, or if dogs had to be kept on the lead in these places.

The charity supports controls on dog fouling and dogs on lead by direction orders. The submission states the Dogs Trust recommends keeping dog exclusion zones to a minimum, for example including children's playgrounds but not excluding dogs from sports pitches for long periods of the year, as this is *"unnecessary"*. It also makes reference to the Animal Welfare Act 2006 section 9 (the 'duty of care') that includes a dog's need to *"exhibit normal behaviour patterns"*. The submission points out that *"this includes the need for sufficient exercise including the need to run off lead in appropriate areas"*.

The full submission from the Dogs Trust can be found in appendix three.

1.5.3 RSPCA

An email submission from the charity confirms its support for responsible dog ownership and encouraging the training of dogs so that everyone can enjoy parks and other public spaces. It refers specifically to the proposals concerning Abney Park and says the charity's position is that *"PSPOs should not unwittingly compromise dog welfare by placing undue restrictions on dogs"* and it also refers to the Animal Welfare Act 2006 saying *"blanket bans on walking dogs off-lead can make it very difficult to provide for this natural behaviour"*.

The full submission from the RSPCA can be found in appendix four.

1.5.4 London Fields Parks Friends Group

An email submission to the consultation was received from the London Fields Parks Friends Group expressing concern about *“the way that lack of inter-department communication and failure to engage with User Groups has had a detrimental impact on this consultation”*. The London Fields group have received significant funding from GLA to go towards improving biodiversity and to improve the Green Classroom areas. The work is being carried out in conjunction with local schools and the Group wanted these areas to be included in the consultation with a view to excluding dogs from them. However, due to the lack of communication between departments in the Council, these areas were left out of the consultation.

The full submission from the London Fields Parks Friends Group can be found in appendix five.

1.5.5 Abney Park Trust

Abney Park Trust is a volunteer run charity and a long term partner of Hackney Council. The Trust published its initial response to the consultation on its website on 8th September, which it referred to in its subsequent online submission. The online submission states that it *“should be non-controversial to require dogs to be on leads and under control in a cemetery site”* and for that reason alone the Trust supports the proposal. However, they recognise that Abney Park is *“a much more complex and significant site than ‘just a cemetery’”*.

The statement sets out the impact dogs have on wildlife and concludes that *“the joy dogs bring to people and our community can be balanced with the needs of the ecosystem through a sensible and enforced on-leads rule”*.

The Trust’s consultation submission via Citizen Space acknowledges that the evidence quoted in the statement on their website *“has been mocked by some but was always intended to highlight the broad range of issues with off-lead dogs in general”*. Whilst acknowledging that *“there are no Abney-specific studies available”*, the submission contends that there is *“also no reason to believe that the principles which apply to other nature reserves and Magnificent Seven cemeteries are not applicable in Abney’s case”*.

The full submission from Abney Park Trust, both the online statement from its website and the response submitted via Citizen Space, can be found in appendix six.

1.5.6 Abney Park Dog Users Group

A submission was also received from the Abney Park Dog Users Group. The group, comprising over 250 members, all Hackney residents and regular users of the park, was created in direct response to the consultation. Their submission runs to 34 pages and is supported by gate observations and a survey of Park users.

The Users Group acknowledge the Council’s duty and responsibility to address unlawful and irresponsible dog ownership. They support some aspects of the proposed PSPO but strongly oppose the inclusion of Abney Park in the list of places where dogs must be kept on leads.

Their report challenges the Council's rationale for including the cemetery in the new PSPO questioning the lack of evidence. Members of the Users Group submitted Freedom of Information requests to the Council and Met Police. The submission states that these have confirmed that *"just 6 complaints out of 1,230"* received by the Council about dog behaviour in the last three years related to Abney Park. The group also challenges the evidence quoted by Abney Park Trust in their online statement.

Additionally, the report sets out what it considers *"serious legal questions"* raised by the Council's approach to the consultation and the justification offered for including Abney Park in the dogs on leads order.

The Users Group also identifies *"harmful unintended consequences"* of the proposed PSPO, which include an influx of additional dogs to the already crowded Clissold Park and making Abney Park less safe, especially for women. Therefore, the Group argues, *"the effect of the Abney Park PSPO would be indirectly discriminatory"*.

The full submission from Abney Park Dog Users Group, including its survey of park users and gate observations, can be found in appendix seven of this report.

2. Discussion Of The Consultation Findings

The following sections of the report discuss the consultation findings in more detail, starting with a review of the profile of respondents, and then the analysis of the feedback for each of the key questions in the consultation questionnaire.

3. Understanding The Consultation Respondents

Respondents to consultations are naturally self-selecting: people take part because they have an opinion, typically a strong opinion, on the subject matter. In this case, the primary respondents are dog owners, people who actively like dogs even if they don't currently have one, and those who actively dislike dogs. People who are ambivalent about dogs are less likely to be aware of the consultation or to take the time to fill in the questionnaire if they do become aware of it. As a result, responses to the consultation are polarised and the overall results cannot be seen as reflecting the opinions of the wider population of Hackney on these issues.

58% of respondents to the consultation own a dog, whilst 42% do not, and dog ownership is the key factor in respondents' views on the proposals:

- 75% of respondents who *are* dog owners have *not* had any problems with dog behaviour in Hackney in the last 12 months (neither themselves nor anyone they know).
- In contrast, 73% of respondents who do *not* own dogs say that either they or someone they know *has* experienced a problem with dog behaviour.
- 74% of non-dog owning respondents support the updates to the PSPO compared to 10% of respondents who are dog owners.

Different sub-groups of the population are more likely to own dogs than others and this influences their views on the consultation proposals:

- Older respondents, aged 65+, are less likely to be dog owners (36% compared to 69% of those aged under 35)
- Respondents with caring responsibilities are less likely to own a dog than those without these responsibilities (47% versus 59%)
- Black and Asian respondents are less likely, than those of other ethnic backgrounds, to have a dog (28% and 42% respectively, compared to at least 58% of respondents from other ethnic groups)
- White respondents are more likely to own a dog compared to those from other ethnic backgrounds (59% compared to 52%)
- Muslim respondents are less likely to own a dog than respondents who follow any other religion or belief (15% of Muslim respondents own a dog).
- LGB+ respondents are more likely to own a dog than those who are heterosexual (66% versus 56%)
- Respondents who are buying their home on a mortgage are more likely to have a dog than those in other housing types. (64% compared to no more than 57% of respondents in other housing tenures)

Therefore, where there are sufficient responses to allow for meaningful analysis, this consultation report looks at the findings by sub-group for dog owners and non-dog owners, for example by age and ethnic group.

4. Results Of The Key Consultation Questions

4.1.1 Q6: Have You, Or A Member Of Your Family, Or Someone You Know Had Any Problems Regarding Dog Behaviour In Hackney The Past Year?

55% of respondents answered 'no' to this question, whilst 45% say that they, their family or someone they know has had a problem with dog behaviour in the last 12 months.

Responses to this question are extremely polarised depending on whether the respondent is a dog owner or not: 75% of dog owners answered 'no', whilst 73% of non-dog owners indicated that they or someone they know has had a problem with dog behaviour in the last 12 months.

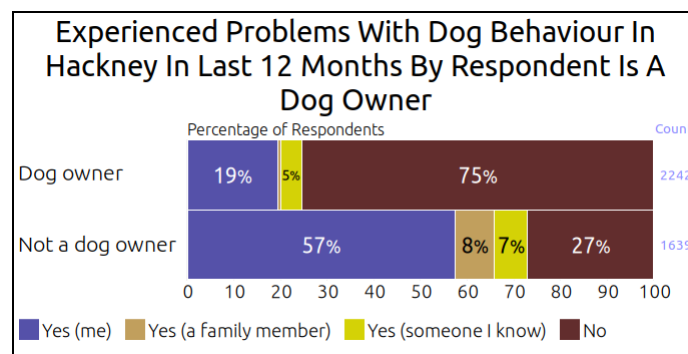


Figure 4.1

4.1.1.1 Further Analysis Of The Findings

When the findings are analysed in more detail, the following points are noted:

- Female respondents are more likely than male respondents to say that they or someone they know has had a problem with dog behaviour (48% compared to 42%) and this remains true of female dog owners compared to male dog owners (29% versus 19%).
- Respondents aged 65+ are most likely to say they or someone they know has had problems with dog behaviour, followed by those aged 35-44. (58% and 51% respectively) Respondents aged under 35 are least likely to say they or someone they know has had an issue (34%)
- However, when the views of dog owners are analysed by age, the proportion of respondents who say that they or someone they know has had an issue with dogs is broadly in line across all age groups (the results range from 23% to 26%).
- Non-dog owning respondents aged under 35 are less likely than older respondents to say that they or someone they know has had a problem with dog behaviour in Hackney in the last 12 months (58% compared to 71% or more for older age groups).
- The difference in views between respondents with a disability and those without is not statistically significant.

- Respondents with caring responsibilities are more likely to say that they or someone they know has had an issue with dogs than those without caring responsibilities (56% compared to 44%). These respondents are less likely to own dogs but there are too few replies from dog owners with caring responsibilities to allow for further analysis on this question.
- Black and Asian respondents are more likely than those of other ethnicities to say that they or someone they know has experienced an issue with dog behaviour (72% and 59% respectively compared to between 44% and 45% of the other ethnic groups). There are only a small number of replies from Black and Asian respondents and these groups are less likely to own dogs, so further analysis of the impact of dog ownership on their views is not possible.
- Respondents from ethnic backgrounds other than White are more likely to say that they or someone they know has had a problem with dogs than those who are White (50% compared to 44%). However, a comparable proportion of dog owners in each of these groups have experienced an issue in the last 12 months (27% versus 25%).
- Muslim respondents are more likely than those with other religions or beliefs to say that they or someone they know has had a problem with dogs in the last 12 months (79% compared to the next highest figure of 49% for those with secular beliefs). There are only a small number of Muslim respondents and very few own dogs so further analysis by dog ownership is not possible.
- Respondents to the consultation have many different sexual orientations but for the purposes of ensuring sufficient group sizes for meaningful comparison, those who are not heterosexual have been analysed as a single group (LGB+). These respondents are less likely, than those who are heterosexual, to say that they or someone they know has had a problem with dogs in the last 12 months (37% compared to 49%) and this is also true of those who own dogs (23% versus 28%).
- Furthermore, LGB+ respondents who do not own a dog are less likely than heterosexual non-dog owners to say that they or someone they know has had a problem with dog behaviour in the last 12 months (63% compared to 76%)
- Respondents renting from the council or a housing association or trust are more likely to say that they or someone they know has experienced problems with dog behaviour in the last 12 months than those with other housing tenures (65% in each case for the social renters compared to 51% or less for other housing tenures). Respondents in social housing are less likely than other tenure groups to own a dog and there are insufficient responses for further analysis of the findings.
- Postcodes E9, E8 and E5 are the areas where the highest proportion of respondents say that they or someone they know has had a problem with dogs. These are also the areas where the lowest proportions of respondents are dog owners. For further analysis, the views of respondents in E5, E8 and E9 were combined and compared with respondents in N1, N4 and N16. A higher proportion of dog owning respondents in these E postcodes say that they or someone they know has had a problem with dog behaviour in the last 12 months than dog owners in the N postcodes (34% compared to 22%). Similarly, a higher proportion of non-dog owners in these E postcodes say they or someone they know has had a problem with dog behaviour compared to non-dog owners in the N postcodes (79% compared to 71%).

4.1.2 Q7: Nature Of Problems With Dog Behaviour

Respondents who answered question six to say that they, someone in their family or someone they knew had had problems with dog behaviour in Hackney in the last 12 months were asked about the nature of these issues. Question seven included a tick list of options that respondents could select. The table below shows the difference in views between dog owners and non-dog owners.

Problem with dog behaviour	Dog owners	Non-dog owners
Dog fouling	14%	53%
Dog running out of control	8%	41%
Threatened by a dog's behaviour	7%	35%
Dog off the lead in a controlled area	4%	28%
Dog barking	2%	28%
Dog loose in children's play area or other dog free area	2%	26%
Dog attack on a dog or other pet animal	10%	11%
Dog attack on a person	1%	8%
Stray dog	1%	2%
Other	2%	5%

Table 3 Respondents have had problems with dog behaviour in Hackney in last 12 months by dog ownership

The proportion of both dog owners and non-dog owners saying that these issues have been a problem in the last 12 months varies by postcode area. The table below shows the difference in views between respondents in E postcodes and N postcodes, broken down by dog ownership.

Problem with dog behaviour	Dog owners		Non-dog owners	
	E5, E8, E9 postcodes	N1, N4, N16 postcodes	E5, E8, E9 postcodes	N1, N4, N16 postcodes
Dog fouling	20%	13%	56%	52%
Dog running out of control	14%	5%	44%	39%
Threatened by a dog's behaviour	9%	6%	41%	31%
Dog off the lead in a controlled area	5%	3%	28%	28%
Dog barking	5%	2%	30%	24%
Dog loose in children's play area or other dog free area	2%	2%	31%	24%
Dog attack on a dog or other pet animal	13%	9%	12%	9%
Dog attack on a person	2%	1%	9%	7%
Stray dog	2%	<1%	3%	3%
Other	1%	2%	4%	5%

Table 4 Respondents have had problems with dog behaviour in Hackney in last 12 months by dog ownership & postcode area

4.1.2.1 Other Problems With Dog Behaviour

Respondents who said they had experienced ‘other’ problems with dog behaviour were given the opportunity to provide further details. 5% of all respondents took the opportunity to make further comments about the option(s) they had already selected from the list and 3% of all respondents gave feedback that was more general in nature and this was re-classified as part of question 18 (any other comments) to ensure this feedback was included. The breakdown of themes in the comments about other problems with dog behaviour is shown in the table below.

Other Problem With Dog Behaviour	Dog Owners	Non-Dog Owners
Problem with attitude/behaviour of dog owners	1%	3%
American Bully & similar breeds/dogs trained for fighting	2%	2%
Dogs chasing/jumping up at people	<1%	2%
Dogs snatching food from picnics/children	0%	2%
Professional dog walkers with ‘packs’ of dogs	<1%	1%
Dogs chasing/attacking wildlife	<1%	1%
Aggressive behaviour from dog that was on the lead	1%	<1%
Dogs attacking trees	<1%	<1%
Other problem with dog behaviour	<1%	1%

Table 5 Other problems with dog behaviour that respondents have had in Hackney in last 12 months

Some examples of comments giving more feedback on the problems respondents have had with dogs in Hackney in the last 12 months are shown below.

4.1.2.2 Comments From Dog Owners

A man with four dogs let them attack my dog. I have reported him to the police numerous times as have other people. No one will do anything about it.

The current issue is the proliferation of aggressive dogs with poor dog owners who do not control and monitor their dogs. The focus of Hackney Council should be on observing and monitoring poor dog ownership with aggressive breeds, which as I read it, the proposed new PSPO makes no reference to look at and provide a series of legal requirements or mitigating steps

In the last three years, as a result of covid lockdown, there has been a vast increase in the numbers of inexperienced dog owners who have little idea about dogs and dog behaviour.

Usually a few issues go together: young people with strong dogs, they are not exercise[d] properly, they don't go outside, they are inside all [day] they [are] barking, when they go outside they are crazy and of course none of them dares to pick up their dog poo.

Dog fouling on the streets rather than parks is a much bigger issue in my opinion. This is on the increase and there appears to be zero enforcement.

[It] wasn't the dog's fault it's too many dogs in a small area due to park renovations.

4.1.2.3 Comments From Non-Dog Owners

Lots of dog faeces on the pavements. Sometimes in bags but thrown back on the street. Sometimes in people's front gardens. I love dogs but there's a lot of them in Hackney and I feel that some of the parks are now no go zones due to [the] amount of dogs running around.

All the time people with large numbers of dogs stand in the middle of green areas and 'exercise' them by just letting them run out of control fouling everywhere, off leads, out of control.

Rude dog owners in London Fields park putting their self assigned "rights" to let their dog do whatever above the safety, welfare and peace of others

Dog fouling seems to be getting worse. There used to be a way to report it from the Hackney Council app but [it] seems to have disappeared. Dogs barking – I don't hear it that often apart from two dogs in two different flats in my block that are often left at home all day alone.

Dogs running loose are a trip hazard for older people like myself.

Some Hackney dog owners are "training" their large dogs (XL Bully type breeds) in small Hackney parks such as Butterfield Green. The dogs are being trained as attack dogs. This is very frightening to see.

4.1.2.4 Feedback From Respondents On The Wording Of These Questions In The Consultation

A recurring theme in the qualitative feedback is criticism of the proposal and the Council's approach to the consultation. Questions six and seven are two of the contentious ones, with some respondents saying they are "highly leading and negatively framed" questions and asking why the Council was not interested in asking about "the 99% of dogs that add a positive impact to the community we live in".

Several respondents argue that the questions "are clearly biased and have been drafted to support an objective" and they complain that there is "absolutely no attempt to ask open questions about the issues arising regarding the shared use of green spaces and dog ownership".

Furthermore, some respondents observed that question seven was "without a follow-up question (in relation to impact)" and it was not "viewed in the context of wider concerns around public spaces in Hackney (such as littering or fly-tipping)", which means, "it does not create a sufficient understanding of the issues in public spaces". In addition, some respondents point out that "we need to remember that people who are nervous of dogs can find a lot of normal and benign dog behaviour as threatening" and suggest that "we need to be careful of classing things like 'barking' as problem behaviour".

4.1.3 Q8: “To What Extent Do You Agree Or Disagree That The Current Dog Control PSPO Is Effective?”

43% of respondents agree that the current dog control PSPO is effective, whilst 30% disagree and the remaining 27% selected ‘neither agree nor disagree’.

Views are less polarised on this measure than for many of the other questions, with 45% of dog owners and 40% of non-dog owners agreeing that it is effective.

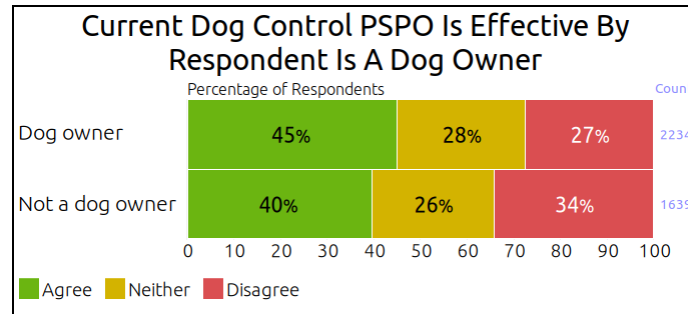


Figure 4.2

Further analysis was carried out, looking at whether the respondent or someone they know has had a problem with dog behaviour in the last 12 months, as well as whether they are a dog owner or not. This found that those respondents, who know someone who has had a problem with dog behaviour, have comparable views on the effectiveness of the current PSPO, regardless of whether they are dog owners or not. Furthermore, those respondents who do not know anyone who has had a problem with dog behaviour in the last 12 months share similar, and more positive, views on the effectiveness of the current PSPO.

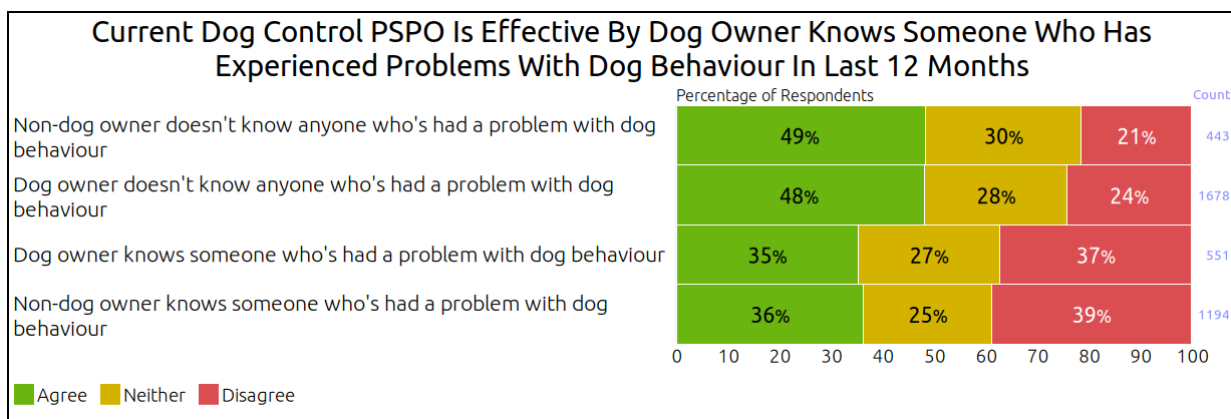


Figure 4.3

When the results to this question are analysed by sub-group, there are only a small number of instances where the difference in views is significant and the results for these groups are outlined below.

- Although the difference between views of male and female respondents overall is not statistically significant, male dog owners are more likely than female dog owners to agree that the current dog control PSPO is effective (49% versus 44%)
- Disabled respondents are less likely to agree the current order is effective than respondents who are not disabled (38% compared to 44%)

4.1.4 Q9: Reasons For Disagreement That Current PSPO Is Effective

Respondents who answered 'disagree' or 'strongly disagree' to question eight, were asked to explain why they do not consider the current PSPO is effective. Opinions on the reasons for this vary depending on whether the respondent is a dog owner or not. The percentages quoted below are the proportion of each group who *disagree* that the current order is effective, *not* the percentage of all dog owners and non-dog owners.

- 38% of dog owners who do not consider the current PSPO to be effective made comments that relate to the proposed changes, rather than the current order. Some of the feedback provided implied confusion about what this question was asking. To ensure this feedback was captured and categorised appropriately, these comments were re-classified in question 12 (reasons for not supporting proposed changes to PSPO)
- 15% of dog owners and 48% of respondents who do not have a dog made comments about witnessing the current rules being broken.
- 27% of respondents who have a dog and 36% of those who do not own a dog referred to the lack of enforcement of the current rules.

Full details of the comments made by dog owners and non-dog owners, who disagree that the current order is effective, are shown in the table below.

Reason	% of Dog Owners who disagree current order is effective	% of Non-Dog Owners who disagree current order is effective
Current rules are being broken	15%	48%
Comments are about proposed changes not current PSPO	38%	7%
Lack of enforcement	27%	36%
Irresponsible dog owners	21%	10%
Tighter controls are needed	3%	20%
Dogs need exercise	12%	3%
PSPO controls are unnecessary/punish responsible owners	12%	3%
There should be dog-only fenced areas	4%	3%
Lack of awareness of current rules	2%	4%
There should be more signs/fencing/provision of more bins/poo bags	3%	3%
There should be licensing/regulation of dogs/dog walkers/breeders	2%	1%
Other	2%	1%

Table 6 Reasons for disagreement that current PSPO is effective

Some examples of the comments made by respondents who disagree that the current order is effective are shown below.

4.1.4.1 Comments From Dog Owners Who Disagree The Current PSPO Order Is Effective

The enforcement of rules against dog fouling and against prohibited/aggressive dog breeds and their irresponsible owners should be properly enforced first, to better understand the need for additional complexity/rules in the life of the wider public.

There are known dog owners with dangerous dogs in Hackney with track records of attacking and/or killing other dogs. These tend to be status dogs (large bully breeds). Some of the cases I'm aware of have been reported to authorities, and no action has been taken. These owners are still seen out and about with their dogs. These dogs are either not properly trained and socialised, or are actively trained as attack/guard dogs (at least one of these owners has social media pages showing this training taking place in public areas)

The current PSPO is focused on excluding dogs, rather than providing safe, enclosed outdoor spaces for dogs to be safely off lead and working with residents and trainers to provide guidance on keeping your dog under control. Dogs are dangerous when their needs aren't being met, and the council is removing more and more ways owners can meet their dogs' needs.

I cannot see a day where Hackney council have enough staff to curb bad dog owners' behaviour. Instead, innocent and sensible owners will have restrictions and less enjoyments of wonderful, previously dog friendly, parks.

4.1.4.2 Comments From Non-Dog Owners Who Disagree The Current PSPO Order Is Effective

Children who are scared of dogs should be free to roam in areas such as playgrounds without being scared. Dogs can be annoying and jumpy and get in the way of kids running around. Fouling – not enough is done to prevent this. No one monitors it.

Dog fouling is a persistent problem on the surrounding streets, especially Rendelsham Road. I suspect this is down to the proximity to Hackney Downs (where many people walk their dogs), but I strongly believe the offending owners are local to the neighbourhood. Free dog waste bags have been distributed on lamp posts but this doesn't seem to have worked. I don't believe imposing fines will be effective. How will the council even monitor this?

Dog owners often seem unconcerned about the anti-social behaviour of their animals – particularly around people who may not be comfortable near them. This is particularly true in the borough's parks (such as Clissold Park) where dogs which are left off their lead can be unpleasant for others who are trying to enjoy the area. They can cause a nuisance, particularly when people are trying to eat. The current PSPO is not enforced and dog owners can act with impunity.

Dogs in London Fields are so numerous – and they are not under any control. For our family this has made the use of the space almost impossible since my son has been chased, barked at, jumped on and covered in excrement (on a number of occasions).

4.1.4.3 Comments On Effectiveness Of Current Order From Respondents Who Did Not Answer 'Disagree' To Q8

Although respondents were only invited to enter comments about the reasons for their views if they answered 'disagree' or 'strongly disagree' to question eight, some respondents who did not select these response options also made comments about the effectiveness of the current order. These responses are considered as a percentage of comments made, rather than as a percentage of all respondents who do not disagree that the current order is effective. This is because most respondents, who did not select 'disagree' or 'strongly disagree', followed the instructions in the questionnaire and did not give feedback, even though they might have wanted to do so.

27% of these comments concern enforcement, whilst 23% related to the proposed changes rather than the current PSPO. 13% of the comments in each case were about the current rules being broken and about irresponsible dog owners. Full details are shown in the graph below.

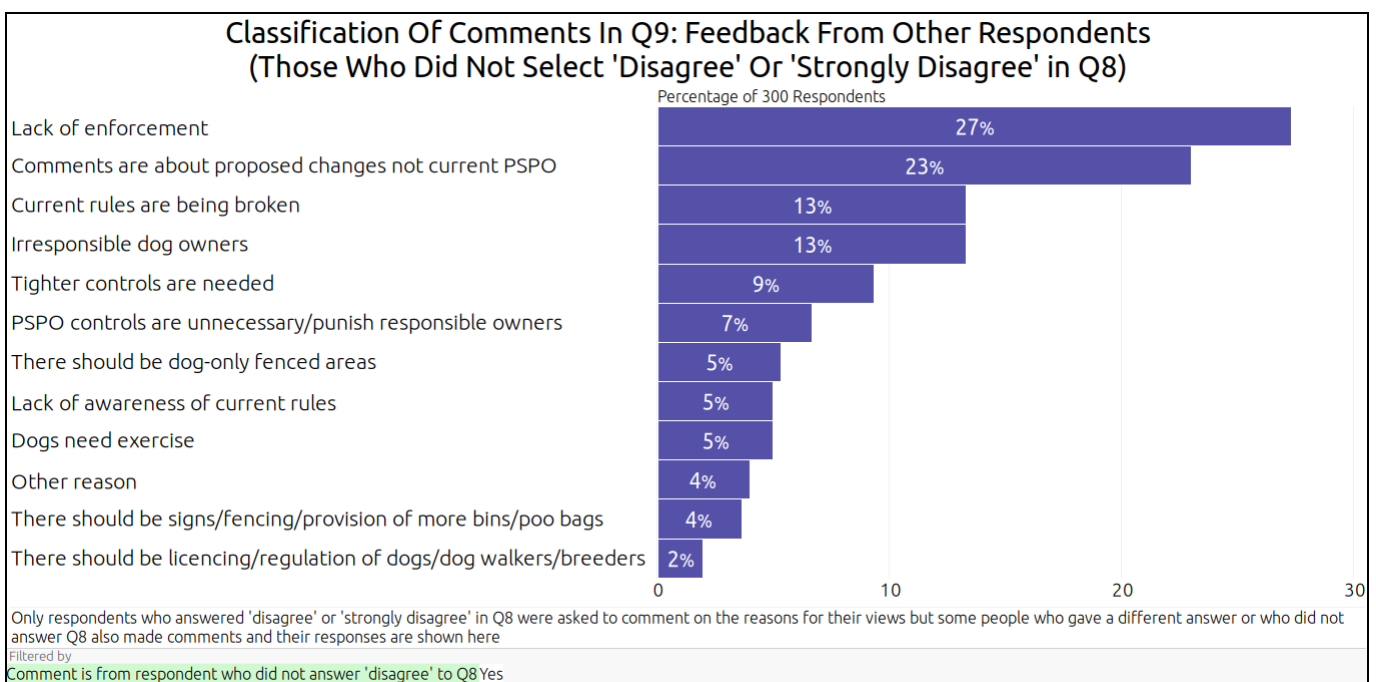


Figure 4.4

Some examples of these comments are shown below.

My sense is that the current Dog Control PSPO is not being effectively implemented in terms of monitoring or policing of breaches of the current controls.

There is no way of knowing what difference the PSPO has made as I can't see where to find any statistics on Hackney Council's website about an increase or decrease in dog problems since the PSPO. What is it meant to be effective against? Who is measuring its effectiveness? Where are the reports on its effectiveness?

To be honest I am confused. I have seen debates online between dog owners and we're unclear on the status of Hackney Marsh. I walk my dog there off lead and have never seen any signs to indicate that I shouldn't. Some people say that dogs must be kept on a lead when matches are in progress, others say they are point blank not allowed around "sports facilities" – what does that mean?

4.1.5 Q10: To What Extent Do You Agree Or Disagree That It Is Important To Control The Way In Which People Look After Their Dogs In Shared Public Spaces?

85% of respondents agree that it is important to control the way in which people look after their dogs in shared public spaces, whilst 6% disagree and 8% selected 'neither agree nor disagree'.

Respondents who do not have a dog are more likely to agree with this statement than dog owners: 93% of non-dog owners agree compared to 80% of dog owners.

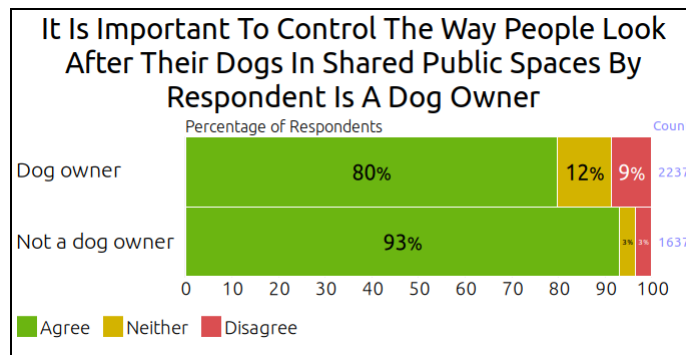


Figure 4.5

Views also vary depending on whether the respondent or someone they know has had a problem with dog behaviour in Hackney in the last 12 months. 99% of respondents who do not have a dog and do know someone who has had a problem with dog behaviour agree that it is important to control the way people look after their dogs in shared public spaces. 93% of dog owners who know someone who has had an issue with dog behaviour agree, compared to 77% and 76% respectively of non-dog owners and dog owners who do not know anyone who has had a problem with dog behaviour.

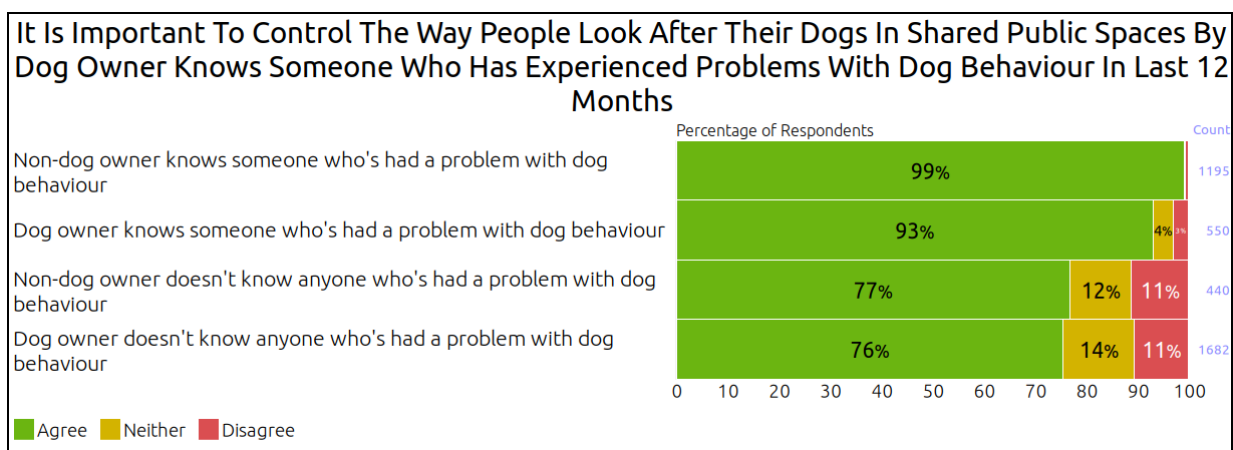


Figure 4.6

4.1.5.1 Respondents' Criticism Of This Question

Some dog owners objected to the wording of this question, suggesting it is “leading” and “manipulative”, and stating that “it is important that dog owners control their dogs in public spaces” (as opposed to “it is important to control the way in which people look after their dogs...”).

4.1.5.2 Further Analysis Of The Findings

Respondents' views on this question were analysed further and, where the difference in opinion between sub-groups is large enough to be significant, the findings are shown below.

- Respondents aged 65+ are more likely than their younger counterparts to agree that it is important to control the way people look after their dogs in shared public spaces. In contrast, respondents aged under 35 are less likely, than any of the older age groups, to agree with this statement. (93% of respondents aged 65+ agree compared to 81% of those aged under 35).
- Dog owners aged 65+ are more likely than those aged under 45 to agree (86% compared to 77% of those aged under 35 and 78% of those aged 35-44)
- Disabled respondents are less likely than those without a disability to agree (80% versus 86%)
- Disabled dog owners are also less likely to agree with the statement compared to dog owners without a disability (73% compared to 81%).
- Views on this issue vary by ethnicity: Black respondents are more likely than White respondents to agree, whilst respondents from a mixed background and other ethnic groups are less likely to agree. (93% of Black respondents agree compared to 87% of White respondents, whilst in contrast, 82% of those from a mixed background and 75% of respondents from other ethnic background agree)
- White respondents are more likely to agree than respondents from all other ethnic backgrounds combined (87% versus 82%) and this is also the case when the results are analysed by dog ownership (82% compared to 74%).
- LGB+ respondents are less likely than those who are heterosexual to agree with the statement (82% compared to 88%).
- Respondents in E postcode areas are more likely to agree than those in N postcode areas (89% compared to 84%) and this is also the case for dog owners (84% versus 77%).

4.1.6 Q11: Do You Support The Updates To The Dog Control PSPO As Outlined In The Consultation Information?

37% of respondents answered ‘yes’, they support the updates to the Dog Control PSPO, whilst 58% answered ‘no’ and 5% ‘don’t know’.

Views are heavily influenced by whether the respondent is a dog owner or not. Indeed, 74% of respondents who do not have a dog support the updates compared to 10% of dog owners.

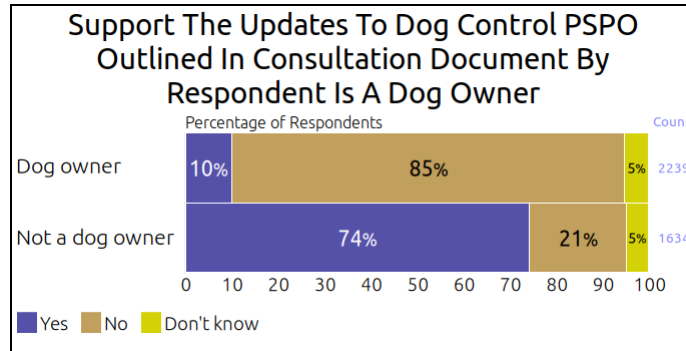


Figure 4.7

Another key influence on respondents’ views on this question is whether they or someone they know has had a problem with dog behaviour in Hackney in the last 12 months. 88% of non-dog owners, who know someone who has had a problem with dog behaviour, support the updates compared to 37% of non-dog owners who do not know anyone who has had a problem with dog behaviour. In comparison, 29% of dog owners, who say they or someone they know has had a problem with dog behaviour, are in favour of the updates to the PSPO compared to 4% of dog owners who do not know anyone who has had a problem with dog behaviour.

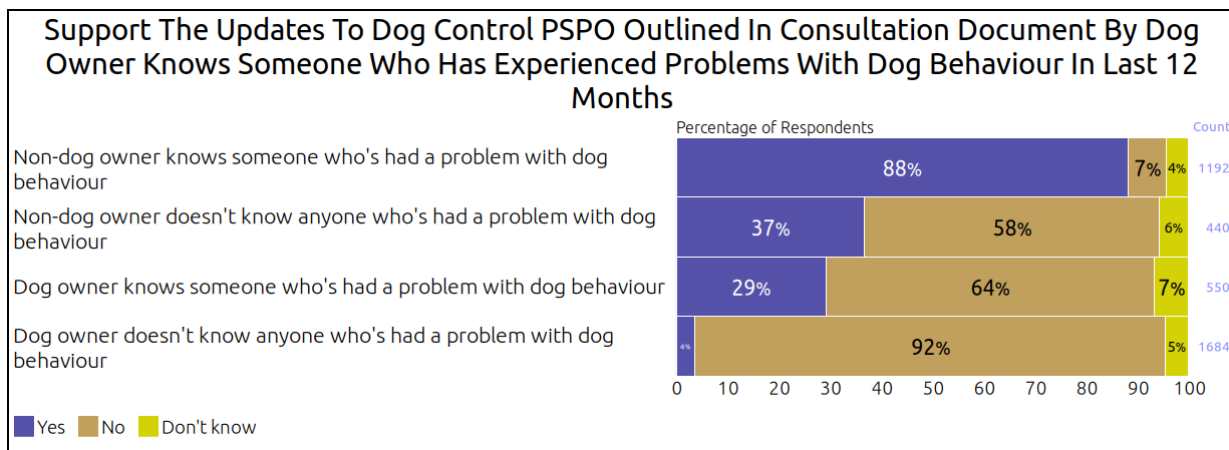


Figure 4.8

4.1.6.1 Further Analysis Of The Findings

Further analysis was undertaken by sub-group and the results are discussed below.

- Older respondents, aged 65+, are the age group most supportive of the updates to the PSPO, with respondents aged under 35 the least supportive (61% and 25% respectively). This is also true for non-dog owners (86% and 61% respectively support the updates).
- However, when the views of dog owners are analysed by age, the difference between their views is not statistically significant.
- Respondents with caring responsibilities are more likely to support the updates to the PSPO than those without caring responsibilities (50% compared to 36%).
- Black and Asian respondents are more supportive of the updates to the dog control PSPO than respondents of other ethnic groups. These respondents are less likely to own dogs and there are insufficient responses for further analysis by dog ownership.
- Muslim respondents are more supportive of the updates than those who follow other religions or beliefs (73% support). Again, this group is less likely to own dogs and there are only a small number of Muslim respondents to the consultation.
- LGB+ respondents are less likely than those who are heterosexual to support the updates (28% compared to 41%). Views of both heterosexual and LGB+ dog owners are comparable on this question (11% and 10%) but LGB+ respondents who do not own dogs are less likely to support the updates than those who are heterosexual (64% versus 80%).
- Respondents renting from the council or other social landlord are more likely to support the updates to the PSPO than those in other housing tenures.
- Respondents in E5, E8 and E9 are more likely than those in N1, N4 and N16 to support the updates (49% versus 36%) and this is also the case for dog owners in these postcode areas (18% versus 8%). In contrast, views of non-dog owners in these postcode areas are very similar (77% and 76% respectively).

4.1.7 Email Responses To The Consultation

101 emails were also received in response to the consultation. The content of these was analysed to determine whether the respondent supports the updates to the PSPO control order. The majority of emails, 88%, were against a specific part of the proposal, mostly, but not exclusively the changes to Abney Park cemetery. The content of the emails against the proposal or part thereof were analysed with the other feedback to question 12 and the content from those in favour were analysed as part of question 18 (additional comments).

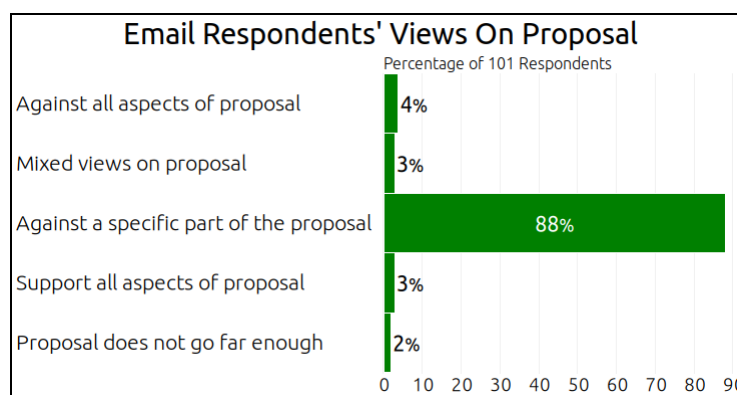


Figure 4.9

4.1.8 Q12: Reasons For Not Supporting Updates To PSPO Control Order

Respondents who answered 'no', they do not support the updates to the PSPO control order, were asked to explain the reasons for their views. The table below shows the main themes in the qualitative feedback. Themes have only been included if they were mentioned by 7% or more of either dog owners or non-dog owners who do not support the updates.

Theme in comments	% of dog owners who do not support updates to PSPO	% of non-dog owners who do not support updates to PSPO
Abney Park Cemetery	50%	42%
Comment focuses on specific changes in PSPO	45%	38%
Too restrictive/proposals punish responsible owners	36%	22%
Dogs need exercise	28%	22%
Council need to target irresponsible dog owners	19%	10%
Criticism of proposal / council's approach to consultation	18%	12%
Comments support some aspects of PSPO but not others	13%	8%
Humans cause more problems than dogs	11%	8%
Proposals don't go far enough	<1%	11%
Disagrees with limiting the number of dogs to four	10%	8%
Issues around enforcement	8%	9%
Hackney Marshes	7%	5%
Will force professional dog walkers out of business / put prices up	7%	3%

Table 7 Reasons for not supporting updates to PSPO control order

Due to the very large number of comments received about Abney Park Cemetery, feedback on the proposed changes to this location will be discussed in a separate section later in this report. Further feedback on the other key themes in the comments is set out below.

4.1.8.1 Comment Focuses On Specific Changes In PSPO

The feedback that many respondents gave to question 12 related to a small number of specific changes in the PSPO. Of these, Abney Park was the most frequently mentioned but respondents focusing on a small part of the proposal also commented on proposals to limit the number of dogs to four or their feedback was concentrated on one or two places they visit regularly, such as Hackney Marshes, Olympic Park and Millfields. Some examples of this feedback are shown below (Abney Park examples are not included as this is discussed in detail later in the report).

I live right by De Beauvoir Square. I never take my dog inside the circular black fence in the square but I do run around the outside with my dog on the pebble path, her on the grass on a lead running outside me. I do this a few times per week to exercise her (and myself). You are going to prevent us using even the grass verges outside the park on that square.

Absolutely outrageous that you are proposing to remove one of the ONLY safe fenced off areas for dogs to be off lead in Millfields Park. You CANNOT only factor in people with children using this part. There is never a problem – if children are in there we do not go in with our dog. And we all clean up after ourselves.

Hackney marshes football pitches – massive open space that is unused for the majority of the week, except for dog walks! Obviously restrict dogs when matches are being played, but not otherwise! Likewise Millfields cricket pitch – obviously the square is fenced off. But otherwise it's just empty green space only used by dog walkers, and small numbers of casual football games.

4.1.8.2 Too Restrictive/Proposals Punish Responsible Owners

A common complaint from respondents was that if the proposals come into force they will restrict where responsible owners can exercise their dogs. Many such owners point out that they already follow all the existing rules and do not feel they are the people causing the problem.

Instead of these strict measures, authorities should focus on education, encouraging responsible ownership, and stricter enforcement against those who don't follow existing laws. Punishing all dog owners is not an effective solution.

Banning dogs from vast open spaces of Hackney, in particular Hackney Marshes, would be a draconian over-reaction, a move to punish the vast number of respectful dog owners who use the space on a daily basis in favour of the idiot minority. And frankly it would be an abuse of my mental and physical health, and that of thousands of others who continue to live in Hackney precisely because of the open spaces it offers.

Current measures are already effective. There are a minority of anti-social dog owners and these should be targeted rather than penalising all dog owners who are considerate and respectful.

4.1.8.3 Dogs Need Exercise

Many comments highlight the importance of exercise for dog well-being. These respondents point out that lack of exercise can result in behavioural problems and many breeds of dog cannot get sufficient exercise from on-lead walking alone. Additionally, some disabled respondents express concern about being able to give their dog enough exercise if their access to suitable local areas is restricted.

I walk my dog in Hackney's section of the QE Olympic Park. I am a wheelchair user and this part of the park under your domain is the only place where I can walk my dog because of the path. I cannot use the marshes, I cannot go to the flats. My assistance dog is mandated to have two hours off lead every day, it's in her contract. I take her through the park, she is let off onto Hopkins Field – as permitted by the LLDC – and in my wheelchair, I follow the path and circle that field and you are voting to completely remove my ability to do this. You will take all independence from me.

It is essential for the wellbeing of dogs that they are permitted to exercise off-lead. Dogs which do not get enough exercise are more likely to have behavioural issues or become over-excited. Walking on-lead is no substitute for walking off lead, and dogs which are kept on-lead are often more excitable and nervous when they encounter other dogs and people than they are when off-lead. The proposed measure would be counter-productive and could actually lead to an increase in problematic dog behaviour.

Dogs need more space to be free not less. I understand the need to keep some dogs away from children but they need exercise and act up when they don't get it. Restricting access to certain parks or issuing on lead orders will not help it will make the issue worse.

4.1.8.4 Council Need To Target Irresponsible Dog Owners

There is a perception, amongst some respondents to the consultation, that “the wrong group of people is being targeted here and [this] will not solve the problem of dog related incidents”. Many respondents consider “the problem is always the owners, not the dogs”. The comments include concerns about the lack of action taken against owners already known to be irresponsible and a feeling that these owners will continue to ignore the rules.

Hackney Council should also be aware of persistent problems caused by a small number of men who regularly train extremely aggressive dogs in public spaces such as Butterfield Green and Ridley Road market, terrorising both people and other dogs.

Unruly and violent dogs around the neighbourhood are 'rogue' dogs – poorly trained, poorly socialised and whose 'responsible humans' show a disregard for other people and dogs when taken to task about their dog's behaviour.

Rather than address the real problem, which is what to do about irresponsible dog owners, the easier option is not to address this at all but just restrict the rights of all dog owners to use the parks as they wish. This strikes me as incredibly unjust. The proposed solution here is not in fact aimed at the problem.

4.1.8.5 Criticism Of Proposal / Council's Approach To Consultation

A recurring theme throughout the qualitative questions in the consultation is criticism of the proposal and the Council's approach to the consultation. Respondents raising these issues object to not being able to comment on individual aspects of the proposals and consider the consultation questions to be biased and negatively framed. They also refer to the lack of data to support the proposals and think the situation with dogs should be considered as part of wider anti-social behaviour issues in Hackney's parks.

First of all I disagree with the way you are organising this consultation. The PSPO is a long and complicated set of rules, the great majority of which I agree with. However you have turned this complicated subject into a binary yes/no situation. Where is the nuance?

The questions in this survey are clearly biased and have been drafted to support an objective. There is absolutely no attempt to ask open questions about the issues arising regarding the shared use of green spaces and dog ownership. On judicial review I anticipate a court would find that the survey failed to meet the objectives of an adequate consultative process.

The council seems to be justifying this change in light of increasing complaints received about dogs but after requesting all reported incidents involving dogs as part of the FOA, I receive the data and saw there was scant data to justify these changes. In some of the areas proposed there are no complaints at all.

4.1.8.6 Comments Support Some Aspects Of PSPO But Not Others

Many respondents' views on the updates to the PSPO are nuanced with support for some aspects but not others. For example, when explicitly mentioned in the comments, respondents are generally in favour of banning dogs from children's play areas and fining those who do not pick up faeces. Respondents who say they support aspects of the PSPO often cite Abney Park Cemetery as the sole reason they object to the proposed updates. Feedback on this topic is discussed in a separate section later in this report and other examples of respondents' mixed views on the proposals are shown below.

I agree with all children's play areas/gyms etc. but some of the small parks and cemeteries are the only safe place to a dog off a lead. I would never let my dog off in Clissold Park but I do in small cemeteries as there [is] very often no one in there and it is safe to do so.

It is fine to ban dogs at some areas and to ask them to be on leads in some, but that can only happen where there are other spaces where dogs can run around. At the moment there aren't enough places where I live and limiting the existing ones will mean that I won't have anywhere to exercise my dog within a 30 minute walk.

Whilst I do agree with the penalties for dog fouling, the other parts of the order would result in potentially dangerous situations for both owners and dogs. By removing a large number of spaces where owners can freely exercise dogs you are increasing the concentration of dogs in the remaining areas.

4.1.8.7 Humans Cause More Problems Than Dogs

One of the criticisms of the consultation, discussed above, is respondents' concern that it does not address dog behaviour as part of the wider anti-social behaviour issues in Hackney's parks and green spaces. Respondents comment on problems caused by drug users and littering and also recognise the potential for conflict between people using the parks for different activities: cycling is frequently mentioned in this regard.

It is not dogs who are the danger. It is cyclists / electric scooters / motor bikes and delivery riders. I have personally had too many near misses of being run over whilst walking through Shoreditch Park.

Haggerston Park is the perfect spot for dogs as it is completely walled off. During the winter months you almost exclusively see only people with dogs there. They are a main user of the park. The second highest users of the park are people smoking crack. I would suggest it's more important to focus on drug use than dogs off lead.

I lived in Hackney for 24 years and moved house to E15 in August to escape the antisocial behaviour from intoxicated people in and around London Fields, including people defecating and urinating regularly in public and at times on the fence outside my living room window. I was told that a ban on alcohol, which would have stopped this antisocial nightmare around my home, would have unjustly infringed on the freedom of the majority of responsible park users. Yet Hackney Council is proposing that it's absolutely fine to penalise wholly responsible dog owners?

4.1.8.8 Proposals Don't Go Far Enough

11% of non-dog owners who do not support the updates commented that the proposals do not go far enough and they want to see dogs on leads or banned in more places.

Dogs should be kept on a lead in all parks and open spaces. There should be designated 'leash-free' areas rather than small areas where dogs are not allowed to be off lead.

There should be stricter penalties for dog fouling on pavements. It is almost impossible doing the two minute walk to our children's school without having to weave around dog litter on a daily basis.

I would like stronger rules put in place. Considering how many families and children there are in Hackney, there are not enough parks dedicated as dog free zones. Clissold Park – the amount of dog free space compared to space for dogs is completely unfair.

More stringent measures are required i.e. a local licensing scheme.

4.1.8.9 Disagrees With Limiting The Number Of Dogs To Four

The proposal to limit the number of dogs a person can have under their control to four is perceived as being “targeted at professional dog walkers”, who many respondents recognise as being the people most able to control their dogs.

Limiting dog walkers to four dogs will only increase the problem. Dog walkers are trained and experienced in handling dogs, even groups of dogs larger than four. On the contrary, most dog owners don't know how to handle one single dog.

The restriction on professional dog walkers only having four dogs is excessive. The ability to control dogs is reliant upon the skills of the dog walker and the dogs they choose to look after. It would be more effective to introduce a licensing scheme that required all individuals who are dog walking (whether as a private business or as an employee of a company) to hold a minimal level of training and a maximum of six dogs which reflects accepted good practice for the industry.

Limiting walks to only four dogs does not take into account the huge variety of dogs and their temperaments. I regularly assess each dog to determine how many I can look after safely at one time. For groups of elderly or small well-behaved dogs I am perfectly capable of handling six dogs, as I have done so for years, which I am also of course professionally insured for.

4.1.8.10 Issues Around Enforcement

Lack enforcement of the current rules and concerns around how the new proposals will be enforced are also a common theme in the comments.

The problem is not the rules themselves but with enforcement. The only reason the current PSPO is not effective is because it's not enforced.

Dogs on Leads by Direction: whilst I am not opposed to this order, it is not clear what Hackney is proposing to do in this regard, i.e. are officers going to be adequately trained so that they will have an understanding of dog behaviour and they will be able to fairly access if a dog is out of control? Also, it is not clear who is an officer with the power to enforce this order: the Police? A park ranger?

All these paper measures are meaningless and divisive if the current level of enforcement stays at the abjectly low level it is today. The council giving itself more powers when it doesn't use those it already has is bad policy.

I have not witnessed problematic behaviour from dogs in Clissold Park but if there have been such issues, there are already measures which can be taken to restrain the relevant behaviour, such as ASBOs and enforcement under the Dangerous Dogs Act and related legislation.

4.1.8.11 Hackney Marshes

Many of the respondents who made comments about Hackney Marshes object to dogs being banned from sports pitches when these are not in use. There also seems to be some confusion in the comments about the extent of the restrictions in this area.

I see that Hackney Marshes has dogs excluded too? I believe that's only when there are games in play, yes? Or on leads when games are in play?

I am really concerned about the 'no dogs allowed' on the HUGE area of open space of Hackney Marshes where the pitches are. So many dog owners rely on this space to exercise their dogs off the lead. It is the whole reason I bought my flat – so my dog could have access to this space for exercise. That area has no fences so you're essentially banning dogs off lead on that whole part of the marshes.

Whilst it is entirely reasonable to keep dogs away from sports areas while they are in use, it is wholly unreasonable to maintain that restriction when those pitches are not being used for organised sports activity. It is difficult to understand the public benefit of maintaining this restriction outside of matches. Players would gain no benefit, as they are not there, and there are pre-existing rules about dog fouling

I do agree that sports areas need to be kept clean, but looking at the proposal for Hackney Marshes for example, I feel dogs are being blamed solely for its problems. I find both dog fouling and litter in public spaces to be repugnant. The area is used for sport for only a fraction of the week, let alone a given day, and the rubbish left behind by sports teams is abhorrent.

4.1.8.12 Financial Impact On Professional Dog Walkers

Many respondents who own dogs use professional dog walkers or day care providers to ensure their pets get sufficient exercise. Their comments express concern about the impact the proposals will have on the financial viability of these small businesses as well as about the resulting increase in costs to themselves, particularly during the cost of living crisis. Respondents also raise concerns about the repercussions for dog well-being if dog walkers go out of business or owners can no longer afford to use them.

Professional dog walkers should also be able to walk more than four dogs. We know four does not make their business viable and many dog owners require a dog walker to ensure their dog is offered a high quality of life. If restrictions are put in place businesses will be forced to shut down, dogs will ultimately suffer. It could lead to a reduced quality of life for the dog and potentially dogs having to be rehomed. This could have a much bigger impact on families, their lives and their mental health.

Dog walking is my dream career and this potential new rule threatens to destroy everything I have carefully and lovingly built.

I do not support the blanket restriction on professional dog walkers to a maximum of four dogs. This should not be done without proper assessment of the impacts on small businesses and the cost of living impacts on residents (both of which would be significant), and you have made no effort to explore alternative arrangements to mitigate those impacts such as licenses.

4.1.9 Q13: To What Extent Do You Agree Or Disagree With The Proposed New Requirement To Limit The Number Of Dogs That A Person Can Have Under Their Control/Walk At Any One Time To Four?

The proposed changes to the PSPO included a new requirement about the ‘maximum number of dogs’, which would make it an offence for one person to have more than four dogs under their control at any one time. This requirement would apply to the entire borough. The consultation questionnaire asked respondents to indicate whether they agree with this requirement: 56% of respondents agree, whilst 30% disagree and 14% selected ‘neither agree nor disagree’.

This is another question where views are very polarised depending on whether respondents own a dog or not. 78% of non-dog owners agree with the new requirement compared to 40% of dog owners.

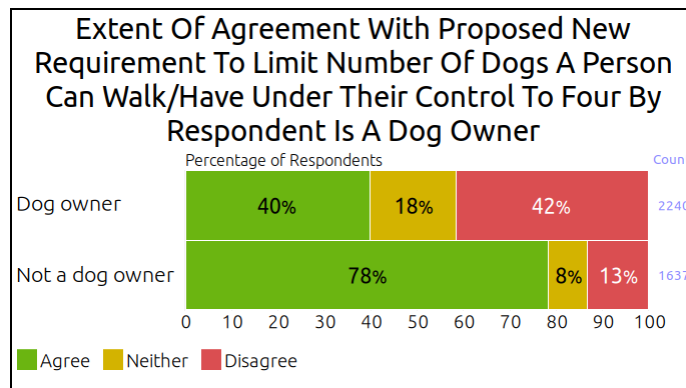


Figure 4.10

The majority of professional dog walkers who responded to the consultation *disagree* with the requirement to limit to four the number of dogs a person has under their control at any one time. 63% disagree, whilst 32% agree with this aspect of the proposals.

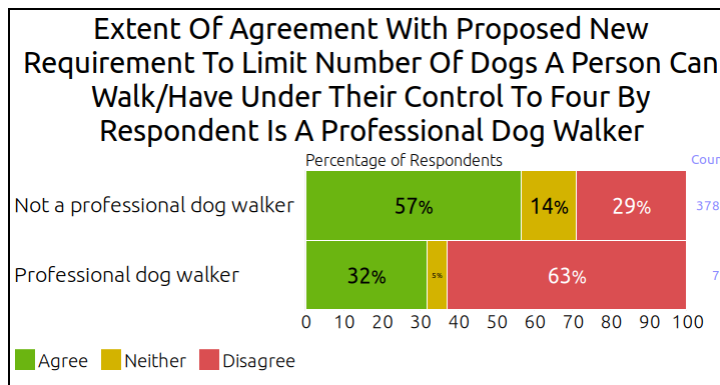


Figure 4.11

4.1.9.1 Further Analysis Of The Findings

Further analysis of respondents' views was undertaken by sub-group and the results are discussed below.

- Respondents aged under 35 are the group least likely to agree with the new requirements, whilst those aged 65+ are most likely to agree (44% and 79% respectively).
- Older dog owners, aged 65+, are also more likely to agree with the new requirements than their younger counterparts (62% compared to 45% or fewer of respondents in other age groups).
- Amongst non-dog owners, those respondents aged under 35 are least likely to agree with the new requirement (63% compared to 77% or more of those in other age groups).
- Respondents with caring responsibilities are more in favour of the new requirement than those without (63% versus 56%).
- Black and Asian respondents are more likely to support the restriction on the number of dogs compared to respondents of other ethnicities. However, there are only a small number of Black and Asian respondents to the consultation.
- Muslim respondents are also more likely than those who follow other religions or beliefs to support the new requirement but, again, there are only a small number of replies from this group.
- LGB+ respondents are less likely than heterosexual respondents to agree with the new requirement (51% compared to 59%) and this is also true of non-dog owning respondents from both groups (72% compared to 83% respectively). However, in contrast, the views of heterosexual dog owners are in line with those of LGB+ dog owners (41% and 40% agree respectively).
- Respondents who live in E5, E8 and E9 are more likely to be in favour of restricting the number of dogs than those in N1, N4 and N16 (62% compared to 56%).
- Although 41% of dog owners in each of these postcode areas agree with the proposal, a higher proportion of those in the E postcodes *disagree* (45% compared to 37% in the N postcode areas).

4.1.10 Q14: Reasons For Disagreement With The Maximum Number Of Dogs

Respondents who 'disagree' or 'strongly disagree' with the proposal to limit the maximum number of dogs were asked to explain the reasons for their views. The table below shows the most common themes in the qualitative feedback provided. Themes have only been included if they were mentioned by 7% or more of either dog owners or non-dog owners who do not support the updates. Although they are only a small group of respondents, the views of professional dog walkers are also included for reference.

Theme in comments	% of dog owners who disagree with proposal to limit maximum number of dogs	% of non-dog owners who disagree with proposal to limit maximum number of dogs	% of professional dog walkers who disagree with proposal to limit maximum number of dogs
Professional dog walkers don't cause any problems in the area	39%	23%	31%
Financial impact of proposal on professional dog walkers and dog day care firms	34%	16%	45%
Dog walking / dog day care prices will go up	21%	9%	27%
Number of dogs a person can control depends on their experience	19%	19%	45%
Implications for dog well-being	15%	7%	35%
Criticism of proposal / council's approach to consultation	13%	6%	24%
Proposal doesn't take the breed or size of dog into account	11%	9%	8%
Introduce a licensing requirement for professional walkers	11%	5%	18%
Thinks rules should be tighter / suggests a lower maximum number	1%	11%	0%
Disagrees with such a blanket / broad brush / arbitrary approach	9%	8%	12%
Agrees there should be a maximum number but thinks it should be higher than four	9%	5%	14%
Professional dog walkers help ensure dogs are well socialised	8%	6%	12%

Table 8 Themes in comments about reasons for disagreement with limiting the maximum number of dogs to four

In addition, although this was only mentioned by a small proportion of other respondents, 20% of professional dog walkers who disagree with the proposal, point out that they are insured for a certain number of dogs, often six.

Further feedback on the other key themes in the comments is set out below.

4.1.10.1 Professional Dog Walkers Don't Cause Any Problems In The Area

The most common theme in the feedback from respondents, who disagree with the proposal to limit the number of dogs to four, is that professional dog walkers do not cause any issues in the area.

Most dog handlers are highly experienced and extremely responsible people and teams; many have qualifications as dog trainers, behaviourists, dog first aiders and more, as well as walking dogs. Many have years of experience. All take their job very seriously. On Hackney Marshes, the professional walkers have a WhatsApp group to alert other walkers to any incidents / danger etc; they also have a voluntary Canine Care Code which advocates for responsible dog handling, positive reinforcement, clearing up dog poop; being a guardian of the Marshes and supportive of all other Marsh users. They are not problem dog handlers.

Professional dog walkers do not present any sort of problem. I have used a number of them in Stoke Newington over the years and to effectively ban them or limit the scope of their work is a terrible idea. What problem are you trying to solve? These walkers do not cause problems.

The dog walkers do not want to look after potentially dangerous or disruptive dogs as it would make their job harder and unpleasant. This proposal seems to me like Hackney council is attempting to fix something which isn't broken.

4.1.10.2 Financial Impact Of Proposal On Professional Dog Walkers And Dog Day Care Firms

The comments from dog owners express concern that the proposed new requirement will result in dog walkers going out of business. Many professional walkers have made similar comments worrying that about the reduction in income and the increased costs if the proposed changes come into effect.

*Everything I have built my business on over 8 years will be down the drain in one night and Hackney Council do not give a **** about the people whose lives will be affected by this. You have no idea what this has done to my mental health since the proposal came out. I've been worrying about it so much, I've had so many sleepless nights about how I'm going to keep a roof [over] my head and food in the fridge.*

In a cost of living crisis it's absolutely nonsensical to propose policy that would put people out of a job. This would predominantly affect poorer people, likely women. It would also have a knock on effect on older or disabled people who might rely on dog walkers to exercise their pets.

We do all our Borough-based work on foot so while a vehicle operator could carry ten or more dogs within the rules, while contributing to local traffic, a non-vehicle service is adversely affected by the rules which creates a perverse incentive to drive. Should the number of dogs per walker be capped at four this has a significant cost increase for providers – we need to have more staff to ensure capacity and flexibility.

4.1.10.3 Dog Walking / Dog Day Care Prices Will Go Up

As well as expressing concerns about the financial viability of dog walking and day care businesses, many dog owners are concerned that the proposed new restriction would result in prices for these services increasing, with many commenting that they would not be able to afford this, especially with the cost of living crisis.

Restricting dog walkers to 4 dogs per walker would be ineffective for any kind of existing business – meaning a third more staff would be required to run their businesses and would mean the cost of doggy day care would consequently increase by a third. With the current cost of living – hard working families in Hackney cannot afford this and these local businesses will not survive.

We used to have one dog walk in the middle of the day which equates to around £400 a month. Then the police helicopter presence went through the roof terrifying our dog causing her not to be left at home for most of the day. We're now paying around £600 a month because of this. [...] Reducing the number of dogs [our dog walker] can walk will force the business into raising costs due to raising the number of staff to make the business viable. However this will raise our expenditure again and we will not be able to afford to do this.

The cost of dog care will rise even further (I currently pay £36 to have my dog walked!). More people will not be able to afford this service, which allows them to ensure their dog's welfare is maintained

4.1.10.4 Number Of Dogs A Person Can Control Depends On Their Experience

Many respondents comment that an inexperienced owner may be unable to control one dog and this might be more dangerous than an experienced professional with five or six dogs.

A blanket limit without consideration of who is in charge of the dogs (professional dog walkers etc) nor of the dogs themselves is a blunt instrument. There should at least be the option for people to get an exemption or extension to the limit where they can justify it.

I could be walking my well behaved group of six small dogs I walk every day and meet an inexperienced or new owner/walker with one or two dogs that weigh more than all my dogs combined, who aren't trained properly and are causing chaos. And yes this does happen. I am not the problem. It makes no sense whatsoever.

I use Clissold Park a lot and the best controlled and managed dogs are those that the professional dog walkers are looking after. It is their job and they take it seriously so I don't understand why they are being targeted? It is not necessary – often the most out of control dogs are those on their own off the lead without care or attention of their owner, in fact I've seen dog walkers step in to help on some occasions so it would be detrimental to exclude them from the park.

4.1.10.5 Implications For Dog Well-Being

The qualitative feedback includes concerns that the expected rise in dog walking and day care costs, in response to the proposed new restriction, will have a negative impact on dog well-being due to a reduced number of walks and increasing frequency of being left at home all day.

Dog walkers are important and there is a shortage of dog walkers. We need to make sure dogs get walked as it is crucial exercise and stimulation that is extremely important for the dog's wellbeing and therefore behaviour. Restricting the number effectively means many dogs not being walked or looked after, which will mean less well-behaved dogs. Exercise is the number one rule for better behaviour in dogs.

Reducing the number of dogs that a walker can have will exponentially increase the cost of dog day care as dog walkers will increase prices to achieve a living wage. This will, in turn, mean that many of the borough's loved pet dogs will not get the exercise that they need. A lack of exercise and stimulation and training (which critically forms a key part of day care) is what leads to dogs acting out. Dogs being cooped up in the house too long all day will lead to dogs misbehaving when they do get to go out. Moreover this will lead to cruelty towards dogs if they do have to stay home alone for longer periods. Responsible dog owners invest in day care as a responsible act.

If a dog walker can only walk four dogs it will put up the cost of doggy day care dramatically. This will mean that people will have to give up their dogs to dog shelters that are already over crowded or leave their dogs home alone which might cause stress for the dog and barking noise disturbance for others.

4.1.10.6 Criticism Of Proposal / Council's Approach To Consultation

Respondents question the rationale behind the four dog limit with many asking where the evidence, data and justification comes from. The comments from many professional dog walkers object that they have not been consulted on the proposed changes prior to the consultation being publicised. Some respondents suggest that the council should seek the advice of the Kennel Club about this proposed new restriction. The Kennel Club themselves have also submitted a response to the consultation as a whole including discussion of this part of the proposal, which they do not support. This is discussed in more detail in a later section of this report.

At no point in all the time I have walked dogs in Hackney [has] anyone from Hackney Council approached me or any other walker I know, in the parks or on the Marshes, to talk about the challenges we or the council may be facing or anything else. The reality is that the council is pushing for one outcome, the one they want, the consultation is even written in a way that pushes replies in a certain direction. [...] If there are problems with professional walkers, what has the council done so far? What was the number of reported accidents in the past 24 / 47 months? Where did the number four come from?

You have misquoted the RSPCA who in their briefing document about PSPOs do not mention that there should be a limit on the number of dogs being walked by any one person. [...] If you consult your local Police and Enforcement Officers you will find that there are no records of dog attacks by multiple dogs. They will all be solo dogs. Under Local Government Association guidance for PSPOs you cannot impose rules that are not evidenced and proportionate.

4.1.10.7 **Proposal Doesn't Take The Breed Or Size Of Dog Into Account**

Many respondents observe that the new restriction applies equally to both four XL Bullies and four Dachshunds. The comments also suggest this approach will not address the problem of dangerous dogs.

My question is – how does a limit of four dogs per walker automatically equal better safety? 6 Dachshunds would be very different to 4 Dobermanns. 6 slow elderly dogs is very different to 4 young energetic dogs who have yet to be trained properly. 6 well behaved dogs who have walked together in the group with the same walker for many years would be very different to 4 dogs who have never been on a group walk together and/or with behavioural issues.

It's totally arbitrary. Why four? Is that 4 sausage dogs as well as 4 XL Bully dogs? One XL Bully out of control or with the wrong owner is potentially a major danger. 10 Cockapoos... irritating at worst.

Dog walkers do not walk status dangerous dogs; they walk ordinary Cockapoos, Spaniels, Collies, Poodles etc. The breeds mentioned, even in numbers greater than four, typically do not concern the community. The fact that the council worries about a dog walker having more than four ordinary non-threatening breeds instead of addressing the status dogs problem shows a misplacement of priorities.

4.1.10.8 **Introduce A Licensing Requirement For Professional Walkers**

Some respondents, including professional walkers themselves, suggest that introducing a licensing requirement would be preferable to a blanket restriction on the number of dogs. This would enable all walkers and day care providers to prove they have the skills required to handle the dogs they care for.

A better approach would be to work with dog walkers to ensure higher standards of professional dog handling – requiring a license, which was only obtained on proof of relevant training and/or experience. At minimum anyone who wanted to walk dogs professionally in the Borough could be required to do a Dog First Aid course and pass a simple knowledge test to ensure awareness and adherence to minimum standards of modern handling.

Measures do need to be put in place but [a] blanket ban doesn't seem appropriate. There are many small independent walkers with qualification training and [who are] very selective on what dogs they walk together. Taking time to know dogs and that they will walk well together. Some dog walking licence is more appropriate so there is some measure for ensuring dog professionals have the correct level of qualifications.

Dog walkers need to be adequately assessed as responsible businesses who are DBS checked and insured – which the majority are. Six dogs is an easily manageable number in experienced and responsible hands. What needs to be managed are the small number of dog walkers to take more than six dogs and do not have insurance, DBS, adequate experience or some form of dog training qualification.

4.1.10.9 **Thinks Rules Should Be Tighter / Suggests A Lower Maximum Number**

11% of non-dog owners, who disagree with the new requirement, state that they think the rules should be tighter or suggest a lower maximum number.

I agree with the proposal to limit the number of dogs being walked by one dog walker but I think the reduction to max of four dogs is still too many. In a situation where three dog walkers having four dogs each, in a permitted place, control could be severely undermined. I would suggest a recommendation of two and in exceptional circumstances three as long as the dog walker is experienced.

I think four is too many. On Hackney Marshes I regularly see groups of dog walkers exercising dogs together, so in effect you see packs of ten or fifteen or twenty dogs. It's incredibly irresponsible.

Two dogs should be the maximum. Even well behaved dogs need watching and any more than two would be too many to supervise responsibly. There are far far too many professional dog walkers exercising a string of dogs that are out of control. Walking dogs is a huge cash cow and many irresponsible dog walkers will take on extra dogs even if they can't really manage the pack

4.1.10.10 **Disagrees With Such A Blanket / Broad Brush / Arbitrary Approach**

Many respondents object to the new requirements on the grounds the rule does not allow for flexibility and they feel that four is an arbitrary number without clear justification.

The blanket restriction is ill-conceived and has negative consequences. Discussions with professional dog walkers have highlighted that they may need from time to time have an additional dog – for example in case of staff sickness, to cover an emergency and when collecting and returning dogs. So for example one company may have 5-6 dogs when they are dropping dogs back from base to home. By imposing a four dog limit this means more staff are required (pushing up costs for residents) or makes it preferable to [do] drops by car.

This is a totally arbitrary number. Such a proposal should be accompanied with a proper analysis. Such statistical analysis would attempt to answer questions such as; are dog related incidents more likely to happen in the presence of a dog walker? More likely to happen when the dog walker is in charge or more than four dogs?

I have concerns about the current dog walking situation in Hackney, however I do not feel that the blanket 4-dog rule is the solution. I am worried that the Council has not consulted with any dog walkers or day cares in Hackney, of which there are many who are full of ideas and evidence-based solutions. While I fully agree that there needs to be much stronger regulation of dog walkers, and have had my share of unpleasant encounters with walkers with 8+ dogs they cannot control, I am worried that this one rule fails to get to the heart of the issue and may simply make life more difficult for responsible dog walkers.

4.1.10.11 **Agrees There Should Be A Maximum Number But Thinks It Should Be Higher Than Four**

20% of professional dog walkers, who disagree with the proposed new requirement, point out that they are insured for a maximum number of dogs, typically six. Other respondents also comment that they think there should be a limit but that four seems too low.

Generally I do support the proposal in the PSPO to limit the number of dogs that any professional dog walker can walk, and this is a welcome proposal. [...] However, I think that the limit of four dogs per walker as proposed in the new PSPO is too low, as it will put dog walkers out of business. The limit in Lea Bridge parks is currently five dogs per walker. I consider that to be more appropriate.

I do feel a number needs to be set. I was shocked to find there wasn't. 4 does seem a little low for a professional though. I have talked with many dog owners and some walkers regarding this. It seems no insurance company will allow more than 6 dogs.

[It] should be a max of six dogs per person as this is the maximum amount that most insurance companies will insure professional dog walkers to walk at one time. I think cutting people down to four per person is going to push credible dog walkers out of business meaning you have many uninsured walkers that do not care about the new PSPO and will still walk anyway causing more issues.

4.1.10.12 **Professional Dog Walkers Help Ensure Dogs Are Well Socialised**

Some owners gave testimony about the positive impact 'pack walks' have had on their dog's temperament and stress the importance of socialisation for good dog behaviour.

My dog attends a day care with a policy of having one handler to every six dogs on a walk. The day care carries out a thorough behavioural assessment before accepting a new dog, and any dogs without reliable recall are leashed on walks. My dog's behaviour on walks has greatly improved after he's had the opportunity to learn from other dogs at day care.

I've seen how my dog has become calmer and gentler around other dogs as a result of being in a "pack" with a dog walker. This proposal is counterproductive and harmful.

As a dog owner, I believe professional dog walkers help support responsible dog ownership in the borough. They can help with training, provide safe socialisation for dogs and exercise dogs that would otherwise be left at home, barking and causing a nuisance to neighbours.

Dogs are also social creatures and being able to play with each other is very good for their health and well-being. If they are properly exercised and socialised it means they will ultimately be less likely to display problematic behaviours.

4.1.10.13 Comments On Maximum Number Of Dogs From Respondents Who Did Not Answer 'Disagree' To Q13

Although respondents were only invited to enter comments about the reasons for their views if they answered 'disagree' or 'strongly disagree' to question thirteen, some respondents who did not select these response options also made comments about the new requirement to restrict the maximum number of dogs to four. These responses are considered as a percentage of comments made, rather than as a percentage of all respondents who do not disagree with the new requirement. This is because most respondents, who did not select 'disagree' or 'strongly disagree', followed the instructions in the questionnaire and did not give feedback, even though they might have wanted to do so.

21% of these comments state that professional dog walkers are not a problem in the area, whilst 19% suggest that the number of dogs a person can control depends on their experience and 13% think the proposals do not take the size or breed of dog into account. 12% are concerned about the financial impact on professional dog walkers and day cares, whilst the same proportion of comments state the rules should be tighter. Full details are shown in the graph below.

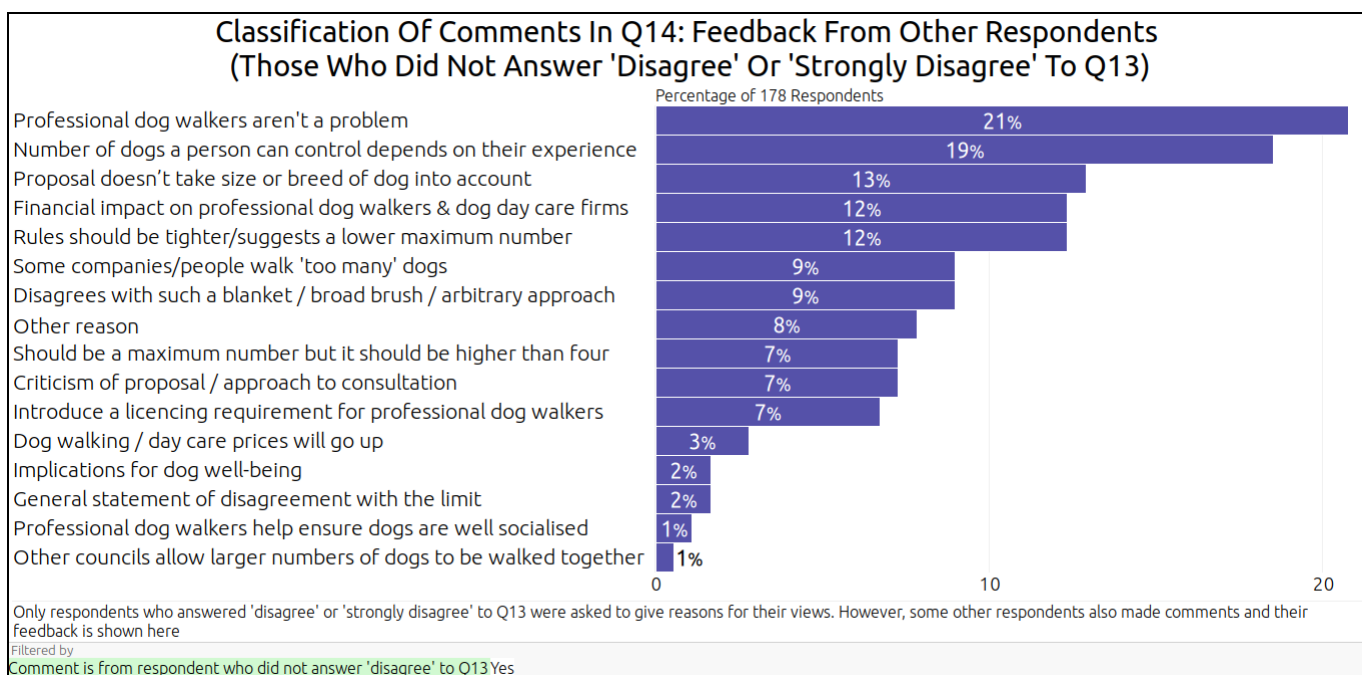


Figure 4.12

4.1.11 Q15: Do You Think There Are Any Other Locations Which Need To Be Covered By The PSPO?

16% of respondents to the consultation clicked on the online map to indicate an additional area they think should be included in the PSPO. However, at least one respondent pointed out that they had *“inadvertently added about 20 sites merely by clicking on the map to view which are the proposed new sites”*. Analysis of the map data is outside the scope of this report.

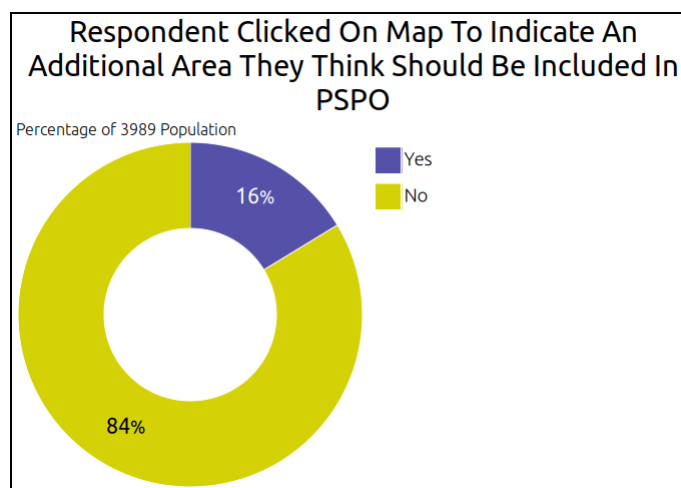


Figure 4.13

4.1.11.1 Respondents' Criticism Of This Question

17% of all respondents criticised the proposal or the Council's approach to the consultation and this was one of the questions that attracted comment. The most frequent criticism of the question in the comments was that it was only possible to *“propose further expansion of zones to include in the order, not contend those that have been proposed”*. Additionally, some respondents pointed out that they found the map *“hard to use”* and others felt the proposals *“unnecessarily obfuscates the map view within the survey until page 3. This should really be available on the consultation website homepage”*.

4.1.12 Consultation Response From London Fields Parks Friends Group

An email submission to the consultation was received from the London Fields Parks Friends Group expressing concern about *“the way that lack of inter-department communication and failure to engage with User Groups has had a detrimental impact on this consultation”*.

The London Fields group have received significant funding from GLA to go towards improving biodiversity and to improve the Green Classroom areas. The work is being carried out in conjunction with local schools and the Group wanted these areas to be included in the consultation with a view to excluding dogs from them.

Therefore, given that Council officers have been involved in the project, the email states the group was *“very surprised and disappointed that the key areas on which we were working hadn't been included”*.

While the consultation was at draft stage, the Group asked to review the documentation, partly because they had “concerns about some of the measures proposed and wanted to see alternatives included in the consultation”. This would also have provided an opportunity to identify areas omitted.

The email states that the Group have been told “*that the best course of action is to raise these issues in the consultation*”. However, they are “*not optimistic that it will be feasible to add areas, especially contentious ones, without them being properly consulted on*”. As a result, they recognise that “*with a PSPO lasting for three years, change has been locked out until the next consultation*”.

Therefore, the email asks “*the Council learns from the execution of this consultation*” so that in future User Groups can give feedback, at an early stage, to inform the shape of the consultation.

A copy of the full submission can be found in appendix five.

4.1.13 Q16: Has The Current Dog Control PSPO Had A Negative Impact On You In Any Way?

Respondents were asked whether the current dog control PSPO has had a negative impact on them and 16% answered ‘yes’, whilst 84% said ‘no’.

Dog owners are more likely than respondents without dogs to say the current order has had a negative impact, with 20% responding affirmatively compared to 11% of non-dog owners.

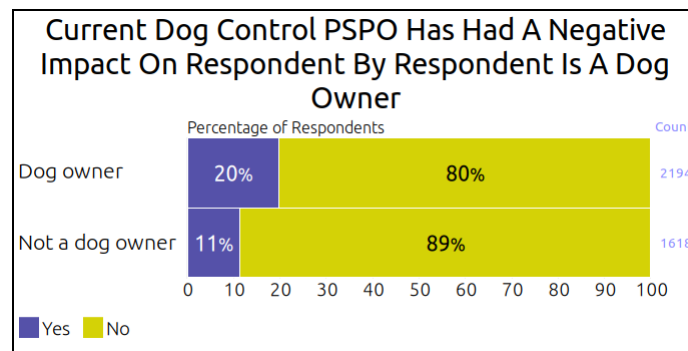


Figure 4.14

4.1.13.1 Further Analysis Of The Findings

The difference between the views of respondents in many sub-groups is not statistically significant. However, where differences in opinion are large enough to be significant, these are discussed below.

- Younger respondents, aged under 35, are the age group most likely to say that the current PSPO has had a negative effect on them (21% compared to between 14% and 16% of respondents in other age groups)
- Disabled respondents are more likely than those who are not disabled to say the current PSPO has had a negative impact on them (25% versus 15%). This is also true for disabled dog owners (32% versus 19%)
- Respondents with caring responsibilities are more likely than those without to say the current PSPO has had a negative impact (21% versus 16%).

- White respondents are less likely than those of other ethnic backgrounds to say that the current PSPO has had a negative impact on them (15% compared to 21%) and this is also true of dog owners from these ethnic backgrounds. (18% versus 27%)
- LGB+ respondents are more likely to say the current PSPO has had a negative effect on them than heterosexual respondents (20% versus 14%) and this is also true for dog owners in these groups (24% compared to 17%).

4.1.14 Q17: Nature Of Negative Impact

Respondents, who said ‘yes’, the current PSPO control order has had a negative effect on them, were asked to explain the nature of this impact. There appears to have been some confusion around these questions because 22% of all these respondents made comments relating to the proposed *changes* to the PSPO rather than the impact of the existing order.

The table below shows the main themes in the qualitative feedback. Themes have only been included if they were mentioned by 3% or more of either dog owners or non-dog owners who say the PSPO has had a negative impact on them.

Theme in comments	% of dog owners who say the current PSPO has had a negative impact on them	% of non-dog owners who say the current PSPO has had a negative impact on them
Problem dog behaviour happens despite PSPO	11%	68%
Limitations of where & how can walk dogs	32%	9%
Comments relate to changes to PSPO	28%	8%
Penalises responsible dog owners & irresponsible ones won't comply	8%	3%
Encourages negative opinions about dogs	7%	4%
Unfairness of dogs being banned when people cause more issues	7%	2%
Respondent is a responsible dog owner	7%	0%
Criticism of proposal / council's approach to consultation	6%	3%
Lack of safe, fenced areas for exercising / training dogs	6%	2%
Unable to take children and dogs to places at the same time	4%	1%
General comment stating it's had a negative impact	1%	4%

Table 9 Themes in comments about how current PSPO has had a negative impact on respondent

Some examples of comments giving more feedback on the negative impact of the current PSPO on respondents are shown below.

4.1.14.1 Comments From Dog Owners

Dog owners' comments focused primarily on the limitations to where and how they can walk their dogs as well as giving feedback on how the changes to the PSPO would negatively affect them.

Current restrictions in Clissold Park and Springfield Park mean a significant loss of off-lead walking area in the hot summer months when sharing responsibly with other park users. There is a lot of focus on park usage in the summer months – but less respect and value placed on those dog walkers whose constant usage regardless of the weather keeps public spaces safe for all – but who are excluded from park cafes even when they are deserted due to bad weather!

I continually search for somewhere I can exercise my dog where there are no children, you provide no spaces restricting children and families who are loud, unpredictable, spill food and rubbish. There are many spaces for children and picnics which are often empty. Please give us space for our dogs.

If my dog is not allowed on the path along the new river next to the West Reservoir – then this restricts my regular walking route. We walk there 3 times a day with no problem. I bought my house nearby this path because I have mobility issues.

More and more areas are being closed off to dog owners, where walking/exercise with a dog is good for both mental and physical well being for humans and the dogs. Parks close early at sun down in the winter months so other grassed areas should be used for dog walking, not closed off from dogs through the introduction of PSPO.

Kynaston Gardens has recently become a no dogs allowed green area – I live locally, it's my closest green space as someone with no access to a garden it was invaluable for me and my dog. It's since become no dogs allowed, is now just full of men sitting, eating leaving rubbish and defecating in the park.

4.1.14.2 Non-Dog Owners

The majority of comments from non-dog owners, who say the current PSPO has had a negative impact on them, relate to problem dog behaviour that still happens despite the control order.

By being ineffective in allowing me to move freely and independently around the borough's parks, with a detrimental impact on my health and mental wellbeing. The focus on kids areas is good but they're not the only vulnerable residents – and how do they get to the play parks when there are so many dogs running around in the rest of the park.

Dogs running off leads in public areas chase other animals such as domestic cats and often run to children taking them by surprise and causing panic. The dogs very often have no recall and dog owners/walkers are often on their phones while the dogs are running around. Dogs off leads in parks often chase and kill the wildlife such as ducklings.

It is not properly enforced nor wide enough and I am constantly worried when using the parks in Hackney that my children (or myself) will be injured by dogs. Dog fouling is also an enormous problem and seems to go unpunished.

Out of control off leads in Clissold: my young son was recently jumped on by an Alsatian during school running club. The owner saw but didn't do anything saying the dog "only wanted to play". He and I have both been barked and jumped at more times than I can remember while out running in Clissold.

It hasn't gone far enough. I've been subjected to innumerable instances of dog aggression. I used to go running in Hackney parks but had to give it up because, on an almost daily basis, I was faced with aggressive dogs. This was particularly bad in London Fields and Haggerston Park. Also, local streets, as well as parks, are covered in dog faeces.

4.1.14.3 Comments On Negative Impact Of Current PSPO From Respondents Who Did Not Answer 'Yes' To Q16

Although respondents were only invited to enter comments about the reasons for their views if they answered 'yes' to question sixteen, some respondents who did not select this response option also made comments about the negative impact of the current order. These responses are considered as a percentage of comments made, rather than as a percentage of all respondents who did not answer 'yes' the current order has a negative impact. This is because most respondents, who did not select 'yes', followed the instructions in the questionnaire and did not give feedback, even though they might have wanted to do so.

41% of these comments relate to changes to the PSPO rather than the current order and 21% are about problem dog behaviour that happens despite the PSPO. Full details are shown in the graph below.

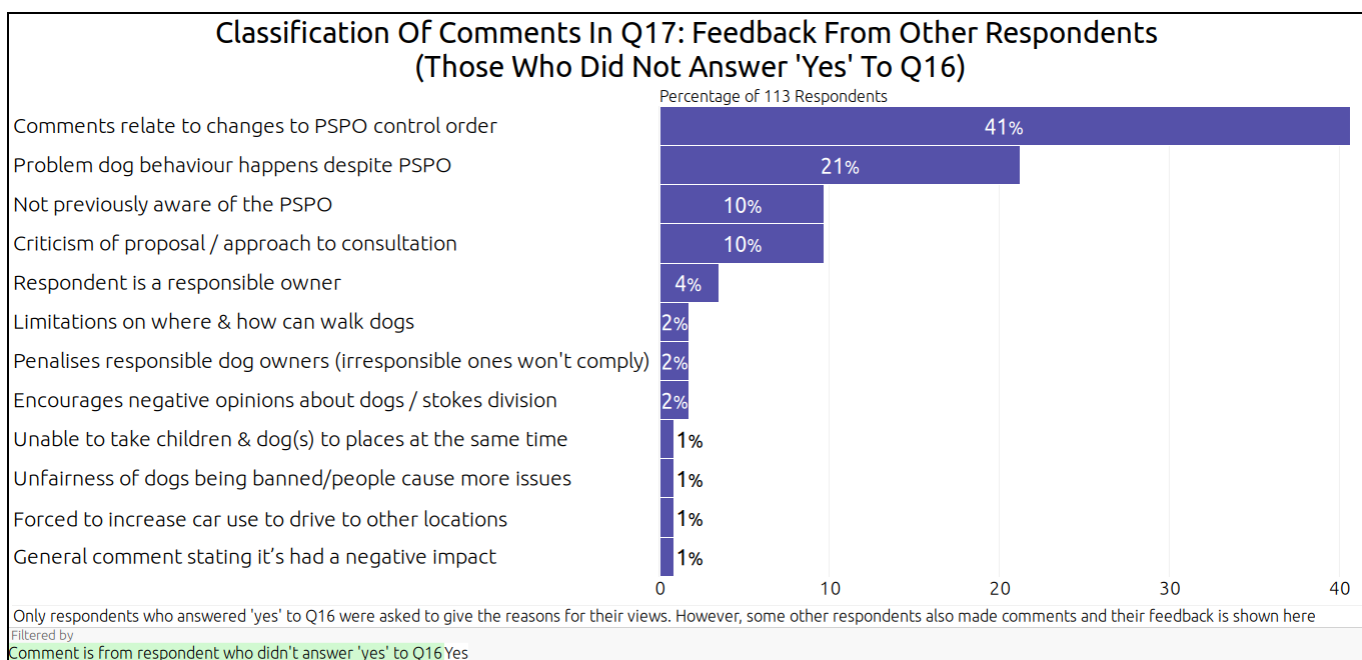


Figure 4.15

4.1.15 Q18: Do You Have Any Other Comments On Dog Control Or The Dog Control PSPO In General?

Towards the end of the consultation questionnaire, respondents were given the opportunity to add any further comments they wanted to make about dog control or the PSPO in general. In addition, some respondents had made comments in response to question seven that were more wide ranging in nature and did not refer specifically to the question they were being asked at the time. To ensure this feedback was not lost, these comments were re-considered as part of the final qualitative feedback question and were included in the classification and graphs presented and discussed below.

In total, 2,100 respondents made additional comments, 38% of whom support the proposed changes to the PSPO, whilst 61% do not support the updates. 1% of these respondents either did not answer question 11 or said they 'don't know' if they support the updates or not.

In line with other findings throughout these results, the majority of comments from dog owners are from respondents who do not support the updates, whilst the reverse is true of the comments from non-dog owners, as shown below.

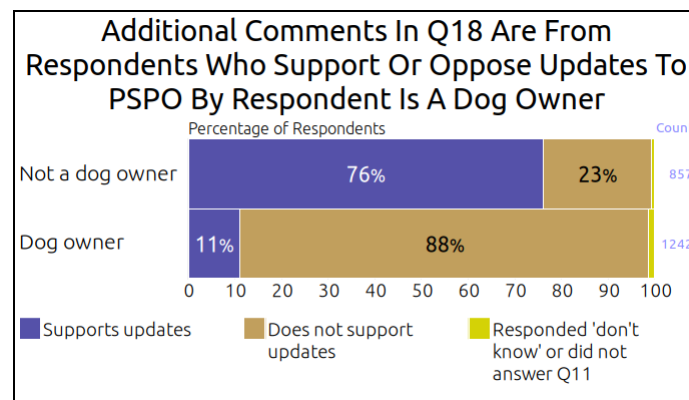


Figure 4.16

The table below shows the main themes in the qualitative feedback. Themes have only been included if they were mentioned by 5% or more of either dog owners or non-dog owners.

Theme in comments	% of dog owners	% of non-dog owners
Punishes responsible owners & the irresponsible won't comply	15%	3%
Issues around enforcement	10%	12%
Abney Park Cemetery	12%	8%
Council needs to target irresponsible owners	12%	7%
Dog fouling	4%	12%
Criticism of proposal / council's approach to consultation	11%	2%
Dogs on leads requirement	2%	8%
Other comment in support of dog control	1%	7%
Dogs need exercise	6%	1%
Dog attacks/dangerous dogs	4%	5%
Humans cause more problems than dogs	5%	1%

Table 10 Themes in the additional comments

4.1.15.1 Analysis By Postcode Area

The response to questions six and seven, which asked about problems with dog behaviour, showed differences in views between respondents who live in E5, E8 and E9 compared to those who live in N1, N4 and N16. Therefore, further analysis of the additional comments has been carried out to look at the difference in views between respondents in these areas. The key differences in opinion are shown below.

- Respondents in N1, N4 and N16 are more likely to make comments about Abney Park than those in E5, E8 and E9 (17% versus 3%). This is presumably due to their proximity to the cemetery.
- Similarly, respondents in these E postcode areas are more likely than those in the N areas to make comments about Hackney Marshes (4% versus 1%).
- There are more comments about dog fouling from respondents in the E postcodes (10% compared to 7% in the N postcodes).
- Similarly, comments about dogs on leads are more frequent from those in E postcodes than N postcodes (7% compared to 4%).
- Respondents in these N postcodes are more likely to be critical of the proposals or the council's approach to the consultation than those in E postcodes (9% versus 5%).

Due to the large number of comments about Abney Park, across all the qualitative questions in the survey, this aspect of the proposals is discussed in a separate section. Some examples of comments on the other key themes in the qualitative feedback are shown below.

4.1.15.2 Punishes Responsible Owners & The Irresponsible Won't Comply

Some respondents are concerned that the updates to the PSPO punish responsible owners and those who are irresponsible will not comply. This is a much more common theme in the feedback from dog owners than those respondents who do not have a dog.

As the majority of dog owners are responsible a targeted approach to any rules/laws is a much more proportionate and appropriate way to deal with irresponsible owners for all issues and I do question whether the PSPO's enforcing blanket bans are appropriate especially as any issues the minority cause can be dealt with under UK laws including: The Dogs (Fouling of Land) Act 1996; Animal Welfare Act 2006; The Dangerous Dogs Act 1991.

There will always be people who don't pick up, but then again there are many people and their families who create a lot of litter. Dogs are beneficial to people's mental health and most people are respectful to their community and neighbours, not going into the proposed spaces anyway.

Dogs provide a great deal of comfort to a large amount of people. Their presence has been linked to reduced blood pressure, stress, and depression in many studies. There are plenty of areas (most notably pretty much every indoor area in this rainy city of ours) where you can go to avoid dogs. Please do not make the life of London dog owners even harder. We just want to exercise our dogs responsibly.

4.1.15.3 Issues Around Enforcement

Enforcement is a key concern of both dog owners and respondents who do not have dogs. The feedback relates to complaints about the lack of enforcement of the current rules and, often following on from this, doubts that the new rules will be adequately enforced.

[There needs to be] an effective enforcement strategy that is evidenced for residents. No large dogs off their leads. An app or reporting platform or website allowing reporting and a follow up to show the reporting person action was taken.

Public Spaces Protection Orders for dog control should strike a balance between public safety and responsible dog ownership. Clear communication, community engagement, and effective enforcement are crucial. Education, alternative solutions, and proportional penalties should be considered. Regular reviews and public awareness campaigns can enhance their effectiveness.

Enforcement is almost impossible because the Council can't afford a special set of employees to this end, and the current park-keepers don't have the skill-set or the inclination to apply restrictions. The police have other things to do. Seeing that it's only Council officers and police who may enforce, it seems daft to apply yet more rules on dog owners when those rules won't be enforced. Far better to engage and enrol the services of responsible dog owners in policing and reporting dog behaviour in Council parks.

4.1.15.4 Council Needs To Target Irresponsible Owners

Some respondents think the Council should be targeting its resources on targeting irresponsible owners, particularly those with status dogs. This is a more prevalent theme in the comments from dog owners, although 7% of non-dog owners do also mention it.

How about you actually take action on dangerous dogs. [...] The fact that there is a dog that attacked an adult and multiple dogs (killing one), still on the streets in my area with an owner who is not allowed to own dogs is shocking. The incident was reported to the police and no action has been taken.

The existing and new additions to the Dog Control PSPO do not give me any reassurance about the nuisance and risk caused by irresponsible dog owners and their dogs. I do not think these measures will do much, if anything, to change such people's behaviour. [...] I would like a bylaw banning people from using public spaces to train their dogs to attack. This happens in Millfields Park North and on Leyton Marsh.

What about some thoughts on a return to dog licences, to return to a registration system that enables people to be held to account for their and their dogs' bad behaviour. It would be an easy thing to have the details added to the dogs' microchip records.

Hackney Council should be doing more public communications on the value of dog training. It could also encourage people to take courses in overcoming fear of dogs. And it could set up a phone line to report owners who train dogs to be aggressive and dangerous.

4.1.15.5 Dog Fouling

Dog fouling is the most frequently cited problem with dog behaviour respondents have experienced in the last 12 months (question 7 in the consultation). The qualitative feedback in the additional comments about this is mostly from non-dog owners.

Dog poo on the streets is out of control, my 18 month old stood in it recently, it gets on pram wheels, it is horrible, incredibly dangerous and nothing is done about.

London Fields should have specific areas where dogs can go off leads and toilet. Currently the children are playing football and doing gymnastics on the grass and getting dog crap on their shoes and hands. This is a health hazard. It is too small a space to have dogs crapping everywhere – the small park is used by a lot of people.

Dog fouling is a really big issue and there is no control. Take Aden Terrace for example, dog owners know they can leave their dog faeces there every single day. Every morning when I pass there are multiple fresh faeces.

*The dog fouling on public footpaths/sidewalks in the Brooke Road/Evering Road area in the last two years has become a really really big issue. Every 5 paces there is a dog sh*t, it feels like no dog owner picks up after their dog any more. It's awful, it ruins a walk... There needs to be more signage, free dog poo bags and on the spot fines to stop the situation escalating.*

4.1.15.6 Criticism Of Proposal / Council's Approach To Consultation

Criticism of the proposal and the council's approach to the consultation is a recurring theme in the qualitative feedback. Those respondents who made comments about this in question eighteen are predominantly dog owners.

The new PSPO is typical of Hackney Council – make new rules without proper consultation (this exercise is NOT proper consultation) with no attempt to really engage with the people affected. There are no statistics on incidents with dogs, reports of problems with dogs etc. Someone has decided this would be a good idea with no basis at all.

This consultation provides leading questions and without meaningful follow up questions (in relation to impact) or viewed in the context of wider concerns around public spaces in Hackney (such as littering and fly-tipping) it does not create a sufficient understanding of the issues in public spaces.

The views of residents associations/groups, park users, park wardens, local vets and, most importantly, professional dog walkers should have been canvassed. Had there been proper consultation it should have been possible to come forward with workable proposals which achieve the Council's objectives by consensus.

Doing these consultations without the full report of complaints and Hackney Council's own actions to investigate and research proper solutions, makes for skewed responses, limited to those who use the internet with ease and are registered to the platform or the newsletter (less than 1,200 out of 250,000).

4.1.15.7 Dogs On Leads Requirement

Comments about the dogs on leads requirement mostly come from non-dog owners and tend to focus on their support for this measure and/or requests to extend the restrictions to more area.

I think there needs to be much greater awareness about the law on walking dogs on lead on pavements – there is an increasing number of people walking dogs off-lead in the street in Hackney. I genuinely wonder if people know this is illegal – some public information would be good as this is so dangerous and unnecessary. I do also believe that in the borough, there is a higher than average proportion of people who are scared of dogs, often for cultural reasons or through lack of exposure. This does mean that sometimes people might feel scared when a dog is entirely under control.

Owners without their dog on a lead have no control over their dog, despite what they may think. Better control of dogs is essential especially for young families who feel nervous when for example a dog runs over to a picnic, as there is no way of knowing how they will react to young children.

Hackney should lead the way on dog control in London – the proposed controls would be a start but don't go far enough. Following the New York style of dog control would be better – dogs must be on leads, especially in public parks, except for dog only 'play areas'.

4.1.15.8 Other Comment In Support Of Dog Control

Most of the other comments in support of dog control come from non-dog owners and relate to fear of dogs, support for the proposals or a desire for additional restrictions.

Out of control dogs of all sizes and varieties are a public nuisance. It happens all too often and it has become normal to ignore the nuisance for fear of 'causing a fuss' or making dog owners angry. Families, elderly, disabled people cannot enjoy public spaces in a way that they are entitled to without fear of being jumped on or just having to listen to a dog that is out of control.

Our parks are no longer safe for children. Dogs are becoming a nuisance and dog owners are even worse. Let's allow our children to be free to explore their natural environment without being licked or frightened by other people's 'fur babies'. It is not only dangerous dogs that are a problem.

The simple practical solution to the increasing number of dog attacks on both people and other dogs is mandatory muzzling in public places.

As an older person I feel personally intimidated by dogs running out of control who bound up to me and whose owners fail to control them. I am frightened of being destabilised or knocked over.

It is unacceptable that people's dogs routinely cause people distress and harm. Any measures that mitigate this are welcome. The culture of acceptance of and tolerance of dogs and their bad behaviour must change. Hopefully these regulations will send a clear message to [people] that imposing your dog's fouling, company, distress and harm on others is not acceptable

4.1.15.9 Dogs Need Exercise

A theme in the comments from dog owners is that dogs need exercise to keep them healthy and that a lack of exercise can lead to behavioural problems.

It is essential for a dog's mental wellbeing and physical health to have time off lead where they can display their natural behaviours. Providing this for a dog in central London is already challenging [...] As a guide dog fosterer part of my foster agreement is to provide the training dog with off lead time, if this becomes increasingly difficult I will have to stop fostering.

Dog walkers provide essential physical exercise for dogs, promoting their overall health and well-being. Regular walks help prevent obesity, improve cardiovascular health, and contribute to a dog's mental stimulation. Dogs thrive on routine and structure. Dog walkers contribute to a consistent schedule, providing dogs with predictability and stability in their daily lives. This can be especially important for dogs that might otherwise spend long hours alone at home. Dogs left alone for extended periods may experience boredom and loneliness.

I fear you are potentially about to cause a far larger and more serious problem. Dogs need proper exercise, care and training, and by enforcing your proposal you are seeking to continue to isolate and ostracise both dogs and their owners; possibly creating dogs [with] less experience around other dogs, adults and children.

4.1.15.10 Dog Attacks/Dangerous Dogs

Both dog owners and respondents who do not own a dog express concern about dog attacks and dangerous dogs in their additional comments. Some of these comments relate to specific, known problem dogs and their owners.

Many people are scared of, or simply dislike dogs and therefore greatly exaggerate when making a complaint. Their definition of 'being attacked by a dog' may just mean a dog running towards them, barking or stepping on their picnic blanket because they smell food. [...] Of course it's a very different story if a dog actually kills or injures somebody including other animals. This is extremely serious and should be dealt with accordingly. But this thankfully is a very rare occurrence.

I would just say that there have been quite a few accidents involving one particular violent dog. It killed another dog on Newington Green Park and nothing was done by the authorities in regards to that dog nor the owner was fined for what happened.

Just why on earth have the two Akitas in Clissold Park not been either removed from their owner or at the very least his elderly father banned from taking them out. They continue to be a menace.

A dog off the lead is a potential threat and means that one has to blindly trust that the owner has responsibly trained the animal. Young children are particularly at risk from dogs as their faces are close to the level of their teeth.

4.1.15.11 Humans Cause More Problems Than Dogs

The additional comments, mostly those from dog owners, also highlight the wider issues in parks such as litter, anti-social behaviour such as drug taking, and recognise the potential for conflict between people using the parks for different activities: cycling is frequently mentioned in this regard.

There are also related issues which are not being addressed within this consultation in relation to (1) general littering such as after having picnics – there was recently a huge amount of litter left in the children’s play area of Butterfield Green after a children’s party. (2) fly-tipping (3) hazardous waste (4) dangerous items such knives etc being left on the ground (5) various types of anti-social behaviour by park users.

Quite often in Hackney Downs we witness antisocial behaviours but they rarely involve dogs in our experience. [...] We see a lot of people consuming drugs every day on benches. (They are so frequent and comfortable that we even say hi these days!)

Have you even thought about the safety of dog walkers over the Marshes that you’re condemning to working longer hours? The majority of us are female and we are already vulnerable to violence from men who lurk in the bushes that run alongside the path and football pitches. Most of us have experienced some kind of negative behaviour over the years including rapists and men masturbating in plain view, and making us drag our days out is increasing our vulnerability to these instances – especially in winter when the daylight hours are minimal.

4.2 Consultation Responses From The Kennel Club, Dogs Trust & RSPCA

In addition to the feedback from individuals, the Kennel Club, Dogs Trust and RSPCA also submitted formal responses to the consultation. This section of the report looks at the key points made by these organisations, whose submissions are included, in full, in appendices two to four.

4.3 Kennel Club Submission

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training. The submission states the 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*”. As such, the organisation “*would like to highlight the importance of ensuring that PSPOs are necessary and proportionate responses*” to issues caused by dogs and irresponsible owners. The submission also stresses the need to balance the interests of dog owners with those of other user groups. A copy of its submission can be found in appendix two.

In response to the particular aspects of the PSPO, the submission contains several key points.

4.3.1 Dog Fouling

The Kennel Club states that owners should always pick up after their dogs. The submission encourages the Council to also utilise proactive measures such as increasing the number of bins, running responsible dog ownership and training events or using a poster campaign to encourage all owners to pick up after their dog.

4.3.2 Exclusions

The submission confirms that the Kennel Club does not generally oppose Orders to exclude dogs from enclosed recreational areas or playgrounds, as long as there are other places owners can walk their dogs nearby.

4.3.3 Dogs On Leads

The Kennel Club says it can support reasonable 'dogs on leads' Orders *"when used in a proportionate and evidence-based way"*.

4.3.4 Dogs On Leads By Direction

The submission confirms that the Kennel Club *"strongly welcomes"* dogs on lead by direction Orders. However, they recommend that the enforcing office should be familiar with dog behaviour so they can understand whether restraint is necessary. This is because *"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"*.

The Kennel Club also encourages local authorities to adopt the more targeted and flexible options of Acceptable Behavioural Contracts and Community Protection Notices.

4.3.5 Maximum Number Of Dogs A Person Can Walk

The Kennel Club says it considers that *"an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control"*. This is because it *"can result in displacement and subsequently intensify problems in other areas"*.

In addition, the submission states that the maximum number of dogs someone can have under their control *"is dependent on a number of other factors relating to the walker, the dogs being walked, whether leads are used, and the location"*. For example, an experienced dog walker may be able to control a large number of dogs but an inexperienced owner may struggle to control a single dog. The size and training of the dogs is also a factor.

Furthermore, the submission points out that such an Order does not prevent people with multiple dogs walking together.

The Kennel Club is also concerned that introducing a limit could *"encourage some commercial dog walkers to leave excess dogs in their vehicles, causing severe animal welfare concerns"*. If the proposed measures are being considered due to concerns about commercial dog walkers, the submission considers that a better approach would be to consider accreditation schemes. These *"can be far more effective than numerical limits as they can promote good practice"*.

4.3.6 Assistance Dogs

Whilst welcoming the proposed exemptions for assistance dogs, the Kennel Club suggests “*further consideration of the wording contained within the Order, specifically with reference to ‘prescribed charity’*”. The submission makes the point that not all assistance dogs relied upon by disabled people are trained by charities and says it would encourage “*some flexibility when considering whether a disabled person’s dog is acting as an assistance dog*”.

4.3.7 Appropriate Signage

The submission also makes reference to the legal requirement to have signs in place to draw attention to the PSPO. For dogs on lead areas and dog exclusion zones, the signs must clearly state where the restrictions begin and end.

4.4 Submission From Dogs Trust

Dogs Trust is the UK’s largest dog welfare charity. Its submission references the PDSA’s Paw Report 2018 saying this found that 89% of vets believe dog welfare would suffer if owners were prohibited from walking their pets in public places, such as parks, or if dogs had to be kept on the lead in these places. Additionally, it says the PDSA report found that 78% of owners rely on parks and other public spaces to walk their dogs.

As Dogs Trust believes the vast majority of owners are responsible and mostly have well behaved dogs, it recommends local authorities use their existing powers to issue Community Protection Notices to target irresponsible owners and proactively address anti-social behaviours. A copy of the full submission from the charity can be found in appendix three.

With regard to some of the specific aspects of the consultation, the submission makes a number of points.

4.4.1 Dog Fouling

The charity believes it is an integral part of dog ownership to pick up after a pet and fully supports well-implemented orders on fouling. These need to be rigorously enforced and the submission recommends ensuring there are sufficient disposal points and signs in place.

4.4.2 Dog Exclusion Orders

Whilst recognising there are places, such as children’s play areas, where it is desirable for dogs to be excluded, the charity recommends keeping such areas to a minimum.

For enforcement reasons, they recommend limiting such restrictions to enclosed areas and also providing signage to direct owners to alternative places nearby where they can exercise their dogs.

The submission considers that excluding dogs from all sports pitches for long stretches of the year is “*unnecessary*”. Instead, the charity recommends focusing on reducing dog fouling in such areas.

4.4.3 Dogs On Leads

The charity recognises there are some areas where it is beneficial for dogs to be kept on a lead but it argues that the Council should also ensure there are sufficient areas locally where dogs can be exercised off the lead. It also makes reference to the Animal Welfare Act 2006 section 9 (the 'duty of care') that includes dogs' need to "*exhibit normal behaviour patterns*". The submission points out that "*this includes the need for sufficient exercise including the need to run off lead in appropriate areas*".

4.4.4 Dogs On Leads By Direction

Dogs Trust "*enthusiastically*" supports this part of the PSPO and considers it "*by far the most useful, other than the fouling order*" because it allows enforcement officers to target irresponsible owners without restricting all dogs.

4.5 Submission From The RSPCA

The public affairs manager of the RSPCA submitted an email response to the consultation. This specifically referred to the proposals to make Abney Park an on-lead walking area. The email points out that "*rarely do blanket approaches change the behaviour of a minority who act irresponsibly*" and expresses concern that the outcome might be to limit the ability of responsible owners to enjoy public spaces.

The charity supports responsible dog ownership and encourages the training of dogs so that everyone can enjoy parks and other public spaces. Its position is that "*PSPOs should not unwittingly compromise dog welfare by placing undue restrictions on dogs*". The charity considers this particularly important if there are not adequate dog walking spaces available nearby. In addition, the email expresses concern about introducing restrictions that would "*prohibit the dog from expressing normal behaviour, for example, being able to run free off the lead*".

The email quotes the Code of Practice for the Welfare of Dogs Presented to Parliament pursuant to section 15 of the Animal Welfare Act 2006 December 2017, which states: "*A dog needs regular exercise and regular opportunities to walk, run, explore, play, sniff and investigate.*" The RSPCA believe that "*blanket bans on walking dogs off-lead can make it very difficult to provide for this natural behaviour*".

5. Abney Park Cemetery

The updates to the PSPO control order include the extension of the 'dogs on leads' order to include Abney Park Cemetery in Stoke Newington (N16). The Council published its reasons for including this area in the 'Frequently Asked Questions' section of the consultation information. The following points make up the rationale given:

- Addressing Issues: the Council state they have *"received correspondence and feedback relating to the behaviour of dogs in Abney Park Cemetery from concerned residents"* and Parks and Green Spaces staff have observed similar issues. Additionally, the consultation proposal states *"some residents are nervous about the number of dogs in Abney Park and the behaviour of some."*
- Consistency: The current PSPO stipulates that dogs must be kept on leads *"in Council managed closed churchyards and burial grounds in the borough, with the exception of Abney Park Cemetery"*. The Council recognises that Abney Park is larger than these other sites but the proposed changes are designed to bring the area in line with other sites.
- The proposal states that the Council's approach *"is commensurate with the majority of the other 'Magnificent Seven' cemeteries."*
- Preservation of Historical Significance: The cemetery is Hackney's most significant burial site and the consultation information states that *"by extending the requirement for dogs to be on leads, the Council aims to show respect for the site and the individuals buried there."*
- Dog Fouling: The information in the proposal says *"the increasing number of dogs being walked in Abney Park Cemetery off the lead has resulted in increased levels of dog fouling"*, with much of it not being removed, and goes on to add that *"the dog faeces and urine is contributing nutrients to the environment, which could be harming local biodiversity."*
- Ecological Conservation: Abney Park Cemetery is *"one of the borough's most significant ecological sites, with valuable habitats and wildlife."* The proposal goes on to explain that the area is a local nature reserve and a Site of Metropolitan Importance, which means it is important at a London-wide scale. The proposal sets out a number of ways that *"dogs negatively impact wildlife"* including *"physical and temporal displacement"*, causing wildlife to move away; *"disturbance and stress response"*, with a note that *"repeated stress causes long-term impacts on wildlife"*; and *"predation: some dogs chase, attack and/ or kill wildlife"*. Furthermore, the proposal adds *"allowing dogs to run freely in Abney could lead to habitat disruption and damage to plant life"*.

The consultation information points out that the Council has *"not proposed to exclude dogs from Abney Park Cemetery entirely, given the benefits of dog walking for residents"* but is instead *"proposing an integrated management strategy that still allows dogs, but controls them for the benefit of Abney as a whole"*.

There were no questions specifically about Abney Park in the consultation itself but 34% of respondents mentioned the cemetery in at least one of their answers to the qualitative feedback questions in their consultation response. The groups of respondents mostly likely to discuss this aspect of the proposal in their comments are:

- Respondents living in N16 (56%)
- Dog owners (45%)
- Respondents aged 45-64 (44% of 55-64 year olds and 37% of 45-54 year olds)

5.1 Views On Abney Park Cemetery Proposals

The majority of comments received on this topic express disagreement with the proposed ‘dogs on leads’ requirement for Abney Park Cemetery. 31% of respondents disagree, whilst 3% made comments in support of the proposal. Full details of the views of all respondents on this issue are shown below.

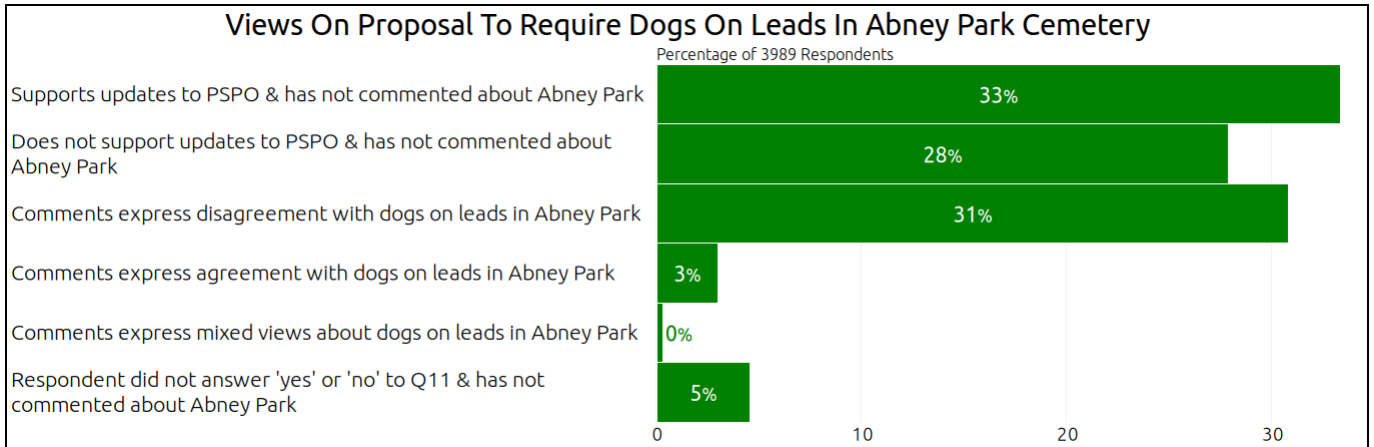


Figure 5.1

5.1.1 Dog Ownership

44% of all dog owning respondents made comments expressing disagreement with the proposal for dogs to be kept on leads in Abney Park, whilst 1% of these respondents made comments in support of the proposal. In contrast, those respondents who do not own dogs are less likely to have made comments about the cemetery: 9% gave feedback expressing disagreement with the proposals for the area, whilst 6% made comments in support of the changes.

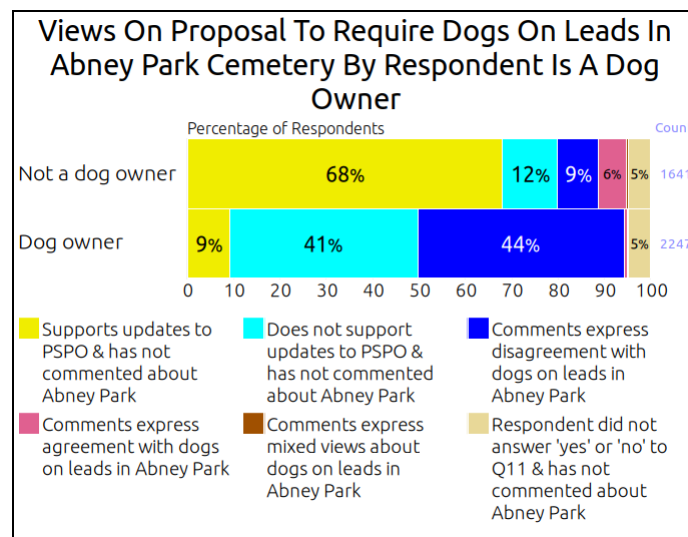


Figure 5.2

5.1.2 Respondents In N16

Abney Park is situated in the centre of the N16 postcode area. 49% of all respondents who gave a N16 postcode in their consultation response made comments expressing disagreement with the proposal to extend the ‘dogs on leads’ requirement to the cemetery. 6% of these respondents made comments in support of the proposed change.

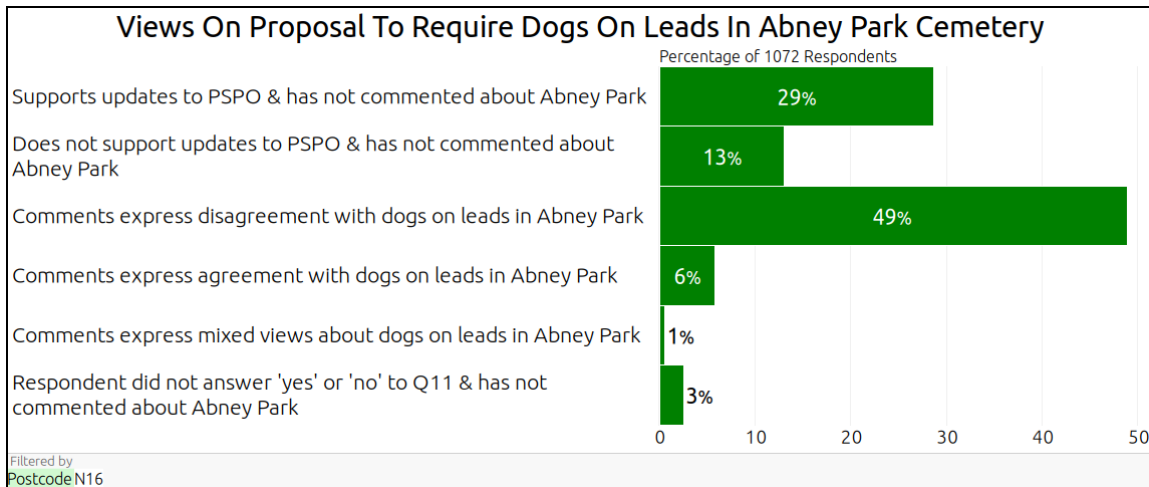


Figure 5.3

Furthermore, 73% of all dog owning respondents in this postcode area made comments disagreeing with the changes. Views of non-dog owning respondents in the area are mixed, with 16% making comments against the changes and 13% in support of the proposals.

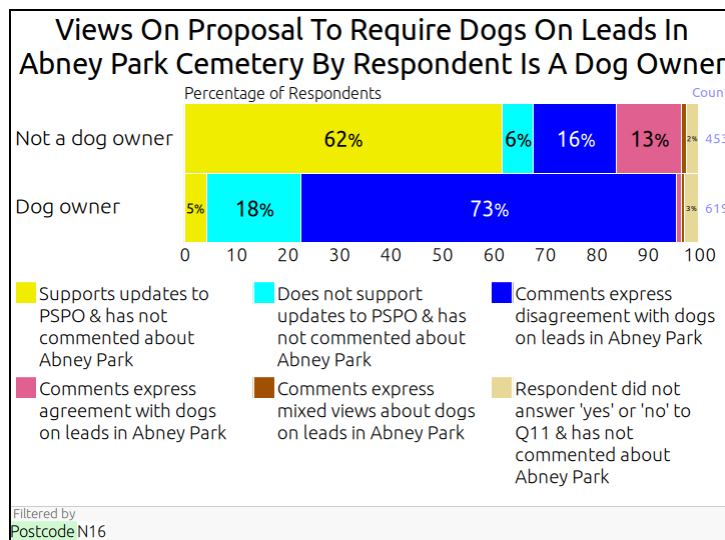


Figure 5.4

There were no questions in the consultation about whether respondents use Hackney parks in general or specific parks in particular. Therefore, it is not possible to look at the views of Abney Park users on the issue. In total, 393 responses were from people who explicitly stated in their qualitative feedback that they walk a dog in the cemetery, although there were many other comments where this may have also been the case but it was not entirely clear. All of these 393 responses contained comments against the proposal that dogs should be on leads in the cemetery.

5.2 Themes In Qualitative Feedback

The table below shows the key themes in the qualitative feedback received about Abney Park Cemetery. This shows the results out of all respondents; all dog owners; all respondents who gave a postcode in N16; and all those who explicitly stated in their comments that they walk a dog in Abney Park. Themes are only included if they are mentioned by 7% or more of at least one of these groups.

Theme	% of all respondents	% of dog owners	% of respondents who gave a N16 postcode	% of respondents who explicitly state they walk a dog in Abney Park
Area is particularly suitable for dogs to be exercised off lead	16%	23%	24%	67%
Dogs aren't an issue in Abney Park	14%	20%	23%	70%
Respondent walks a dog in Abney Park	10%	14%	16%	100%
Criticism of proposal / council's approach to consultation	9%	11%	12%	36%
Commercialisation of the park	7%	10%	12%	31%
Frequent dog walking helps prevent ASB	7%	9%	10%	35%
Will put pressure on other areas	5%	7%	8%	23%
Dogs don't cause problems for wildlife	5%	6%	6%	23%
Dog walkers are main user group in Abney Park	4%	7%	8%	22%
Humans cause more problems than dogs	4%	6%	8%	19%
Dog walkers in Abney Park are a community	4%	5%	6%	22%

Table 11 Themes in qualitative feedback about Abney Park Cemetery

5.2.1 Area Is Particularly Suitable For Dogs To Be Exercised Off Lead

The most common theme in the qualitative feedback about Abney Park cemetery is that it is a particularly suitable place for dogs to be exercised off the lead. Respondents say this is because of the shade provided by the trees as well as the woodland providing stimulation and opportunities for dogs to sniff and explore safely. Additionally, they point out that there are a lower number of other users, compared to more open parks such as Clissold, and that these other users are typically moving, rather than picnicking or playing, so their activity is less easily disrupted by off-lead dogs.

Abney Cemetery is a valuable space for dogs to be off lead. It is a contained environment with only two exits and provides an ideal space for dogs and their owners to exercise, building trust and recall. The natural environment with trees and undergrowth provide the opportunity to sniff around, socialise and explore all vital to helping keep dogs calm and well behaved. Abney Park is an essential space for off lead dog walking as there are less large group activities e.g. children's activities/sports/picnics which dog owners want to avoid.

As a dog owner living in Stoke Newington I walk my dog in Abney Park twice a day. Abney is such an important place for dog walkers in the areas as it gives dogs a great environment to explore off the lead. I have a whippet and as a breed they need to run. Clissold Park has many dog free sections already and during the summer is almost impossible to find any space to allow your dog off the lead with all the picnics and football classes. Abney provides this haven for dogs off the lead. In the summer too it is a safer place for dogs to be off the lead as it's shaded from the sun where Clissold is exposed with little shade.

The nature of Abney's layout of enclosed spaces surrounded by trees and relatively narrow paths makes it ideal for keeping off-lead dogs under close control. Off-lead dogs in Abney Park are much less likely to run across large distances as they would in an open park, minimising disruption to other users, while being free to walk and sniff. Furthermore, the enclosed space makes it an idea place to train the dog in walking off-lead, preparing them for good behaviour in other parks and spaces. The nature in which people use Abney is also vastly different to how they use other parks. They are walking around, rather than picnicking and playing games, therefore are less likely to be negatively impacted by the presence of dogs.

While it is, of course, true that not all dogs require off-lead walks and can be fulfilled without them, I would suggest that Abney is the worst possible environment for long-lines and flexi-leads. I have used one there with my dog a few times when she was injured, and it was a nightmare with the gravestones, branches etc and I stopped as I was so concerned about the lead damaging the stones and getting tangled in them. I also wish to highlight the net positive impact that off-lead walks in Abney have on dogs' wellbeing. Abney is paradise for our city dogs, it is wild, full of scents and pathways and wonderful nature. As owners, it's a safe and enclosed space, with far less litter than any of the other parks in the borough: walking your dog off-lead in most Hackney parks is a constant battle against them eating something dangerous as the litter is so out of control. Many dogs are scared of bikes, and having a space for them to run without that is a joy.

5.2.2 Dogs Aren't An Issue In Abney Park

The second most prevalent theme in the comments about Abney Park is the perception that dogs are not an issue in the cemetery. Respondents talk about never seeing problem dog behaviour despite having walked in the cemetery on a daily basis for years. Some support this argument by referring to data released under Freedom of Information requests to the Metropolitan Police and Hackney Council.

[Does not agree with updates to PSPO] because of Abney Park. I do not believe dogs off leads are a problem there at all – and they definitely make the place feel much safer for those of us who walk alone without dogs. The dog walking community there is friendly and very much improve the environment. Personally I hate dogs – but in this space they are a surprisingly welcome addition. They don't charge about, like they do in open spaces – rather they can explore. I've never seen them conflict with other creatures – there have been off lead dogs for years, and Abney Park is still a richly diverse natural habitat.

What evidence is there of a problem? The Metropolitan police recently released FOI data revealing they have zero records of dog attacks in Abney Park. This further underlines that it's a highly responsibly community of dog owners who take pride in respectful usage of the park – and who want problematic behaviour tackled, but in an effective manner, not a needless blanket manner.

I go there [Abney] regularly and have never encountered a dog out of control there. All owners who I've come into contact with use the park respectfully of the park, other dog owners and their dogs, and other users of the park. If this is a preventative measure to control antisocial/dangerous dogs, it will not be effective. As a vet, I know the importance of exercising dogs appropriately and part of that means allowing them to run off lead.

We've walked our dog there [Abney] for 11 years now. I've never come across any problems with other dogs or owners. Everyone seems to clear up their poo. It's rare to come across any uncleared poo and if you do it's more likely human faeces.

I note that the majority of volunteers, one of whom is the main organiser and also a Trustee, are vehemently in favour of a dogs on leads ban. Their main arguments being about damage to wildlife and dog waste. But I am a volunteer as well and have been for 20 years and I know we've never had any anti-social behaviour from a dog, yes we occasionally step in dog waste but it's just as likely to be human waste behind a grave and the wildlife argument holds absolutely no water as we as volunteers are actively destroying potential wildlife habitats by ripping ivy off the tops of graves and off trees – high bird nesting sites that dogs can't reach.

As Diane Abbott, MP for the Parliamentary constituency in which Abney is to be found has written to a local dog-owner "Most dog-owners are responsible people whose pets are not dangerous and behave sensibly and safely... Considering the high number of dog-owners in the area, and the fact off-lead dog-walking in Abney Park is well established, I think Hackney Council should look again at their proposals for this site..."

5.2.3 Criticism Of Proposal / Council's Approach To Consultation

A recurring theme in the qualitative feedback is criticism of the proposal and of the council's approach to the consultation. In terms of Abney Park, respondents question the justification for extending the PSPO, expressing concerns about the lack of data provided and questioning the sources of information used. Additionally, the comments raise concerns that one of the councillors involved in the decision making is also a trustee of Abney Park Trust, who are arguing in favour of the ban on off lead dogs, resulting in accusations of "a conflict of interest" from respondents. Furthermore, the feedback identifies issues with the consultation process itself including a lack of publicity and engagement with local residents; changing the scope of the consultation retrospectively; the consultation response form including "extremely leading questions" and contradictory information being provided about whether emails sent to councillors would be included in the consultation responses.

Little or no information has been provided about user type of Abney Park Cemetery, nor has a park specific assessment of the ecological impact of dog walkers. Either this data is being unreasonably withheld or it does not exist, leading me to question why this is being introduced without appropriate consideration. The Cabinet Member responsible for the PSPO (Dog Control) and the associated consultation, [Name], has a clear conflict of interest as a Trustee of the Abney Park Trust. The Trust has published their response to the proposed "dogs on leads" requirement in Abney Park Cemetery, which supports the outright ban of dogs on leads Abney Park Cemetery. I believe that this conflict of interest is evident throughout the consultation process.

The Council makes use of the environmental arguments put forward by Abney Park Trust but there is no evidence which specifically relates to Abney Park. In fact most of the studies quoted relate to rural environments, often in other countries, and refer to animals like sheep or elk, which, to my knowledge, have never lived in Abney Park.

Abney Park Trust's response to the consultation, which the Council largely adopted mid-way through the consultation period is a misleading and untenable document. It is alarmist, irrelevant and has damaged local community relations. This has been divisive and ultimately serves no useful productive community purpose. From a local perspective and procedurally, the PSPO consultation has been defective. Serious flaws include a shifting justification, inadequate publicity, conflicting communications from councillors, and an unfairly biased online consultation tool have made local people angry, upset and frustrated.

No evidence of the alleged problems has been offered publicly by the Council. Vague allusions to complaints are not enough – there is no visibility of numbers, the nature of the complaints, whether they were credible or even looked into, and whether any relate to Abney Park. You are therefore putting forward a measure which as matters stand, is completely unsupported by evidence [...]. The legal threshold before the Council may lawfully impose or extend the PSPO includes a requirement, among others, that "the effect or the likely effect of the activities... justifies the restriction imposed by the notice." In short, an unjustified restriction is unlawful. In the absence of any, or any credible evidence of anti-social behaviour in Abney Park, there is no basis for the PSPO to apply to that area. To impose the PSPO requiring dogs on leads in Abney Park would be perverse and irrational, and open to legal challenge on that basis by way of judicial review.

5.2.4 Commercialisation Of The Park

Another theme in the qualitative feedback relates to the commercialisation of the park, with the creation of a new café and the licensing of the chapel for events, including weddings, that can take place until midnight three nights a week. The comments reveal that many respondents think the extensive redevelopment work has already caused disruption to wildlife and the future events will cause more ecological issues than dogs off the lead. Similarly, respondents argue that developing the chapel as an events centre, with an alcohol licence, is at odds with the Council's justification for including Abney Park in the PSPO to show "respect for the site and for individuals buried there". There also are suggestions that this is the "real reason" behind the proposed changes. Some respondents also observe that dog walkers will form a key customer group at the new café but banning off-lead walking is likely to greatly reduce their numbers.

The Abney area especially. Your reasons for introducing leads is non-sensical. Especially when you have placed light towards the church [that] will affect the bats in the cemetery.

You state that there is an ecological concern from having dogs in the cemetery, but again you provide no evidence to support this. Furthermore you are simultaneously advocating and planning to turn the refurbished church in the cemetery into an events space with an alcohol licence. Therefore you clearly have no real concern about the ecological impact as having multiple guests in the cemetery consuming alcohol with music is clearly detrimental to nocturnal wildlife such as bats. You are choosing to ignore the obvious ecological impacts that will result from the events you are planning on hosting and yet targeting dogs and dog owners. Your approach is hypocritical and insulting. In addition for the past year, you have driven heavy machinery through the cemetery for the building work.

Dogs clearly do not fit into your vision of a transformed and lucrative space. The fact that these proposals are being made when your improvement works are coming to a close is not a coincidence. You had no concerns regarding dogs in the previous years when you had left the cemetery in a state of complete neglect.

The new café requires customer support and dog walkers will make up a huge part of potential revenue. Ban dogs off lead and the café will struggle to attract enough customers especially on rainy days when it is only hardy dog walkers out and about.

What is more disruptive to the sanctity and ecology of an area – a well behaved dog getting the exercise it needs on a morning walk, or drunk music revellers roaming around the cemetery at 11:30pm unsupervised?

The claim that the on lead requirement is "... to show respect for the site and the individuals buried there" is disingenuous given that the website for the newly refurbished chapel states "thrilled to bring you Abney Park Chapel as the newest addition to the Hackney Venues portfolio! Set to be one of Hackney's most exclusive & unique wedding and events venues..." [...] and that a late licence is available on request. Up to 70 people drinking or holding away days in the middle of the cemetery does not feel like something that is respectful to the people buried there or to the wildlife the consultation says it is respecting. It is simply about making money and dogs are seen as inconvenient to that aim!

5.2.5 Frequent Dog Walking Helps Prevent ASB

Respondents who say they have lived in Stoke Newington for many years recall that Abney Park used to be “a bit of a no go zone especially for lone women”. These respondents, and others, credit frequent dog walking with making the park safe and deterring anti-social behaviour. A key sub-theme in these comments is the impact the proposed dogs on leads ban will have on safety in the park as fewer people will walk their dogs in Abney if they have to keep them on a lead. This is a particular concern for female respondents who are, in general, more likely to cite the issue in their comments than men. Furthermore, 34% of female respondents, whose comments explicitly mention walking a dog in Abney Park, gave feedback equating the presence of dog walkers with their safety.

Many park users, especially female runners, are voicing fears their safety will be impacted in the absence of dog walkers compelled to go elsewhere so their dogs can be healthily exercised. Is this fair? Furthermore, ask yourselves, could this be possibly discriminatory? Less than a decade ago, in 2014 and 2015, Abney had a reputation as a dangerous place, with problematic users, and with reports of serious sexual assaults. As recently as 2018 Hackney Borough’s own survey showed 26.5% of respondents said they felt unsafe in Abney Park.

Enforcing dogs on leads in Abney will deter people walking their dogs there, this will be a huge loss. As a woman, dog walkers are what make Abney feel like a safe place to walk. I imagine it will have a very different feel when it’s almost empty and I will not be going there. It will have a real impact on the community.

As a woman walking alone in what can be a very quiet place I have always found it reassuring that there are many dog walkers there, which would be impacted if you were to bring in the off-lead ban and people take their dogs elsewhere. I can remember back far enough to when Abney was a no-go area and can remember assaults and rapes taking place there. I love the way it is now with the community of dog lovers who walk in the cemetery throughout the day. It would be very sad to see this taken to pieces and things to return to the way they were.

As someone who doesn’t have a dog [...] I am a 21 year old female and often feel uneasy walking there alone. I am scared of the people having illegal outside sex and taking drugs in that park, which is a much bigger issue than the dogs. I am glad when a dog runs past me off lead and I can see their owner. I know that there are other safe people in the park then. If dogs are not allowed off lead, less dogs will be walked in Abney Park. As a result, the drug use and public sex will increase. Ultimately stopping people like myself from feeling safe to use the park. [...] You would be creating a new issue, from an issue that doesn’t exist to begin with!

Being a popular off-lead dog walking area for at least twenty years I’ve seen improvements. You now see fewer drug dealers, fewer drug addicts, fewer muggers, fewer ‘weirdos’. Off lead dog walking has normalised the park for other users such as school trips, mum and babies, the elderly. When I first visited Abney Park in 1994 you couldn’t cross the park without either being asked for sex or offered drugs. That simply doesn’t happen now and I believe it’s due to the space being populated with everyday people looking for space to take their dogs off-lead away from roads, cyclists, joggers, scooters and skateboards etc. My dog will regularly flush out the individuals who defecate in the bushes so even that negative use is being reduced.

5.2.6 Will Put Pressure On Other Areas

Many respondents say they choose to walk their dogs in the cemetery to avoid other park user groups, such as picnickers and sports activities, in more popular locations, such as Clissold, and express concern that they will have to go to such places, where off-lead walking is still permitted, to give their dogs the exercise they need. The comments acknowledge that more dogs in less space increases the risk of conflict between the different user groups, particularly during the summer when the parks are busy.

Have you surveyed Clissold Park users about how they would feel about 100+ extra dogs using Clissold Park every day? If dog poo really is an issue in Abney Park, this problem won't just disappear – it will just be moved to Clissold Park where children play on the grass...

Given that banning dogs off-lead in Abney Park will inevitably displace off-lead walking to other near-by parks, how will you monitor these effects? Abney Park is one of the only places in Hackney where dogs can be exercised without the risk of coming into conflict with other park users – picnics, sunbathing, football, yoga etc. Why are you proposing to create more potential conflict between dog walkers and others elsewhere in the borough?

If they aren't allowed to roam free in Abney Park they will go to Clissold. We have young children and we don't want more dogs in Clissold Park fouling the ungated areas. We know the owners don't always pick up the poo!

Particularly post pandemic, Clissold Park has become extremely well used and busy – not only by other dog owners, but by families, groups of friends, school groups and sports groups. This is to be welcomed and celebrated. However, I am very concerned about the likely impact on Clissold if all the dogs and their owners who currently walk in the cemetery are no longer permitted to do so off lead. If all these dogs and their owners migrate to Clissold, this will undoubtedly make Clissold feel even more full. I am sure this is not what is intended.

In summer Clissold Park can get very crowded with families & children therefore I walk my dog in Abney park for the benefit of park users and my dog. Having to keep her on a lead will not be enjoyable for either of us and will not allow her to express her natural behaviours. If this goes ahead I will have to drive in a polluting car to somewhere like Hampstead Heath of the marshes.

I am very deeply worried this will force dog walkers to leave Abney: making Abney a much less safe space for everyone; causing religious and cultural tensions (many Islamic, Hasidic and other religious groups do not go to Abney for religious reasons) yet this proposal is likely to drive dog owners to green spaces where these groups do go e.g. Springfield.

Many dog owners choose to walk their dogs in Abney, especially in the summer, because Clissold is too crowded with picnickers and sports/cultural activities. The amount of food waste and trash left uncollected in Clissold in the summer is also a hazard to dogs. This initiative will disincentivise dog walkers to use Abney, resulting in more, not fewer, dogs in Clissold, with the attendant issues.

5.2.7 Dogs Don't Cause Problems For Wildlife

Some respondents challenge the ecological justifications given for the proposed extension of the dogs on leads requirement to Abney Park. Their comments recognise that the cemetery is a nature reserve but point out that this has been the case for many years and “nothing has changed”. A small number of respondents also observe that “the Council is giving the misleading impression that these [issues] are even capable of being legal grounds for the PSPO, which they are not”.

The faeces and urine left by the small minority of off-lead dogs that have ventured off Abney's designated paths over the 45 years since the Council took it over from the cemetery company have had little or no negative impact on Abney's ecology. That ecology has thrived, indeed flourished symbiotically alongside off-lead dogs all that time, so much so that the Park has had Local Nature Reserve status for over 30 years, justifying and permitting targeted investment. Happily (and contrary to the Council's suggestion), Abney's ecology isn't disturbed at all by dog faeces and urine because Abney's substrate is neither low-nutrient nor hypersensitive to nitrogen or urea.

I cannot see any justification in your proposals for banning off lead walking under powers designed to deal with antisocial behaviour. Notwithstanding the fact that the powers under PSPO legislation are clearly being misused in this case, the justification cited by Hackney is nonsense. In general terms, none of the issues raised are new issues that require new measures. Abney has been an established dog walking area for a very long time and it has thrived as a nature reserve during that whole period.

Has the Council undertaken an environmental impact analysis of dogs being off lead in Abney Park and is there proof of plant life being damaged? In the absence of this, the statements you have made are pure speculation. Foxes, rats, mice, and cats all run free which also leads to habitat disruption. The building work undertaken by the Council also leads to disruption as will the increased footfall brought about by commercialising the park.

The ground nesting birds at greatest peril in the United Kingdom are the likes of curlew, lapwing and nightjar. Habitats for ground nesting birds are most commonly found in coastal areas, wetlands, heathland, moors and uplands; wonderful though Abney Park Cemetery is – it is none of these things and is – irrevocably – located in central London. I would also point to the fact that the greatest threat to ground nesting birds will be foxes and rats, rather than domestic dogs, who do not have access to the park in the dark / low-light hours.

As for stakeholder objections, Abney Park Trust's official response draws on research conducted in the US and Africa! How does that in any way correspond to an urban park populated by rats, bats, and birds and frequented by foxes and cats.

The vast majority of dogs are well behaved sticking mainly to the paths and only occasionally have I witnessed dogs traversing off paths onto graves which seems to be the issue here. This despite there being no CLEAR information given to people that dogs walking away from paths could cause harm to wildlife habitats. This is given as a reason but does the Council have evidence that a) there has been degradation to wildlife habitats and b) if so this is caused by the behaviour of dogs off lead and what is the level of harm caused? In any case is a requirement of dogs being on lead the only possible solution – perhaps there are other less restrictive measures that could be tried first?

5.2.8 Dog Walkers Are Main User Group In Abney Park

Many respondents comment that dog walkers are the principal users of the cemetery, particularly during the week, early in the morning, and outside of the summer months. Some people suggest it is rare to encounter anyone apart from other dog walkers when they visit the park.

I am writing specifically about Abney Park and the proposal to have dogs on leads at all times. The park is a vital resource for local people and their pets. We take our dog each day between 7-9am and meet other dogs and owners. I rarely see anyone there in these times without a dog. [...] The data states that there has been a huge increase in dogs. Well that gives an insight into the number of local people this ban will affect. I would be very interested to see data that showed how many users of the Park are dog owners and how many aren't. That isn't featured in the argument.

I am not sure where the council proposes dog owners will walk their dogs if they live in the Stoke Newington area. Currently Abney Park is a popular and quieter walking space. At any given time it is pretty much predominantly populated by dog walkers who have supported this space throughout its whole renovation.

Many elderly people walk their dogs and for them to be properly exercised need them to be able to run free as they walk too slowly. Abney provides as worry free area. The majority of people walking there are other dog owners and not picnickers. I think if it had to become an on the lead area the visitor numbers would drastically reduce.

Do walkers make up 80% of Abney Park users, why not consult us genuinely rather than in a borough wide survey designed to give you the answers you want?

5.2.9 Humans Cause More Problems Than Dogs

Although many respondents argue that frequent dog walking helps keep Abney Park safe and reduce anti-social behaviour, there is a recognition in the comments that problems caused by human activity remain and respondents suggest this has a bigger impact on the cemetery than off the lead dogs. In particular, there are frequent references to drug use and people cruising for sex.

Abney Park is more fouled by drunks, by vomit, by people drinking and taking drugs in there at night, than it ever is by early morning dog walkers.

I believe there are other issues within Abney Park that are being overlooked by the council, for example homelessness, human excrement, drug use, littering and cruising which are very apparent having walked the dog there on a daily basis for the past two years. I'd like to understand how these are being tackled please.

I have never felt scared to walk in Abney Park because of dogs, my main fear has been, and will always be sexual assault, so perhaps banning men from the park instead of dogs might be a smarter plan?

If you're doing to ban dog walkers ban all humans too – with their nefarious activities behind gravestones they generate human waste and litter far worse than anything dogs produce (and I see it as a volunteer where path-users wouldn't)

5.2.10 Dog Walkers In Abney Park Are A Community

Many respondents, particularly those who walk dogs in the cemetery, made comments indicating how much they value of the sense of community and the opportunity to meet like-minded people, which they say is beneficial to their mental health and well-being.

Abney cemetery is great for me to walk my dogs off lead – for my mental well being – I'm in there twice a day – it's my sanctuary [...] I have met some really key people in my life through walking and talking with our dogs.

I have lived in Stoke Newington for 20 years and have walked my dog daily in the cemetery for the last 5. Put simply, if this proposal goes through you will rip the heart and soul out of Abney. [...] The dog walking community that's been built up there is vital for people's mental health. Often for the elderly and for those who live alone walking their dogs is the only time they really speak to people. That would be destroyed if dogs are forced onto leads as the vast majority of people would stop coming.

One of the reasons I regularly visit Abney Park is because it's such a special, friendly and inclusive area. I have walked my dog for years in the cemetery and never had an issue with dog walkers or dogs in the area – if anything, allowing dogs to interact lead free creates a sense of community for the dogs, their owners and those enjoying the park.

Permitting off-leash dog walking fosters a stronger sense of community within Hackney. The park becomes a gathering place for dog owners who appreciate the freedom to walk their pets off-leash. This sense of camaraderie can extend to non-dog owners who enjoy the lively atmosphere and interactions with their fellow residents.

5.3 Feedback From Abney Park Trust & Abney Park Dog Users Group

Where feedback on the consultation proposals was submitted on behalf of a group of respondents, the findings have been analysed separately to the individual replies discussed above. For Abney Park, there are two key submissions: one from Abney Park Trust and one from the Abney Park Dog Users Group. The viewpoints represented in these documents are very different and they are discussed separately in the following sections of this report as well as being included, in full, in appendices six and seven.

Abney Park Trust published its initial response to the consultation on its website on 8th September and subsequently also submitted a response via Citizen Space. This latter submission acknowledges that the evidence in the statement on their website *“has been mocked by some but was always intended to highlight the broad range of issues with off-lead dogs in general”*. Whilst acknowledging that *“there are no Abney-specific studies available”*, the submission contends that there is *“also no reason to believe that the principles which apply to other nature reserves and Magnificent Seven cemeteries are not applicable in Abney’s case”*. It also argues that the proposal to ban dogs off leads *“is in line with the Council’s own Green Infrastructure Strategy and Nature Recovery Strategy”*.

The Dog Users Group states that *“the Trust’s response was poorly researched, showed confirmation bias, and is a thoroughly unreliable basis for any decision making by the Council”*. In addition, they express concerns that *“claims by the Trust of the kind set out above are seriously misleading to the public”*. In addition, the Group argues *“Abney Park’s oft-cited expert spokesman Russell Miller does not blame dogs for Abney Park’s biodiversity losses”*. In contrast, they believe his view is that it is the *“loss of linkage to other large habitats, and encroachment from development”*, which are also issues identified in the Nature Recovery Plan. Therefore, the Group argues *“Abney Park’s current richness has arisen and exists in equilibrium with off-lead dogs”*.

The Abney Park Trust published its initial response to the consultation on its website setting out its rationale for banning dogs running off the lead in the cemetery. The consultation submission by the Abney Park Dog Users Group challenges the evidence behind these statements. A comparison of the points made is shown in the table below.

Abney Park Trust Statement	Dog Users Group Submission
<p><i>“The pandemic lockdowns saw an increase in dog-on-dog attacks: a 700% increase, with 2,264 in London alone”</i></p>	<p>Freedom of Information requests show that <i>“over the last three years, the Council has recorded 34 complaints about dogs in parks in the borough. Just six of the complaints mentioned Abney Park and just four of them mention dogs being off the lead”</i>. There were 1,230 complaints in total, the majority related to dog fouling elsewhere in the borough. The Metropolitan Police confirmed, in response to a FOI request, that of <i>“the ten reported dog attacks”</i> that took place in the Stoke Newington Safer Neighbourhood Area between January 2018 and October 2023 <i>“none took place in Abney Park”</i>.</p>
<p><i>“We are currently facing a biodiversity emergency. The UK is one of the most nature-depleted countries in Europe. The Red List of British Mammals found that one quarter of UK mammals are threatened with extinction. 66% of ground-nesting birds are in decline in the UK, compared to 31% of other species. Since the 1970s, it has been shown that 41% of all UK species studied have declined”</i></p>	<p><i>“Figures and citations given by the Trust are at best irrelevant, and often sensationalist or even farcical. Using alarmist language such as “biodiversity emergency” and “nature-depleted”, the Trust equates the matter of dogs being walked off-lead with an impending nature crisis. Yet, the statement that “since the 1970s it has been shown that 41% of all UK species studied has declined” has no connection whatsoever to dogs, let alone to dogs in Abney Park”</i>.</p>
<p><i>“A study demonstrates that dog walking caused a 41% reduction in the numbers of individual birds detected and a 35% reduction in species richness – while disturbance from humans walking alone was typically less than half that of dogs”</i></p>	<p><i>“A number of the most egregious misrepresentations that Abney Park Trust make concern a report compiled by Lori Hennings for the Portland, Oregon Metro Parks District (USA). The Trust’s position on the purported impacts of dogs upon wildlife in Abney Park involves quoting, near verbatim, the findings of this American report”</i></p>
<p><i>“Dogs can transmit diseases (such as canine distemper and rabies) to and from wildlife”</i></p>	<p><i>“Rabies was eradicated in the UK among all mammals (except for bats) 101 years ago, in 1922. Canine distemper is virtually unheard of among the vaccinated dog population of the UK”</i></p>
<p><i>“Dog waste can pollute water and transmit harmful parasites and diseases to people”</i></p>	<p><i>“This is entirely irrelevant given that as the Trust itself recognises, there is a “lack of any water source within the cemetery””</i>.</p>
<p><i>“Loose dogs kill wildlife: the UK cost of dog attacks is up by 50% since pre-pandemic”</i>.</p>	<p><i>“Several sources invoked by the Trust also make reference to the danger dogs pose to livestock. This is a meaningless argument because no livestock are held in Abney Park. Therefore, Trust’s citation [as quoted opposite] is, in context, simply absurd. It is taken from a National Farmers’ Union paper on sheep worrying. It has no conceivable application to Abney Park”</i></p>

Table 12 Comparison of the points made in the Abney Park Trust and Abney Park Dog Users Group submissions

5.4 Consultation Submissions From Abney Park Trust

Abney Park Trust is a volunteer run charity and a long term partner of Hackney Council. The Trust published its initial response to the consultation on its website on 8th September, which it referred to in its subsequent online submission. Both documents are included in appendix six.

The online submission states that it *“should be non-controversial to require dogs to be on leads and under control in a cemetery site”* and for that reason alone the Trust supports the proposal. However, they recognise that Abney Park is *“a much more complex and significant site than ‘just a cemetery’”*.

As well as responding to the consultation in its own right, the Trust states it has sought to encourage responses from all sections of the community. The initial summary response, published on the website, sets out the Trust’s view on the ecological impact of dogs in nature reserves.

This online statement states that *“the UK is one of the most nature-depleted countries in Europe”*, quoting various statistics demonstrating species decline, including *“66% of ground nesting birds are in decline in the UK compared to 31% of other species”*. In addition, since the 1970s, *“it has been shown that 41% of all UK species studied have declined”* in number.

The statement sets out the impact dogs have on wildlife:

- Physical and temporal displacement – dogs cause wildlife to move away, temporarily or permanently. The website quotes *“experts”* who say *“loose dogs are one of the biggest causes of wildlife disturbance equivalent to the same disruption as low flying aircraft”*. Furthermore, they cite a study by the Nature Institute which *“noted that the evidence that dogs negatively impact wildlife is overwhelming”*.
- Disturbance and stress response – the website cites a study *“which showed that dog walking caused a 41% reduction in the numbers of individual birds detected”* as well as a 35% reduction in species richness – *“while disturbance from humans walking alone was typically less than half that of dogs”*.
- Degradation of habitat – nutrients from dog urine and faeces results in *“over fertilisation which can reach levels that would be illegal on farmland”*. The Trust states that there has been an increase in dog fouling in the cemetery.
- Indirect and direct mortality – the website states that *“dogs can transmit diseases (such as canine distemper and rabies) to and from wildlife”*. It also refers to loose dogs killing wildlife stating that *“the UK cost of dog attacks is up 50% since pre-pandemic”*.
- Human disease – the final bullet point in the list of impacts dogs have on the wildlife of Abney Park states *“dog waste can pollute water and transmit harmful parasites and diseases to people”*

Therefore, the statement on the website concludes that *“the joy dogs bring to people and our community can be balanced with the needs of the ecosystem through a sensible and enforced on-leads rule”*.

The Trust’s consultation submission via Citizen Space reiterates the statistics quoted above as well as re-confirming an additional figure from its original post, that *“the pandemic lockdowns saw an increase in dog-on dog attacks: a 700% increase, with 2,264 in London alone”*.

In addition, the consultation submission refers to *“the human side of this issue”*, recognising that there are *“members of some religious and ethnic groups who are less likely to use the park for lots of reasons”*, not least due to the presence of dogs running off the lead. They support this statement with reference to focus groups carried out in 2019.

The Trust argues that *“an ecologically ideal situation, as recognised on social media by Abney ecology experts and others, might be a full-on ban”*. Therefore, the submission argues that the dogs on leads proposal is *“a possible compromise, a balancing act”*. The Trust recognises the issue has been divisive but reiterates that a decision should be based on *“the whole range of evidence and perspectives and not on who shouts the loudest”*. It also hopes that the Council will *“put the park’s future, and its ecological and inclusivity-related interests, at the heart of the decision”*.

5.5 Consultation Response From Abney Park Dog Users Group

A submission was also received from the Abney Park Dog Users Group. The group, comprising over 250 members, all Hackney residents and regular users of the park, was created in direct response to the consultation. Their submission runs to 34 pages and is supported by gate observations and a survey of Park users. All these documents are presented in full in appendix seven.

The submission also references a petition against the requirement for dogs to be exercised on leads in Abney Park, which, the Group states, has received over 2,000 signatures. In addition, the submission includes a number of quotes from the online survey, carried out by the Group between 9th October and the end of November, which received 429 responses from people who visit Abney Park. This survey found that 79% of all respondents and 96% of dog owners oppose the ban on off-lead dogs in the cemetery.

The Users Group acknowledge the Council’s duty and responsibility to address unlawful and irresponsible dog ownership. They support some aspects of the proposed PSPO including the ‘dog fouling of land’ prohibition; the exclusion of dogs from the specified additional areas such as children’s playgrounds and sports areas, as well as the existing dog-free areas in parks; and the ‘dogs on leads by direction’ requirement. However, they strongly oppose the inclusion of Abney Park in the list of places where dogs must be kept on leads.

The key points outlined in the submission are discussed below.

5.5.1 Lack Of Evidence & The Group’s Response To The Council’s Rationale

The Users Group is concerned that *“no steps”* appear to have been taken to *“establish an evidence base and a clear rationale”* for including the ban on off-lead dogs in Abney Park before the consultation went out.

The members of the Users Group submitted Freedom of Information requests to the Council and Met Police. The submission states that these have confirmed that *“there is no evidence at all of problems with anti-social behaviour by dogs in Abney Park”*. This is discussed in paragraphs 20-26 of the Group’s submission where they conclude that *“just 6 complaints out of 1,230”* received by the Council about dog behaviour in the last three years related to Abney Park. The vast majority concerned dog fouling elsewhere in the borough.

Paragraphs 29-43 of the submission discuss the Council's argument about the "historical significance" of the cemetery and conclude the area has been used for dog walking for decades; nothing has changed. In contrast, the Users Group argues that suggestions in the PSPO proposal that the requirement for dogs to be on leads shows respect for the site "are in real tension with the Council's decision to grant the chapel a licence as an 'exclusive venue'", including the service of alcohol and playing of music until midnight. The submission states "there is genuine anger amongst the community" about these perceived double standards.

The Users Group argue that there is no evidence of an ecological justification for banning dogs off-lead now when the site has been a nature reserve for decades. This is discussed in paragraphs 44-64 of the submission. The Users Group cites a number of specific concerns about the argument put forward by the Abney Park Trust to justify the proposal to ban off-lead dogs in the cemetery (paragraph 55). The submission argues that "a number of the most egregious misrepresentations" that the Trust make concern the use of a report about American wildlife to justify their position on dogs in Abney Park. In addition, the Users Group challenge the Trust's assertion that dogs can transmit rabies by observing that this disease was eradicated from the UK mammals, except bats, over one hundred years ago. After reviewing other sources quoted by the Trust, including those referring to dogs' impact on sheep and water, neither of which occur in the cemetery, the submission concludes "the Trust's response was poorly researched, showed confirmation bias, and is a thoroughly unreliable basis for any decision making" (paragraph 56). Furthermore, the submission contends that these claims "are seriously misleading to the public". The Group report that "most people we have spoken with" are "simply incredulous" at what is perceived as the "hypocritical" decision to grant the chapel a late licence on one hand, whilst also arguing that off-lead dogs are a threat to the ecology of the area. Therefore, in the Group's opinion, the Abney Park Trust's response to the consultation is "alarmist, irrelevant and has damaged community relations".

5.5.2 Serious Legal Questions Raised By The Proposed Ban

As the submission contends that the Abney Park measure in the proposed PSPO "has no basis or justification" it argues that "the Council would be acting unlawfully" if it was to bring the ban into force. Furthermore, the Group believes that justifying anti-social behaviour legislation with reference to wildlife or ecology "would be a fundamental mistake and a misapplication of the legislation" with no legal precedent. More detailed comments on this point can be found in paragraphs 65-71 of the submission.

The Group's opinion is that the consultation itself has been procedurally defective due to a changing justification, insufficient publicity, conflicting information from councillors and officers and "an unfairly biased online consultation tool". The justification for these views is set out in paragraphs 72-96 of the submission.

More specific details on the limitations of the consultation questionnaire are outlined in paragraph 89 including concerns about the lack of opportunity to comment on the individual proposals. The Group states that "it is wrong in principle" that the consultation should only ask a 'yes/no/don't know' question about support for the PSPO as a whole. The Users Group strongly believes that, as the Council has tried to make a special case for Abney Park, "people should have been asked specifically" for their views on this aspect of the proposals. They point to the extension of the consultation and the substantial revision of the supporting documentation six weeks after it was originally launched. The submission suggests that the new wording "effectively adopted the position of Abney Park Trust", as given in its public response to the consultation on 8th September, to justify the reasons for the ban. The Group believe "this creates a clear impression of bias", which is "unfortunately strengthened" by "the fact that the Cabinet member with responsibility for the PSPO is also a trustee of Abney Park Trust".

Furthermore, the submission expresses concern that the only means of responding to the consultation was the online form on Citizen Space. Members of the Group emailed councillors directly to make representations about the consultation but were provided with *“contradictory advice”* about whether these emails would be considered. In addition, the submission contends that *“there was very little publicity for the consultation”* in Stoke Newington compared to other areas. The Group states that their survey responses show that *“word-of-mouth was three times greater than any Hackney publicity”* for the consultation.

5.5.3 Impact On The Community & Unintended Consequences

The final key point relates to *“harmful unintended consequences”* identified by the Users Group, which include an influx of additional dogs to the already crowded Clissold Park and making Abney Park less safe, especially for women. Therefore, the Group argues, *“the effect of the Abney Park PSPO would be indirectly discriminatory”*.

The Group monitored the footfall in the Park on two days in October 2023, with similar weather conditions, one mid-week and one at the weekend. These findings reveal that *“lone women visiting with pre-schoolers, jogging or walking dogs, can be over 50% of Abney Park’s users at times”*. The results from these observations are also included in appendix seven.

Paragraph 105 discusses the impact of the off-lead ban on the wider users of the cemetery suggesting that this will result in fewer people using the Park, leaving it *“almost deserted for much of the time”*. The Group express concerns that this *“will have safety implications for solo walkers and runners in Abney Park, particularly for women”*. In light of this, the submission argues that there is a *“significant oversight”* in the Equality Impact Assessment for the consultation which states that the proposed PSPO will have *“no detrimental effect on anyone with any protected characteristic including sex”*. In paragraph 106 of the submission, the Group argues that this statement by the Council is wrong and, they consider, *“unlawfully wrong”*.

Despite questioning the lack of data specific to Hackney, the Group acknowledges the recent increase in dog ownership on a national level. However, in light of this, they consider that *“effectively withdrawing”* the second largest space for dog walking in Stoke Newington *“will cause more problems with the management of a larger dog population”*. The Group’s gate observations suggest that approximately 300 dogs use the Park each day and their online survey results indicate that the vast majority of dog owners would go elsewhere if the off-lead ban comes into effect.

Indeed, the User Group’s online survey results reveal that majority of Park users, 66%, mainly visit the cemetery to walk a dog, either their own or to meet friends with a dog, and 90% of these respondents would use Abney less if the off-lead ban is introduced. Furthermore, 72% of dog owners and their friends would use Clissold Park more often. The submission argues that this area is *“already overcrowded, particularly at weekends”* and even more so in summer. Full details of the responses to this survey are set out in appendix seven.

6. Graphical Overview Of Findings From Consultation

The following section of the report contains the key graphs relating to the points made in the discussion of the findings.

6.1 Understanding The Consultation Respondents

The demographic profile of the respondents to the consultation and the percentage of each group that are dog owners is shown in the graphs below.

6.1.1 Residency In Hackney

The majority of the consultation respondents (90%) either live, work or own a business in Hackney, with non-dog owners being more likely to do so than dog owners. Some respondents to the consultation commented that although they live outside the borough, they walk their dog in Hackney parks.

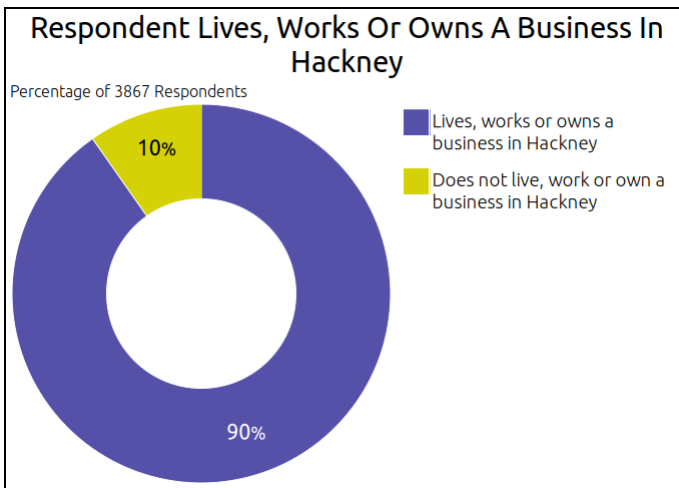


Figure 6.1

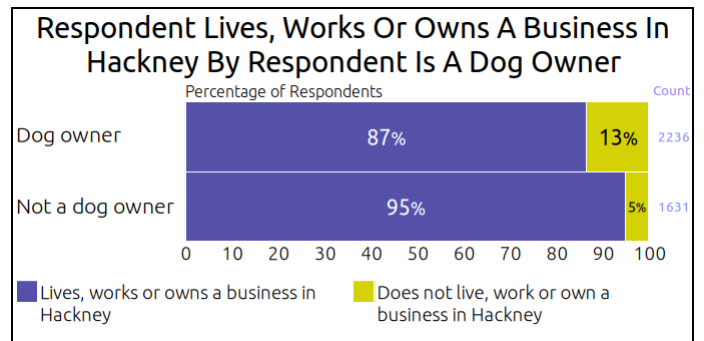


Figure 6.2

Not all respondents gave their postcode but 39% of those that did live in N16. Dog ownership by postcode is also shown below.

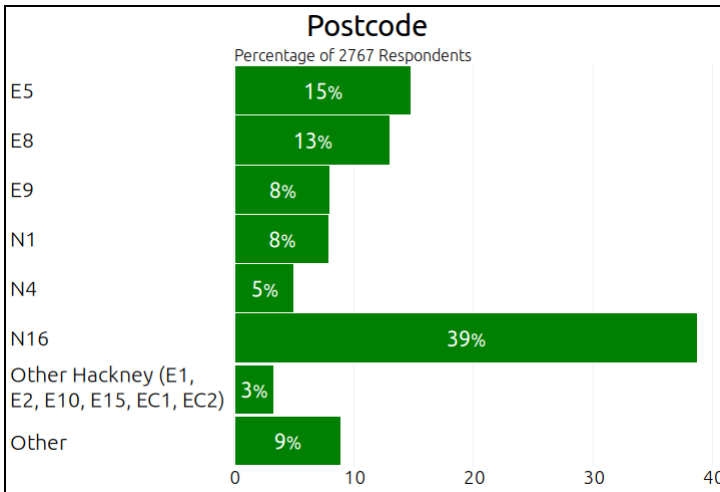


Figure 6.3

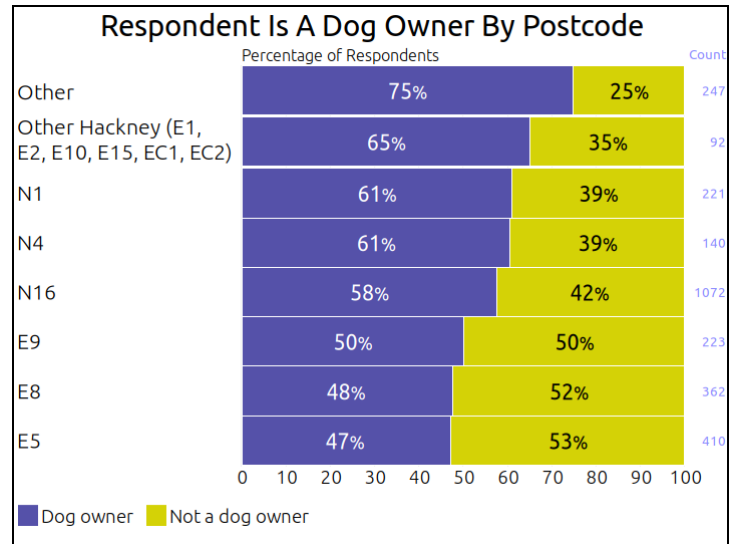


Figure 6.4

6.1.2 Gender

Women were more likely to respond to the consultation than men but dog ownership is comparable by gender.

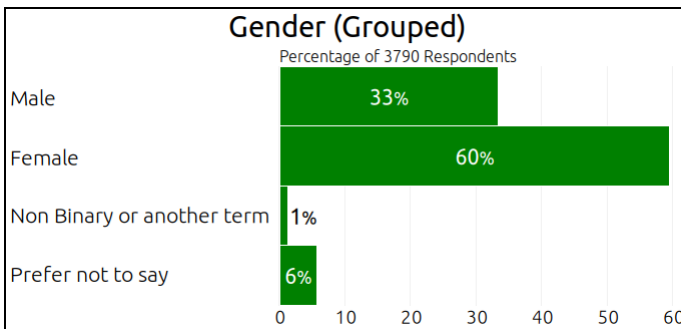


Figure 6.5

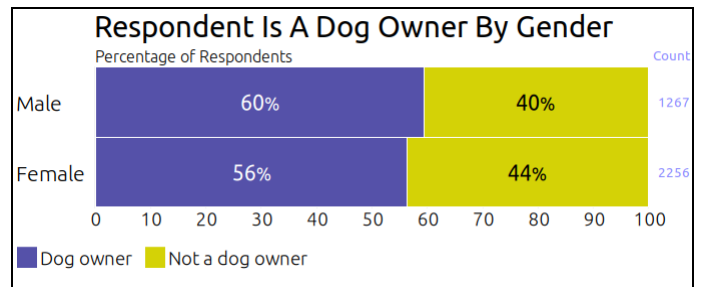


Figure 6.6

6.1.3 Age Group

74% of respondents to the consultation are under the age of 55. Respondents under the age of 35 are most likely to own dogs, with those aged 65+ less likely to do so.

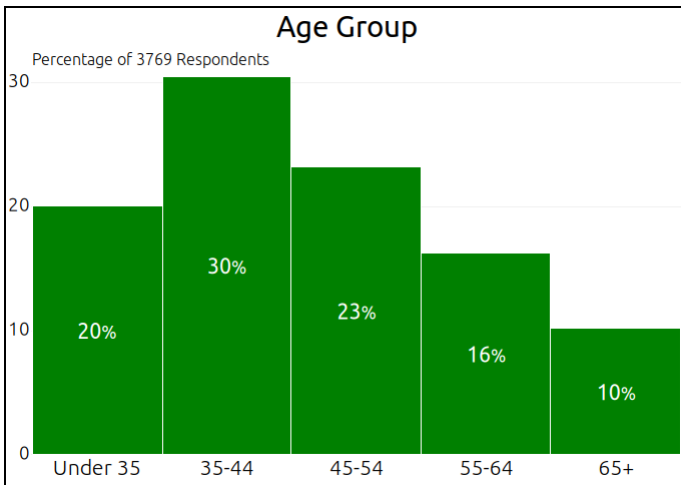


Figure 6.7

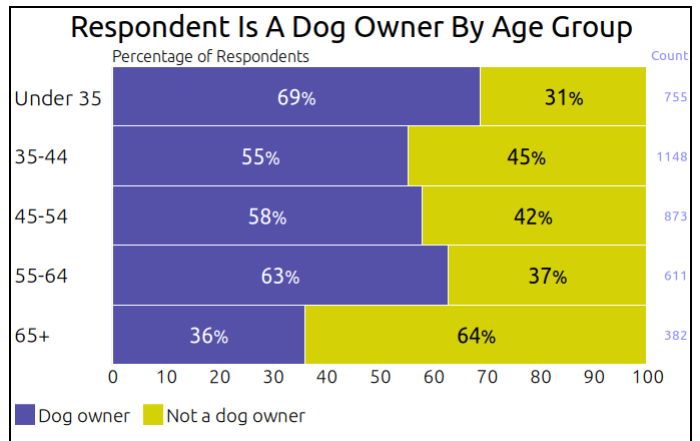


Figure 6.8

6.1.4 Disability

9% of respondents have a disability. Respondents with a disability are as likely to own dogs as those who are not disabled.

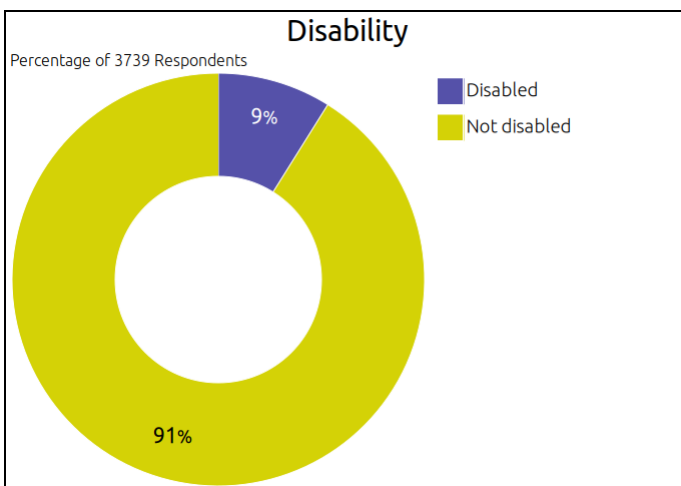


Figure 6.9

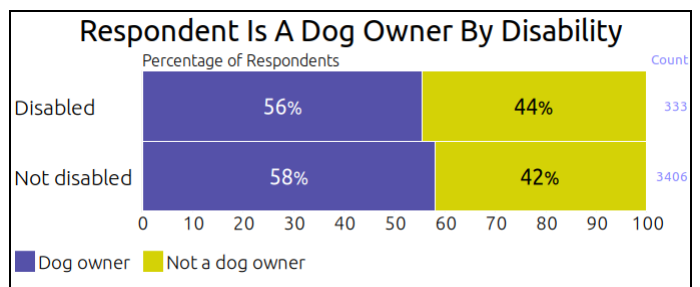


Figure 6.10

6.1.5 Caring Responsibilities

9% of respondents have a caring responsibility and these respondents are less likely to be dog owners than other respondents.

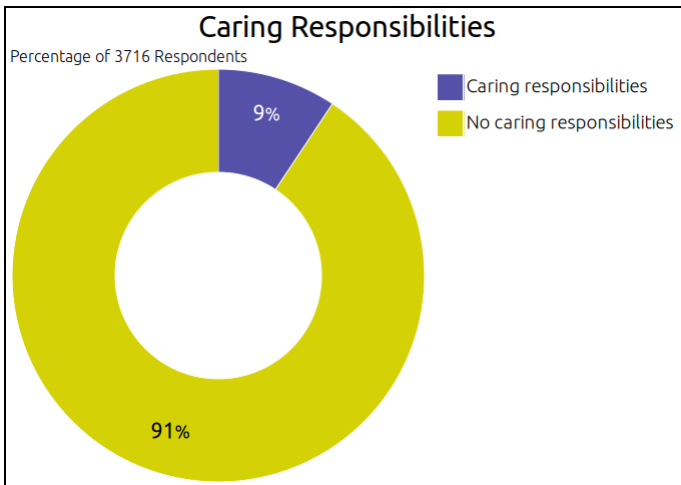


Figure 6.11

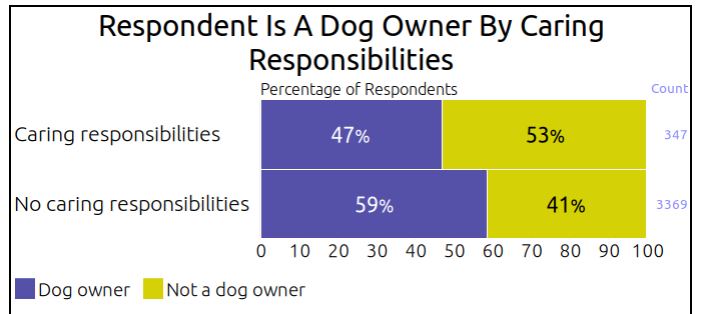


Figure 6.12

6.1.6 Ethnicity

79% of respondents are White or White British, 2% Black and 4% Asian. This contrasts with the latest Hackney census figures, where 53% of the population were White, 21% Black and 10% Asian.¹

It is impossible to know whether the difference in the consultation respondent profile is due to these groups' ambivalence about dogs, lack of awareness of the consultation, unwillingness to engage with the Council or another reason. Asian and Black respondents are less likely, than those from other ethnic groups, to own dogs.

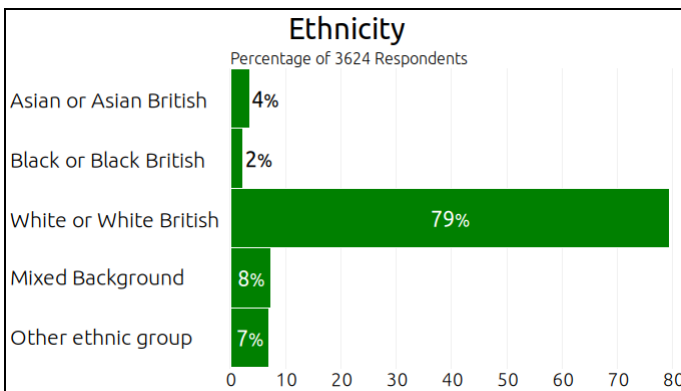


Figure 6.13

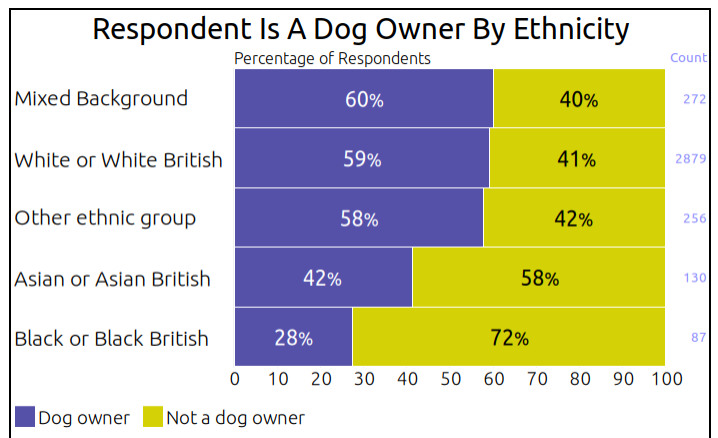


Figure 6.14

¹ The Census 2021 Briefing 5_ Ethnic Group, National Identity, Language and Religion obtained from Hackney Council website states the ethnicity breakdown as 53% White, 21% Black, 10% Asian, 7% Mixed and 9% Other

White or White British respondents are more likely than respondents of other ethnic backgrounds to own a dog.

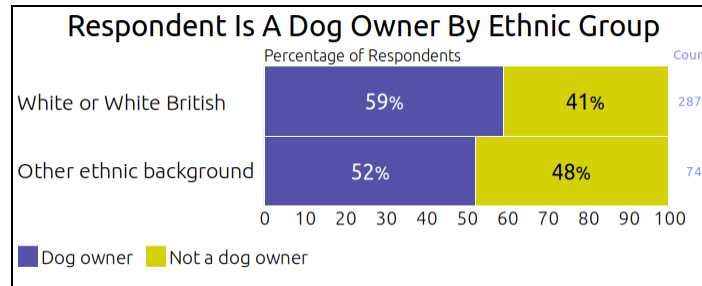


Figure 6.15

6.1.7 Religion Or Belief

The religion or belief profile of the consultation respondents is also different to the latest Hackney census data, with a much higher proportion identifying as atheist or having no religious belief and a lower proportion identifying as Christian. The proportion of Muslims and Charedi or Jewish respondents is also lower than in the 2021 census.²

Muslim respondents are less likely to own dogs than those who follow other religions or beliefs.

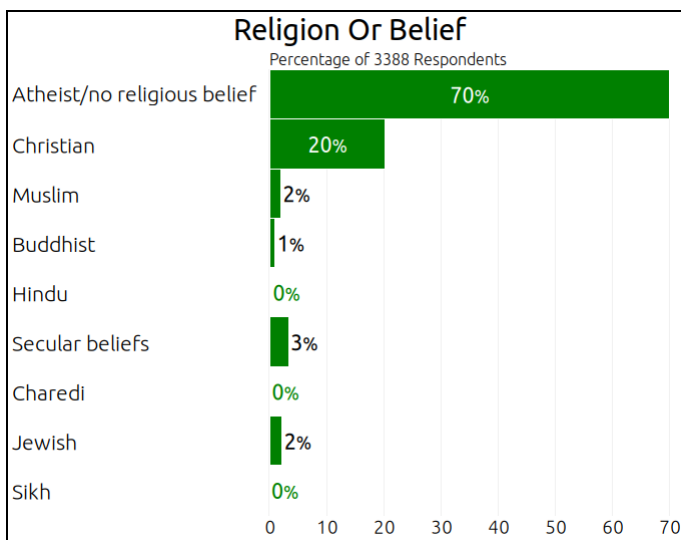


Figure 6.16

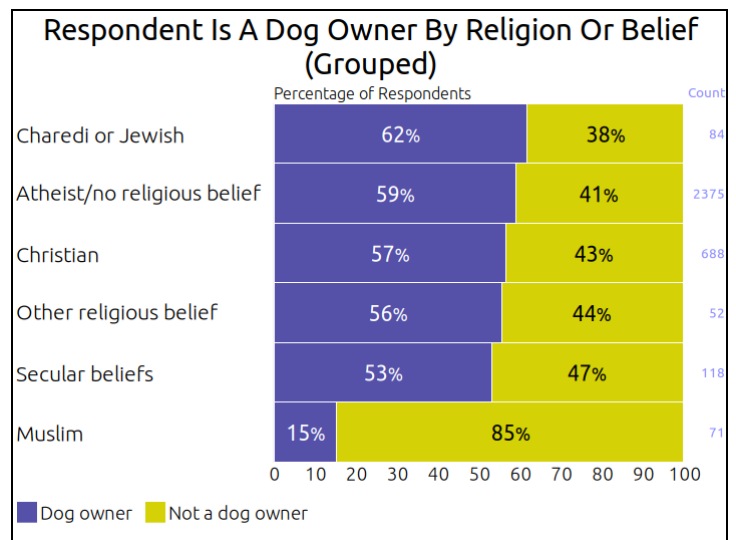


Figure 6.17

² The Census 2021 Briefing 5_ Ethnic Group, National Identity, Language and Religion obtained from Hackney Council website states the religion or belief breakdown as 36% no religion, 31% Christian, 1% Buddhist, 1% Hindu, 7% Jewish, 13% Muslim, 1% Sikh and 2% Other

6.1.8 Sexual Orientation

The sexual orientation of respondents, and the proportion of each group who are dog owners, is shown below.

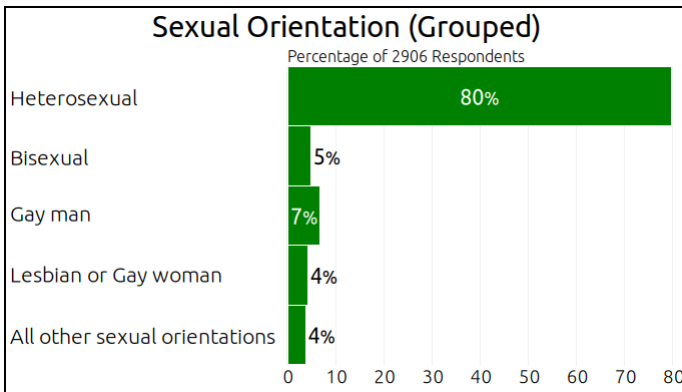


Figure 6.18

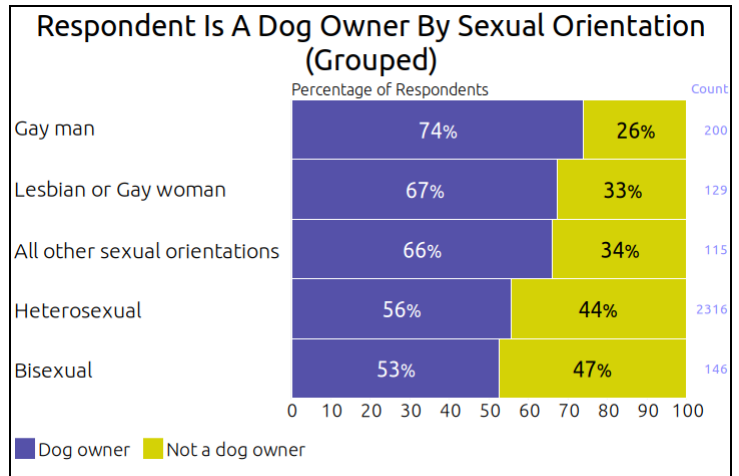


Figure 6.19

Heterosexual respondents are less likely to be dog owners than LGB+ respondents.

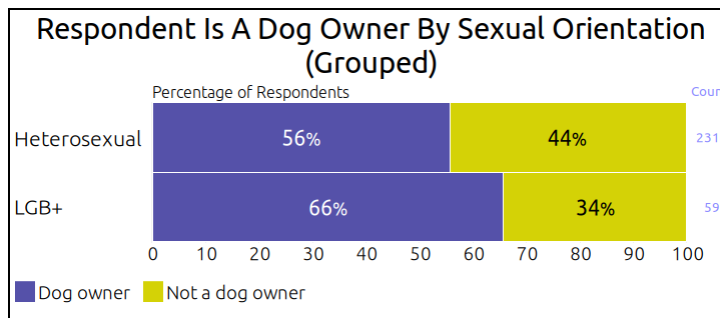


Figure 6.20

6.1.9 Housing Tenure

The majority of respondents either own their home outright (24%) or are buying it on a mortgage (44%). The latter are the group most likely to own a dog.

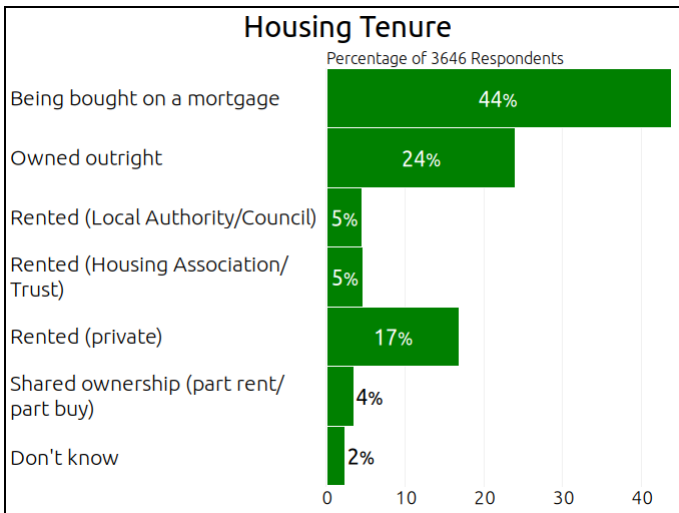


Figure 6.21

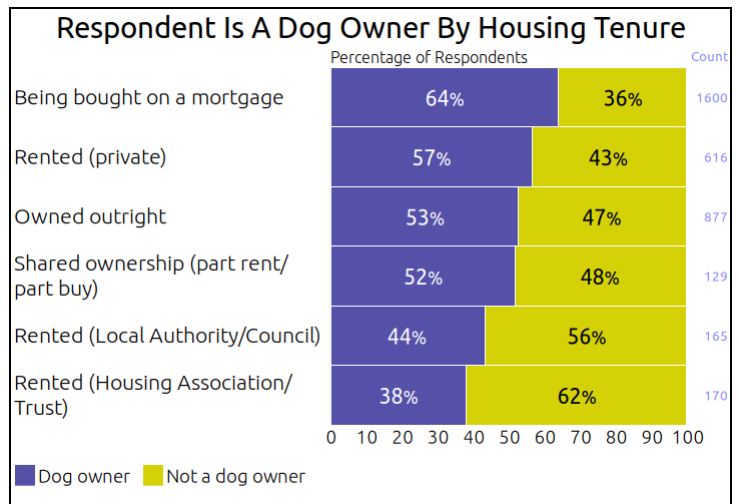


Figure 6.22

6.2 Graphical Overview Of Key Questions In The Consultation Questionnaire

The remainder of this section contains the graphs relating to each of the key questions analysed in the discussion of findings section of this report.

6.2.1 Q6: Have You, Or A Member Of Your Family, Or Someone You Know Had Any Problems Regarding Dog Behaviour In Hackney The Past Year?

6.2.1.1 Gender

48% of all female respondents and 29% of female dog owners to say that they or someone they know has experienced problems with dog behaviour compared to 42% of all male respondents and 19% of male dog owners.

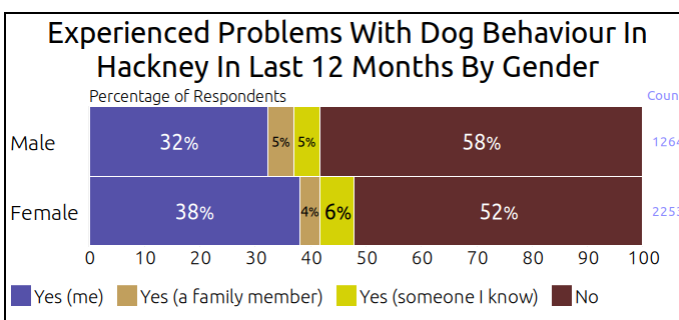


Figure 6.23

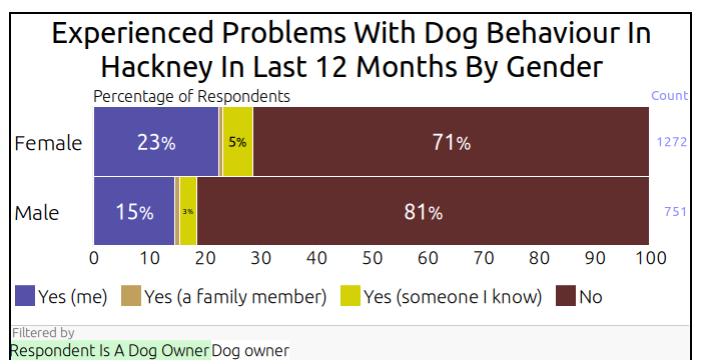


Figure 6.24

6.2.1.2 Age Group

58% of respondents aged 65+ and 51% of those aged 35-44 say that they or someone they know has had problems with dog behaviour compared to 34% of respondents under 35.

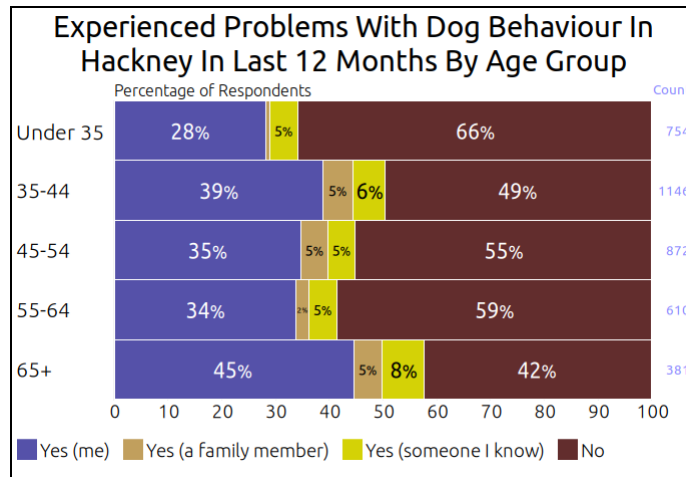


Figure 6.25

However, when the views of dog owners are analysed by age, the proportion of respondents who say that either they or someone they know has had an issue with dogs is broadly in line. For respondents who do not own a dog, those aged under 35 are less likely than older respondents to say that they or someone they know has had a problem with dog behaviour in Hackney in the last 12 months.

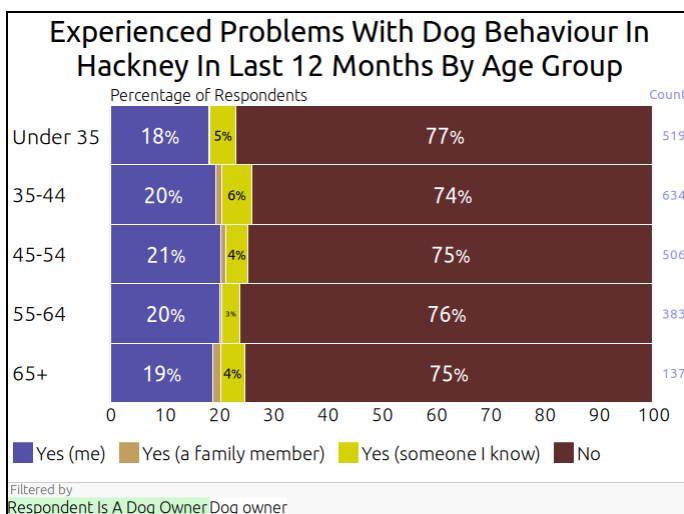


Figure 6.26

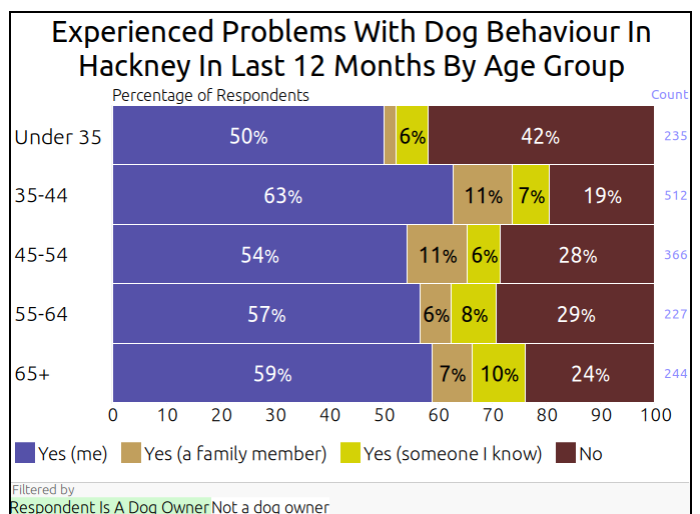


Figure 6.27

6.2.1.3 Disability & Caring Responsibilities

The difference in views between respondents with a disability and those without is not statistically significant.

56% of respondents with caring responsibilities say that they or someone they know has had an issue with dogs compared to 44% of those without caring responsibilities. These respondents are less likely to own dogs but there are too few replies from dog owners with caring responsibilities to allow for further analysis on this question.

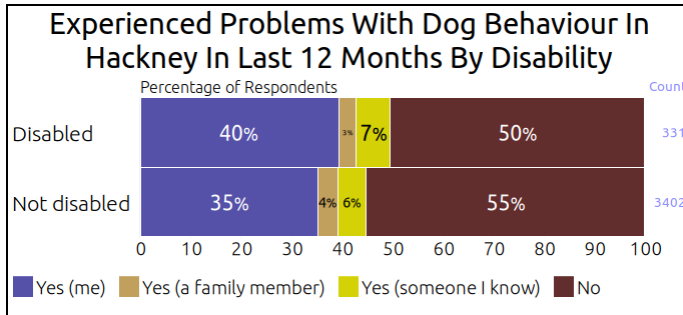


Figure 6.28

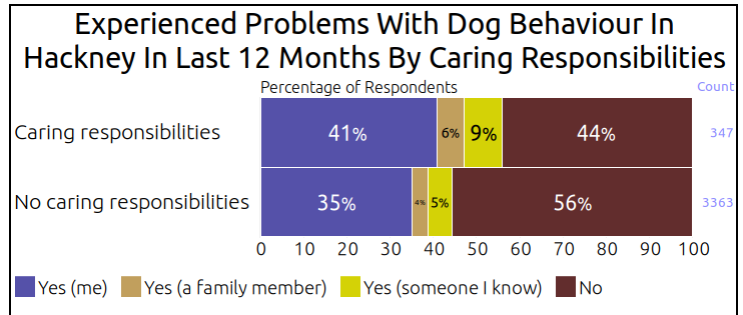


Figure 6.29

6.2.1.4 Ethnicity

72% of Black and 59% of Asian respondents say that they or someone they know has had a problem with dog behaviour compared to 44% of White or mixed race respondents and 45% of those from another ethnic group. There are only a small number of replies from Black and Asian respondents and these groups are less likely to own dogs, so further analysis of the impact of dog ownership on their views is not possible.

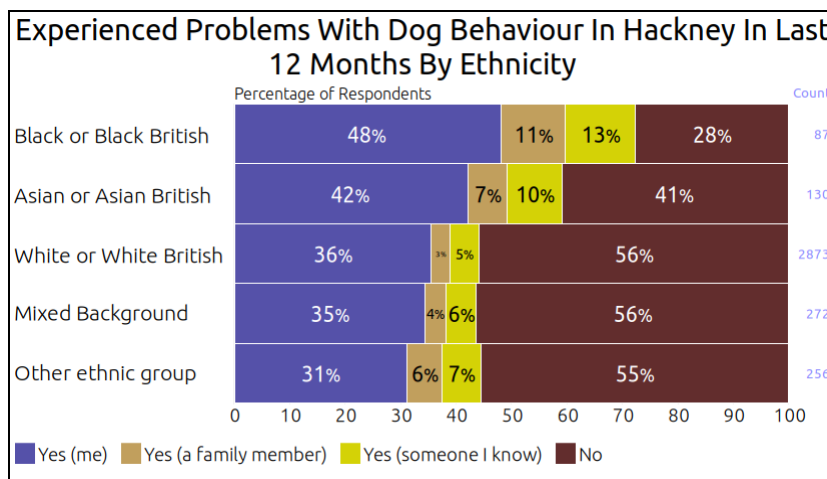


Figure 6.30

Respondents from ethnic backgrounds other than White are more likely to say that they or someone they know has had a problem with dogs than those who are White. However, a comparable proportion of dog owners in each of these groups say they or someone they know has experienced an issue in the last 12 months.

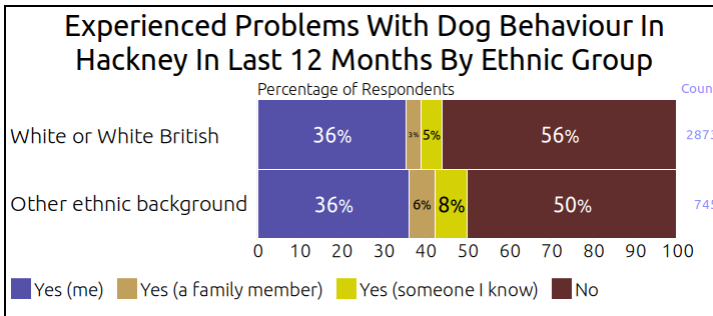


Figure 6.31

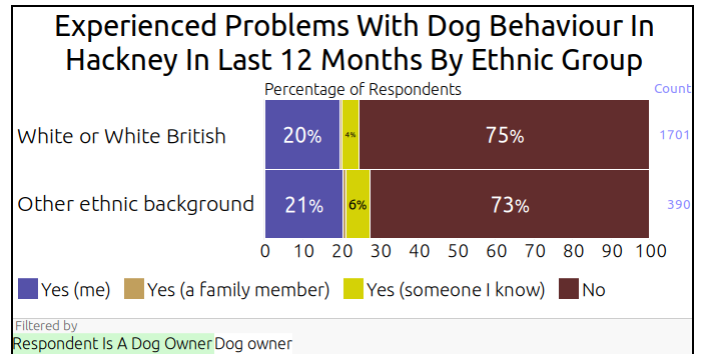


Figure 6.32

6.2.1.5 Religion Or Belief

79% of Muslim respondents say they or someone they know has had a problem with dogs in the last 12 months. There are only a small number of Muslim respondents and very few own dogs so further analysis by dog ownership is not possible.

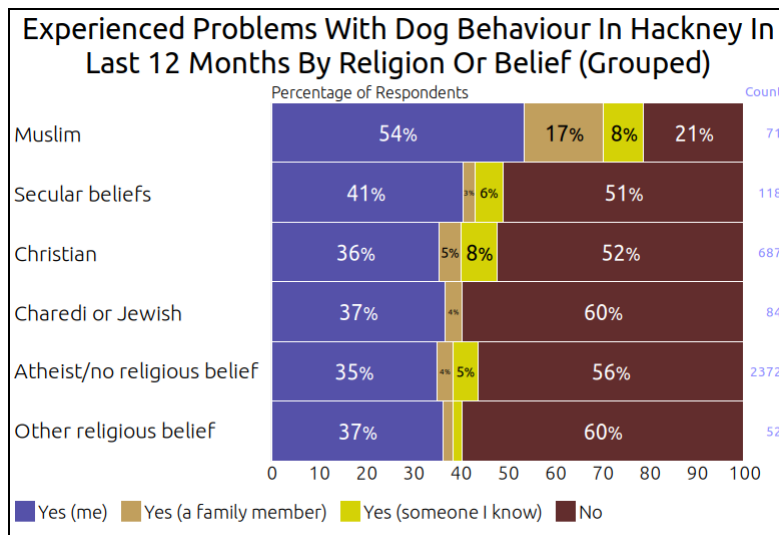


Figure 6.33

6.2.1.6 Sexual Orientation

Respondents to the consultation have many different sexual orientations but for the purposes of ensuring sufficient group sizes for meaningful comparison, those who are not heterosexual have been analysed as a single group (LGB+). These respondents are less likely to say that they or someone they know has had problems with dogs than heterosexual respondents. Indeed, 37% of all LGB+ respondents say they or someone they know has had a problem with dog behaviour in the last 12 months compared to 49% of all heterosexual respondents.

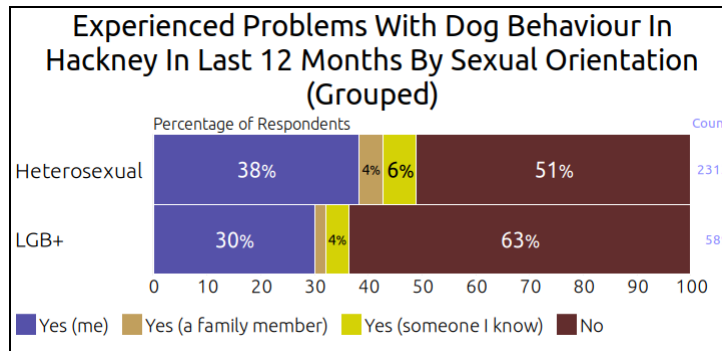


Figure 6.34

23% of LGB+ respondents, who own dogs, say they or someone they know has had a problem with dog behaviour compared to 28% of heterosexual respondents who own dogs. Furthermore, LGB+ respondents who do not have a dog are less likely, than heterosexual non-dog owners, to say they or someone they know has had a problem with dog behaviour in the last 12 months.

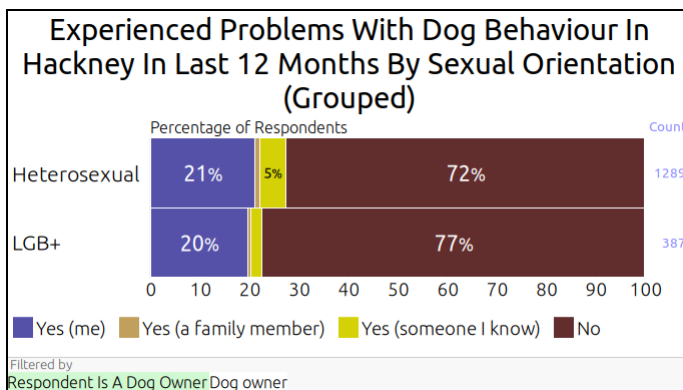


Figure 6.35

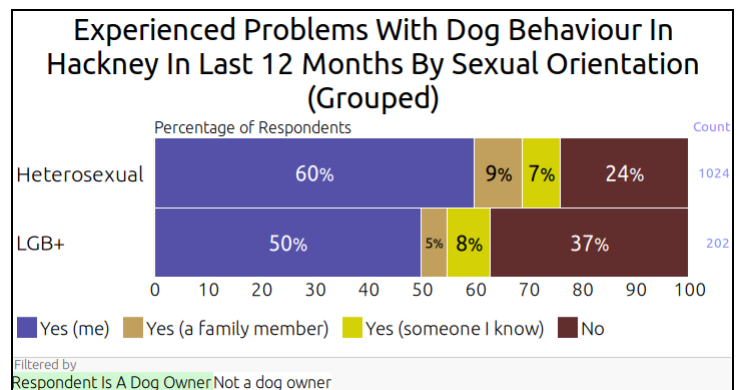


Figure 6.36

6.2.1.7 Housing Tenure

65% in each case of respondents renting from the council, a housing association or trust say they or someone they know has experienced problems with dog behaviour in the last 12 months, compared to 51% or fewer of respondents in other types of housing.

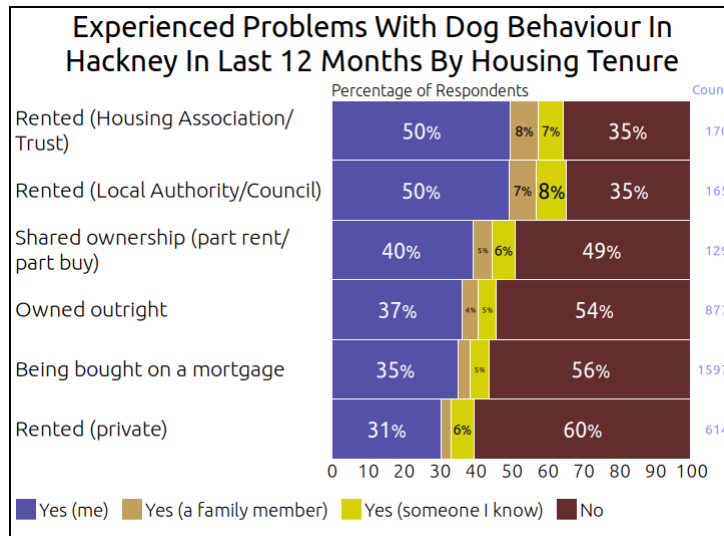


Figure 6.37

6.2.1.8 Postcode Area

Postcodes E9, E8 and E5 are the areas where the highest proportion of respondents say they or someone they know has had a problem with dogs. These are also the areas where the lowest proportions of respondents are dog owners.

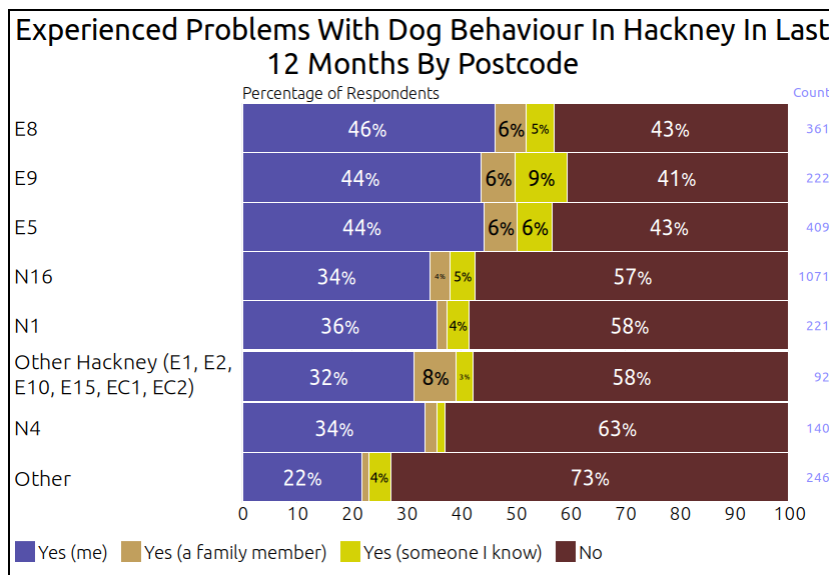


Figure 6.38

For further analysis, the views of respondents in E5, E8 and E9 were combined and compared with respondents in N1, N4 and N16. 34% of dog owning respondents in these E postcodes say they or someone they know has had a problem with dog behaviour in the last 12 months compared to 22% of dog owners in the N postcodes. Similarly, a higher proportion of non-dog owners in these E postcodes say they or someone they know has had a problem with dog behaviour compared to non-dog owners in the N postcodes (79% compared to 71%).

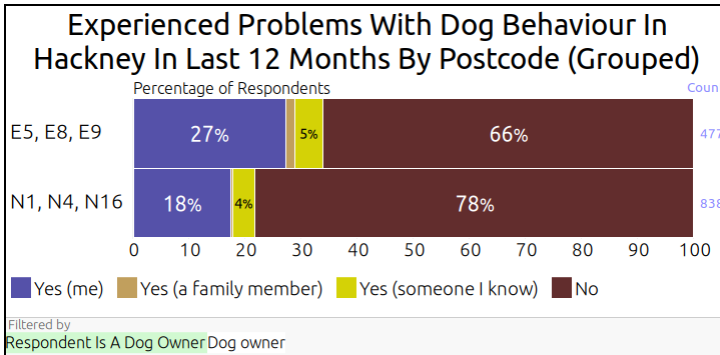


Figure 6.39

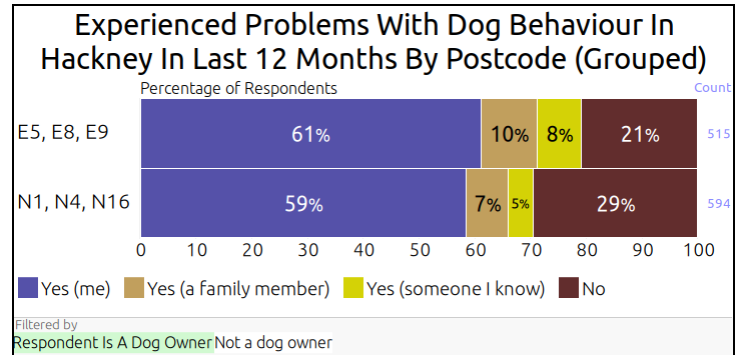


Figure 6.40

6.2.2 Q7: Nature Of Problems With Dog Behaviour

Respondents who said that they, someone in their family or someone they knew had had problems with dog behaviour in Hackney in the last 12 months were asked about the nature of these issues.

6.2.2.1 Problems Experienced By Dog Owners

14% of dog owners say they or someone they know has had a problem with dog fouling, 10% with a dog attack on a dog or other pet animal, 8% with a dog running out of control and 7% say they or someone they know has been threatened by a dog's behaviour.

Full details are shown in the graph below.

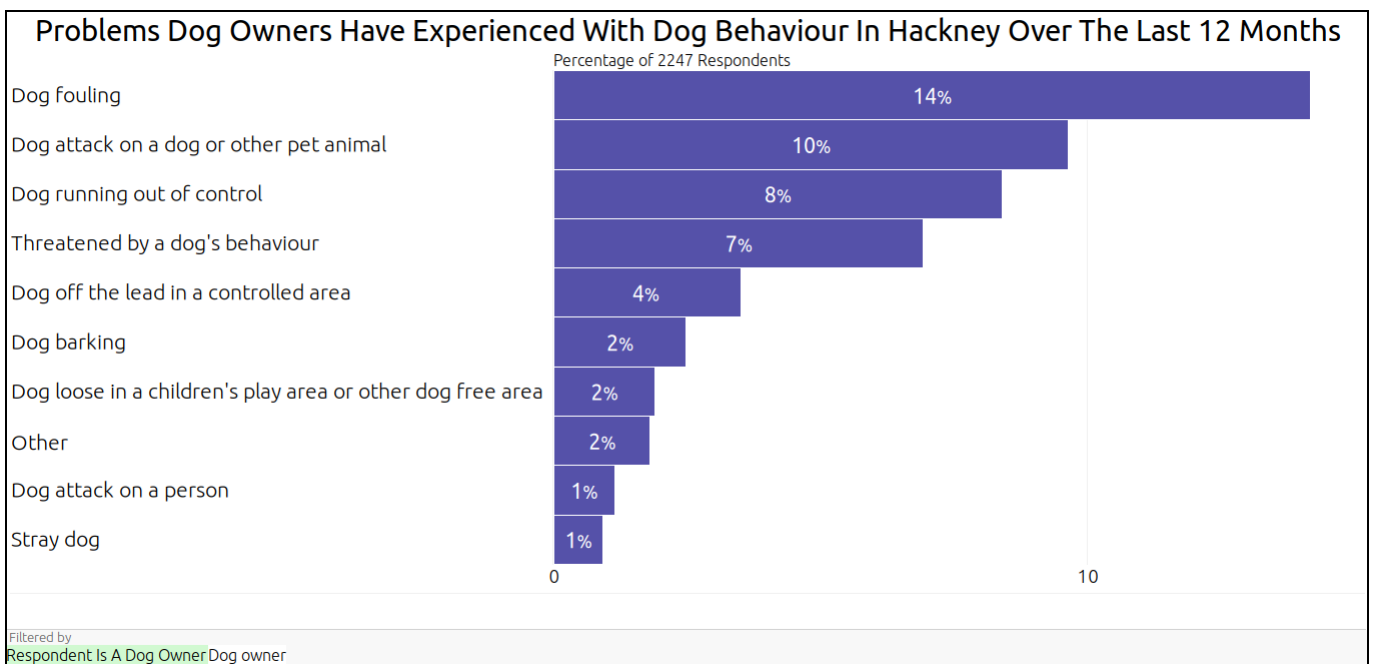


Figure 6.41

6.2.2.2 Problems Experienced By Non-Dog Owners

Perceptions of problem dog behaviour amongst respondents who do not own dogs are very different to those of dog owners. 53% say they or someone they know has had a problem with dog fouling, 41% with a dog running out of control and 35% have felt threatened by a dog's behaviour.

Full details are shown in the graph below.

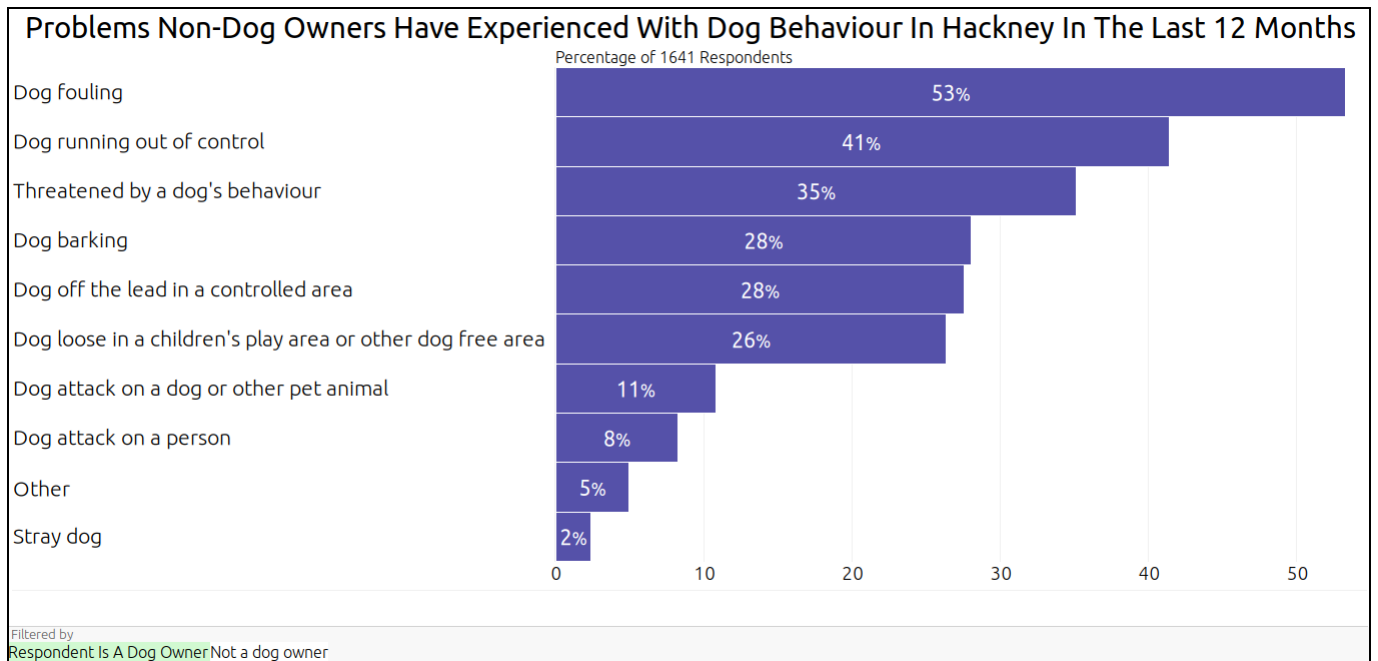


Figure 6.42

6.2.3 Q8: "To What Extent Do You Agree Or Disagree That The Current Dog Control PSPO Is Effective?"

In the majority of cases, the difference in views on this question by sub-group is not statistically significant. However, 49% of male dog owners agree that the current PSPO is effective compared to 44% of female dog owners. Disabled respondents are less likely to agree the current order is effective than respondents who are not disabled (38% compared to 44%)

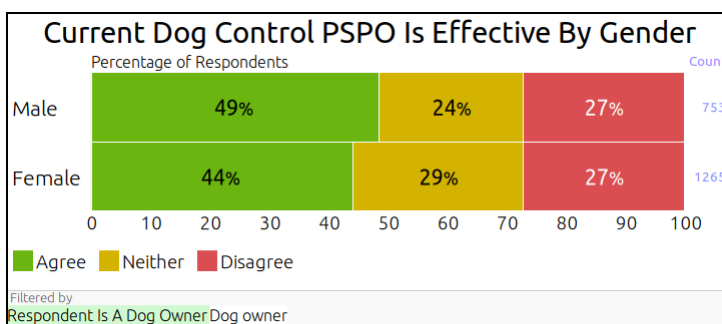


Figure 6.43

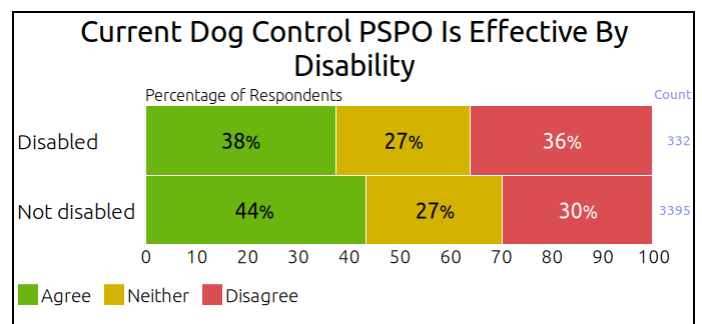


Figure 6.44

6.2.4 Q9: Reasons For Dog Owners' Disagreement That Current Order Is Effective

38% of dog owners, who do not consider the current PSPO to be effective, made comments that relate to the proposed changes, rather than the current order. 27% referred to the lack of enforcement of the current order in their comments and 21% mentioned irresponsible dog owners.

Full details of the themes in the comments from dog owners, who disagree that the current PSPO order is effective, are shown below.

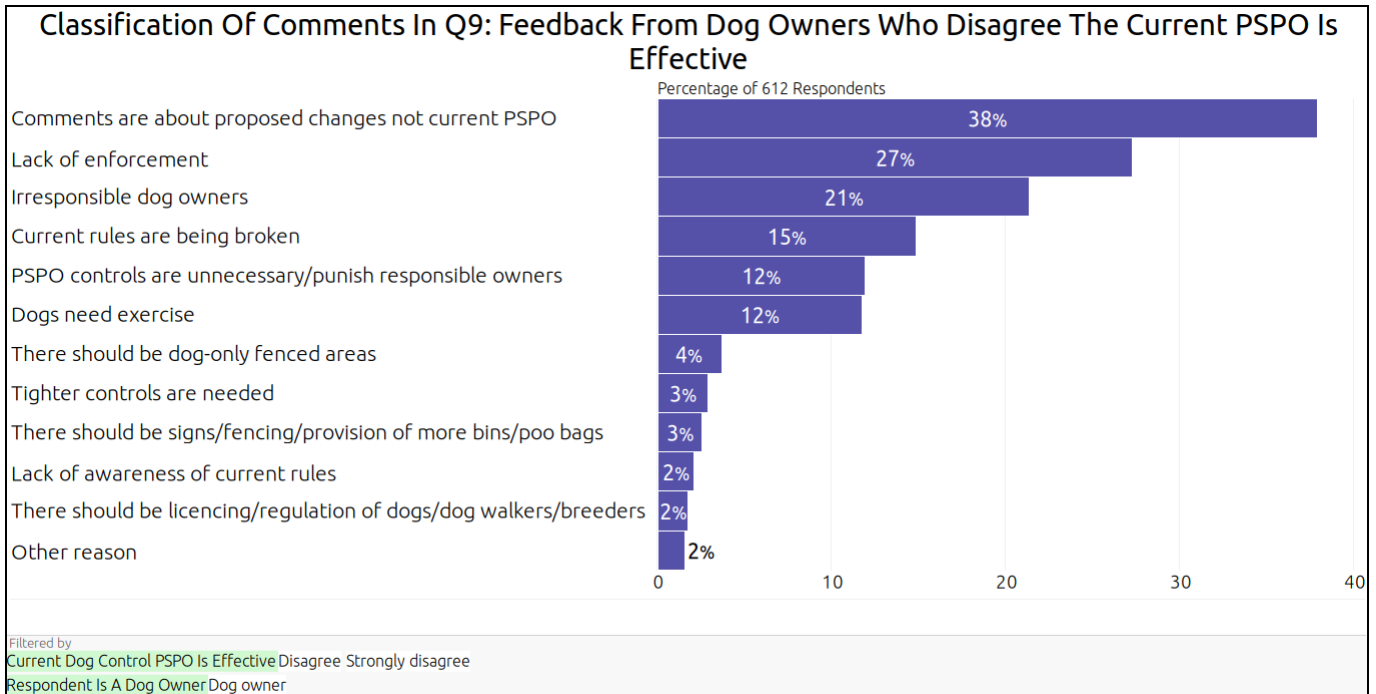


Figure 6.45

6.2.5 Q9: Reasons For Non-Dog Owners' Disagreement That Current Order Is Effective

48% of non-dog owners, who disagree that the current PSPO control order is effective, commented about the existing rules being broken. 36% mentioned a lack of enforcement and 20% think that tighter controls are needed.

Full details are shown in the graph below.

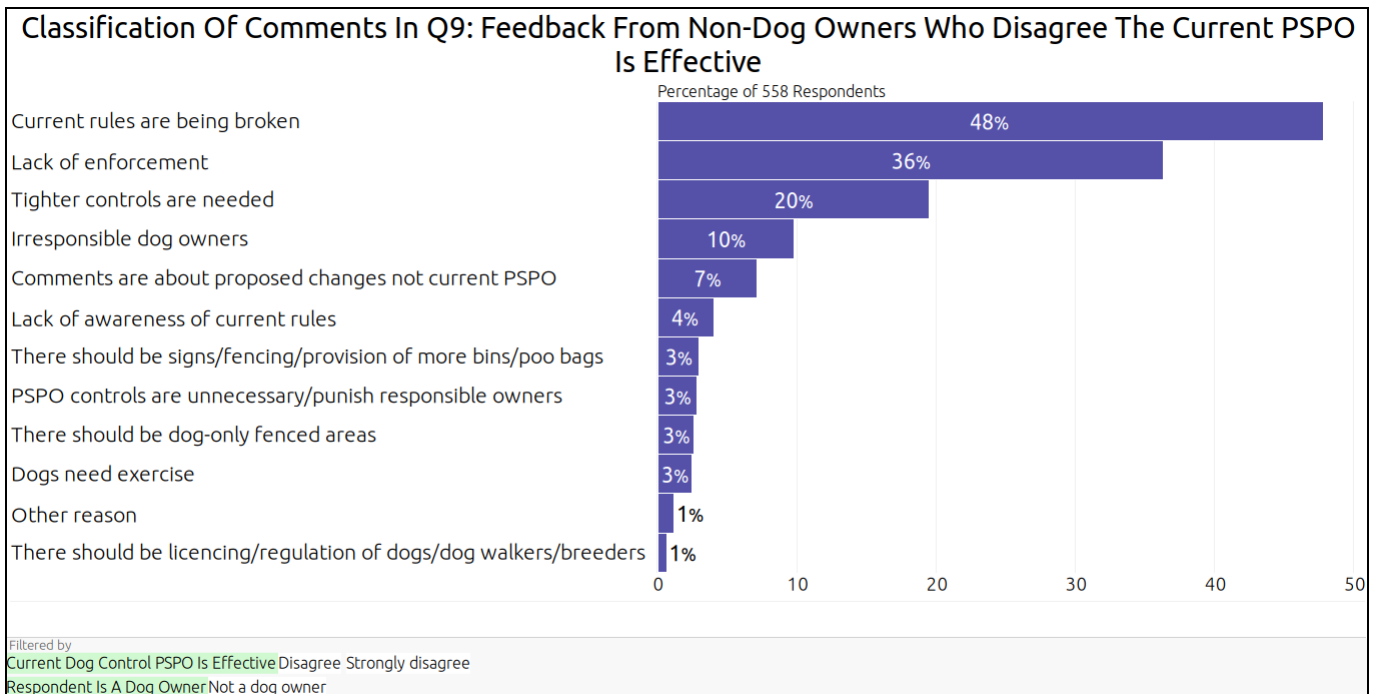


Figure 6.46

6.2.6 Q10: To What Extent Do You Agree Or Disagree That It Is Important To Control The Way In Which People Look After Their Dogs In Shared Public Spaces?

6.2.6.1 Age Group

93% of respondents aged 65+ agree that it is important to control the way people look after their dogs in shared public spaces. In contrast, 81% of respondents aged under 35 agree.

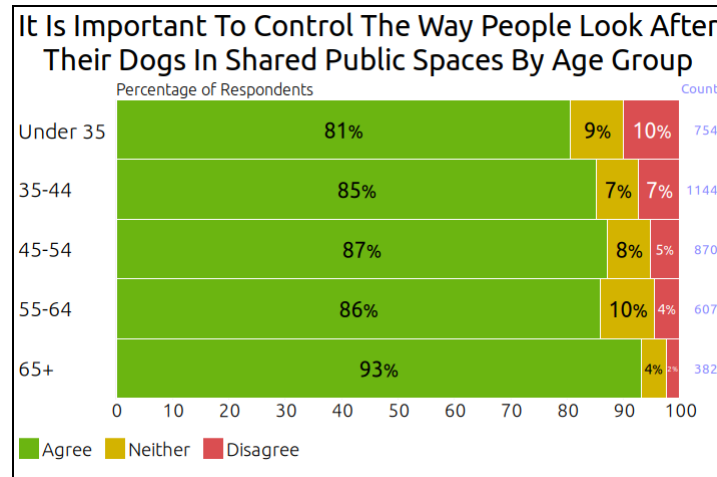


Figure 6.47

86% of dog owners aged 65+ agree compared to 77% of those aged under 35 and 78% of those aged 35-44.

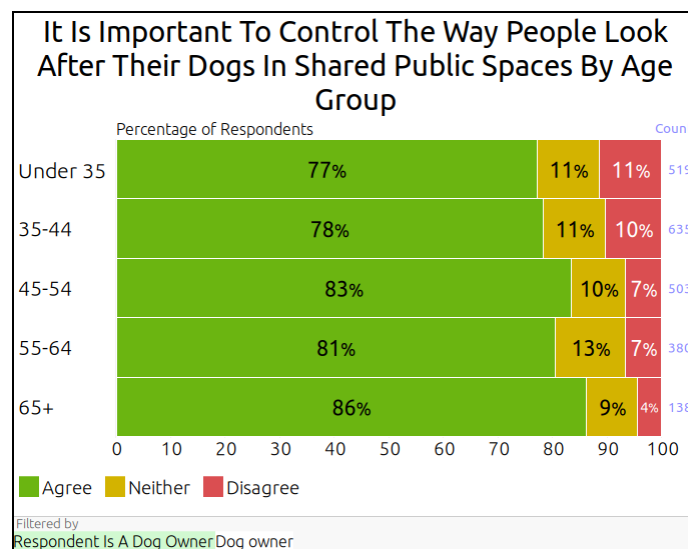


Figure 6.48

6.2.6.2 Disability

80% of disabled respondents agree compared to 86% of respondents without a disability. Disabled dog owners are also less likely to agree with the statement compared to dog owners without a disability (73% compared to 81%).

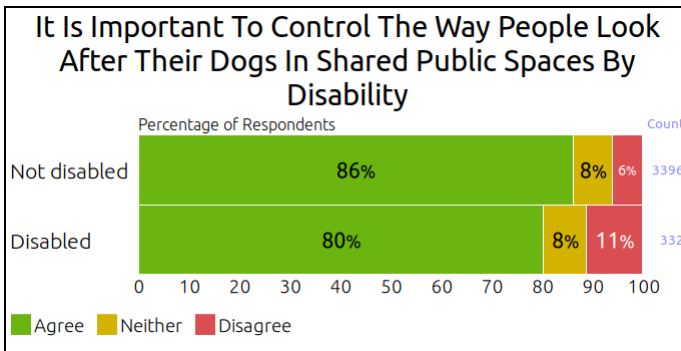


Figure 6.49

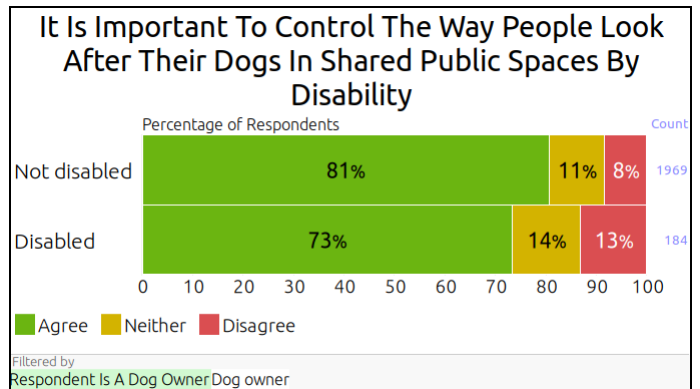


Figure 6.50

6.2.6.3 Ethnicity

Views on this issue vary by ethnicity: Black respondents are more likely than White respondents to agree, whilst respondents from a mixed background and other ethnic groups are less likely to agree.

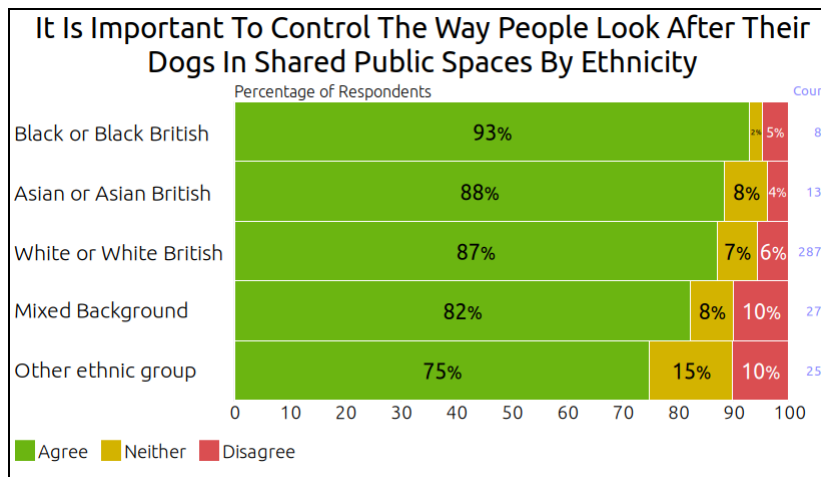


Figure 6.51

87% of all White respondents and 82% of these respondents who own dogs agree, compared to 82% of all respondents from other ethnic backgrounds and 74% of this group who are dog owners.

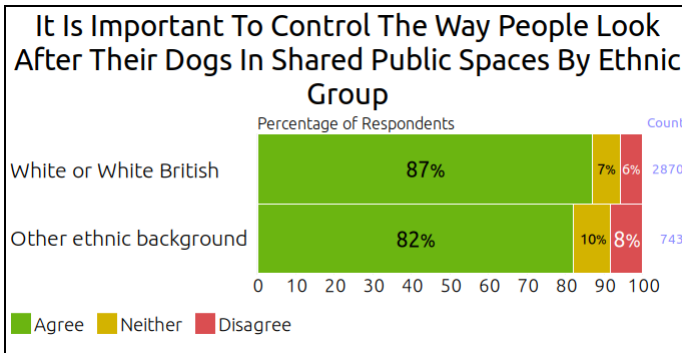


Figure 6.52

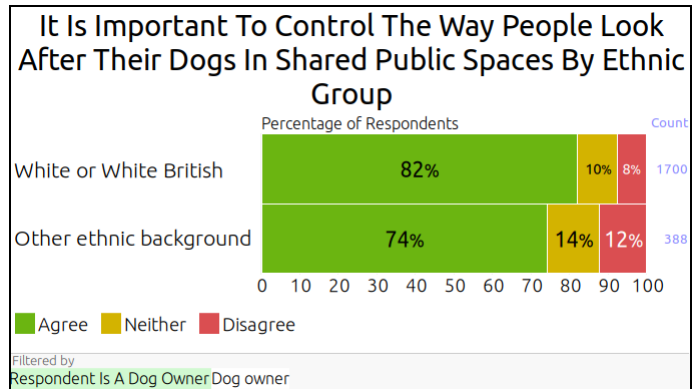


Figure 6.53

6.2.6.4 Sexual Orientation

82% of LGB+ respondents agree with the statement compared to 88% of heterosexual respondents.

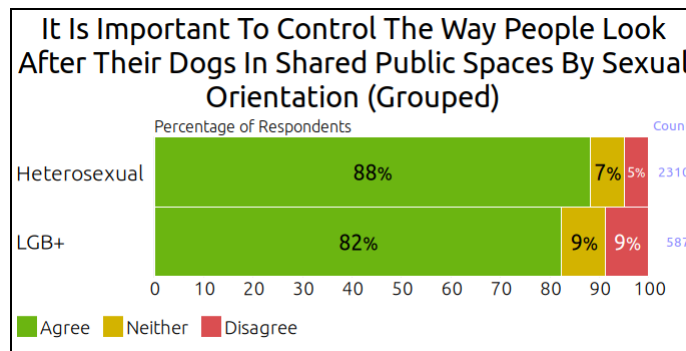


Figure 6.54

6.2.6.5 Postcode Area

Views by postcode area are shown below.

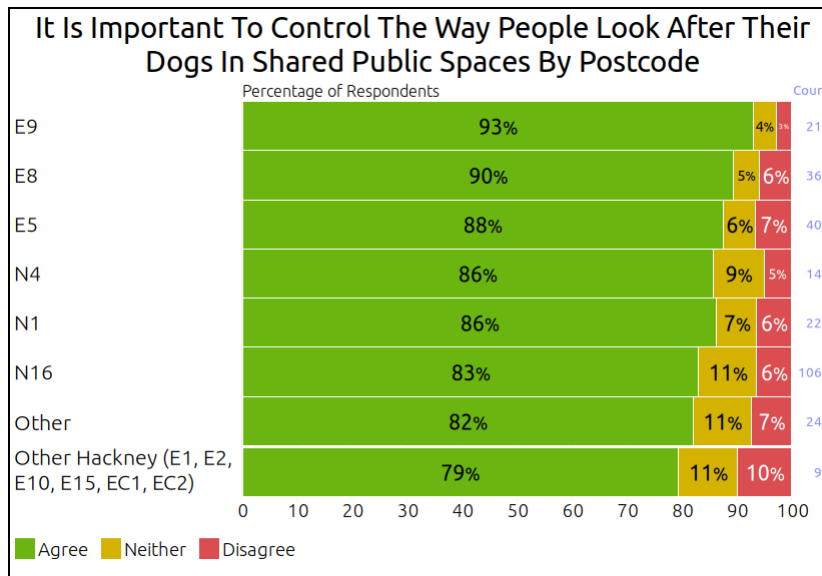


Figure 6.55

When the postcode areas are grouped for further analysis, 89% of respondents in E5, E8 and E9 agree compared to 84% of respondents in N1, N4 and N16. Dog owners in these E postcode areas are also more likely to agree compared to dog owners in these N postcodes (84% compared to 77%). The difference between the views of non-dog owners in these areas is not statistically significant.

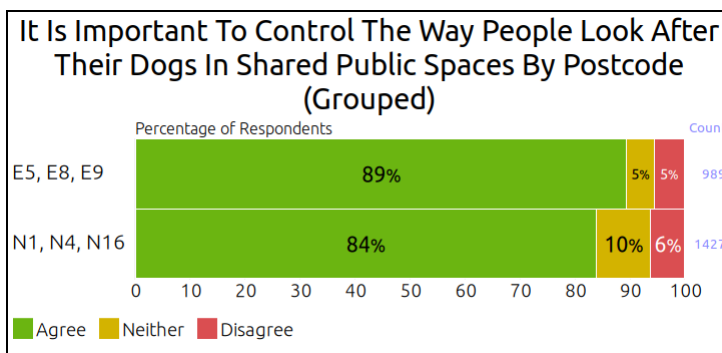


Figure 6.56

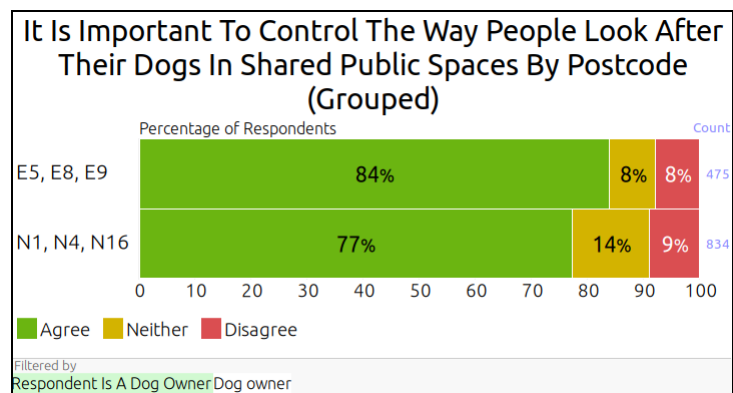


Figure 6.57

6.2.7 Q11: Do You Support The Updates To The Dog Control PSPO As Outlined In The Consultation Information?

6.2.7.1 Age Group

61% of respondents aged 65+ support the updates to the PSPO Control Order. This group is the most supportive of the updates; whilst respondents aged under 35 are least supportive, with 25% in favour. The same pattern of findings can be seen amongst respondents who are not dog owners, with 86% of those aged 65+ supporting the updates compared to 61% of these respondents who are aged under 35.

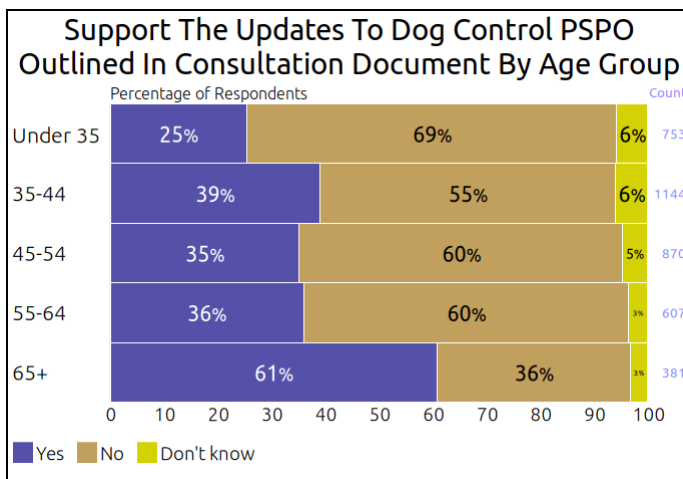


Figure 6.58

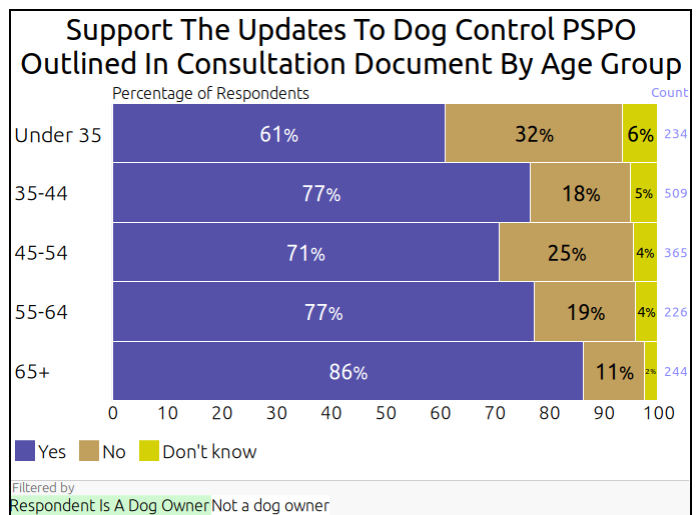


Figure 6.59

In contrast, when the views of dog owners are analysed by age, the difference in their views is not statistically significant.

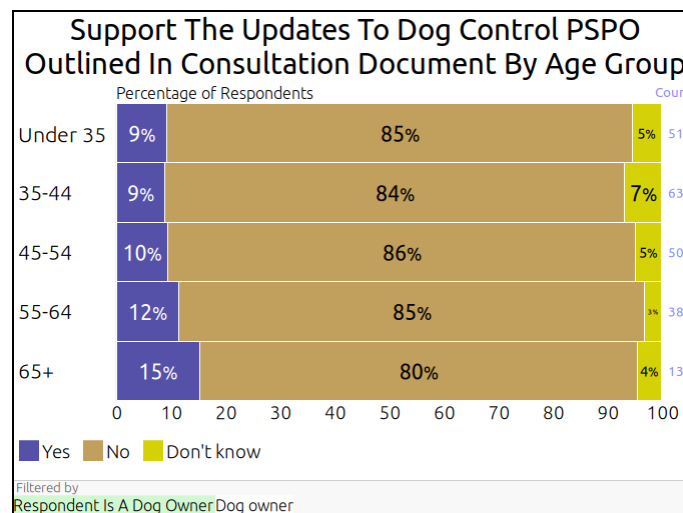


Figure 6.60

6.2.7.2 Caring Responsibilities

50% of respondents with caring responsibilities support the updates to the PSPO compared to 36% of those without these responsibilities.

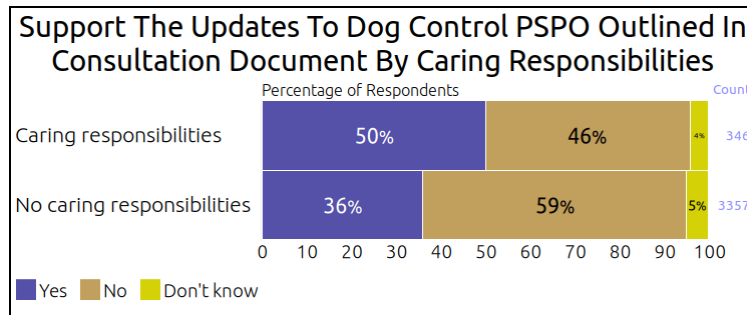


Figure 6.61

6.2.7.3 Ethnicity & Religion

Black and Asian respondents are more supportive of the updates to the dog control PSPO than respondents of other ethnic groups. These respondents are less likely to own dogs and there are insufficient responses for further analysis by dog ownership.

Muslim respondents are more supportive of the updates than those who follow other religions or beliefs (73% support). Again, this group is less likely to own dogs and there are only a small number of Muslim respondents to the consultation.

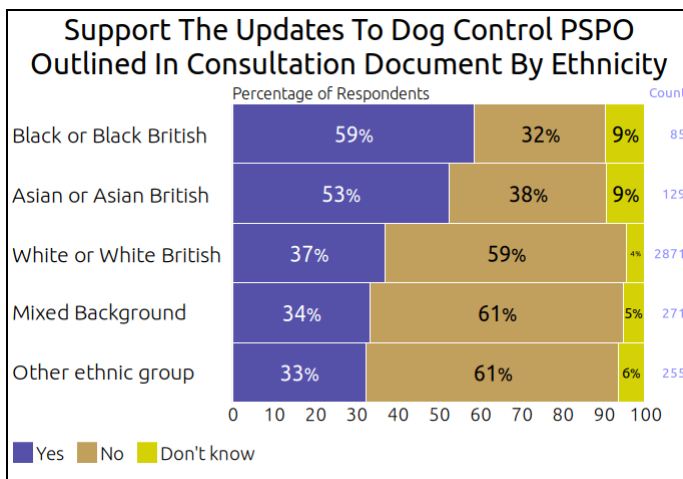


Figure 6.62

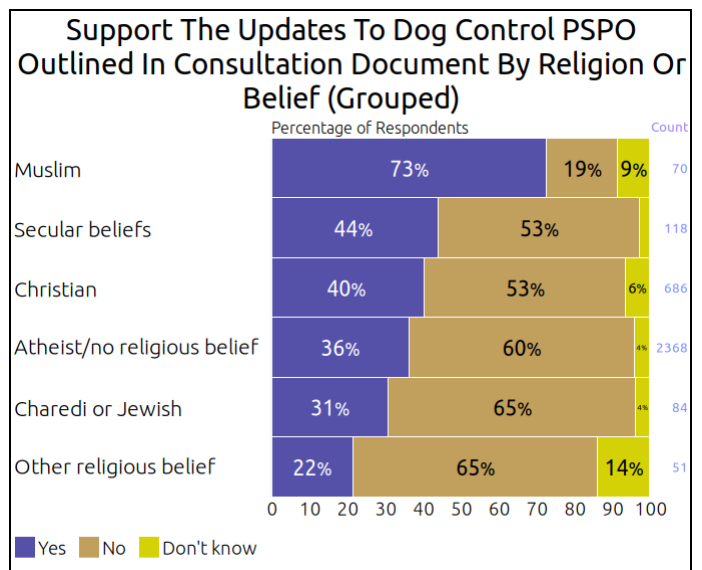


Figure 6.63

6.2.7.4 Sexual Orientation

28% of LGB+ respondents support the updates compared to 41% of heterosexual respondents.

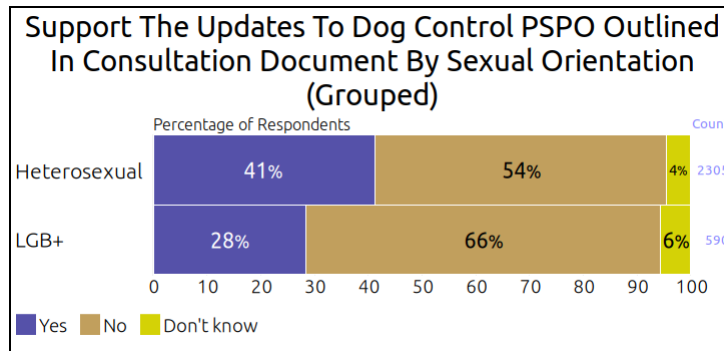


Figure 6.64

Views of heterosexual dog owners are comparable to those of LGB+ dog owners with 11% and 10% respectively supporting the updates. However, there is a difference in views between respondents who do not own dogs: 64% of LGB+ respondents who do not own dogs support the updates compared to 80% of heterosexual respondents who do not have dogs.

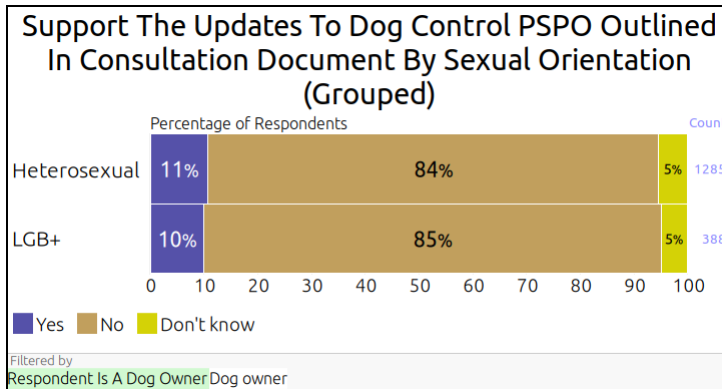


Figure 6.65

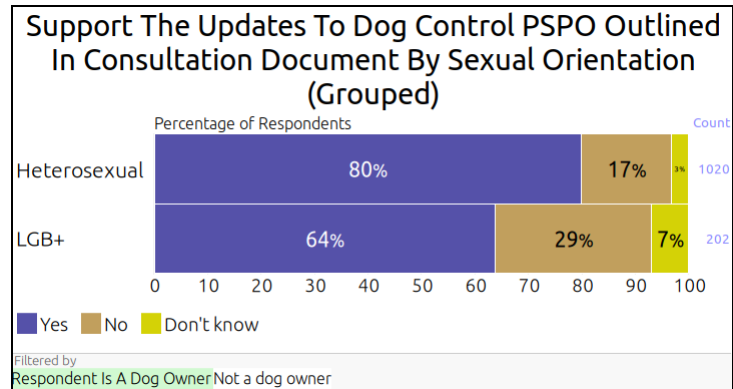


Figure 6.66

6.2.7.5 Housing Tenure

Respondents renting from the council or other social landlord are more likely to support the updates to the PSPO than those in other housing tenures. These are also the groups least likely to own dogs.

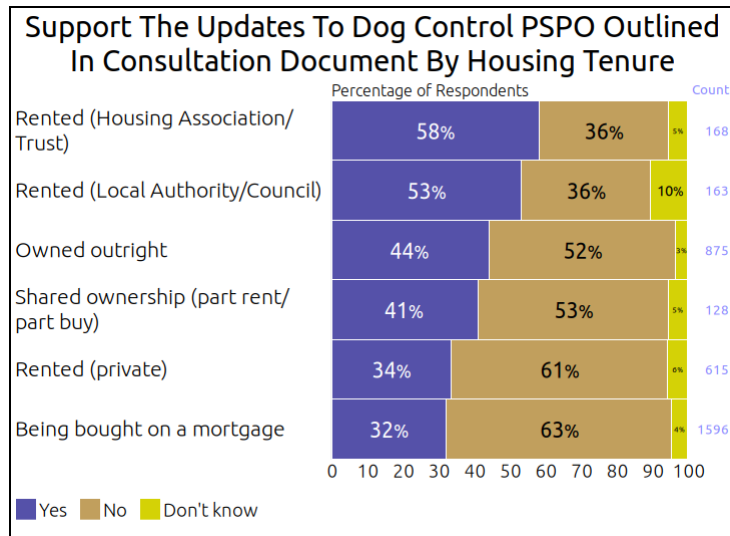


Figure 6.67

6.2.7.6 Postcode Area

49% of respondents in E5, E8 and E9 support the updates compared to 36% of those in N1, N4 and N16. This pattern is also seen in the responses of dog owners in these areas: 18% of those in these E postcodes support the updates compared to 8% in the N postcodes.

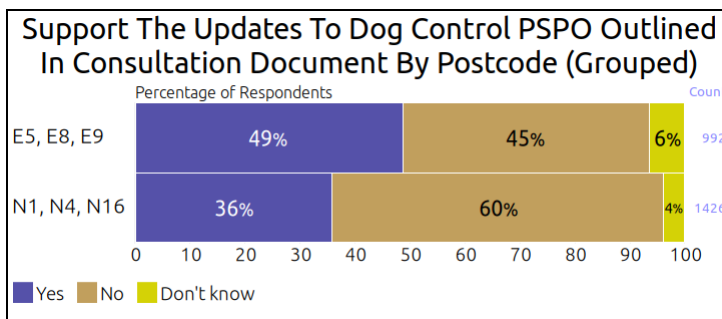


Figure 6.68

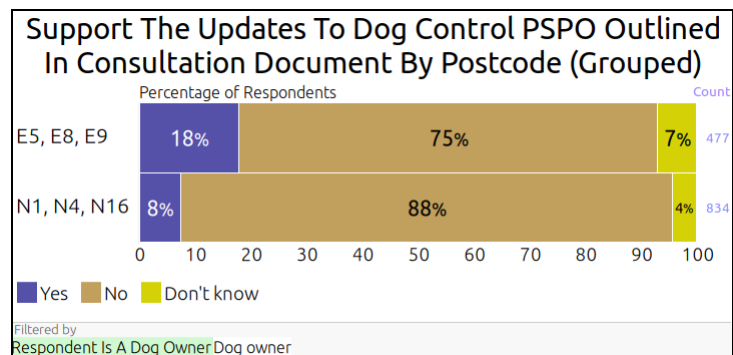


Figure 6.69

In contrast, views of non-dog owners in these postcode areas are very similar (77% and 76% respectively support the updates).

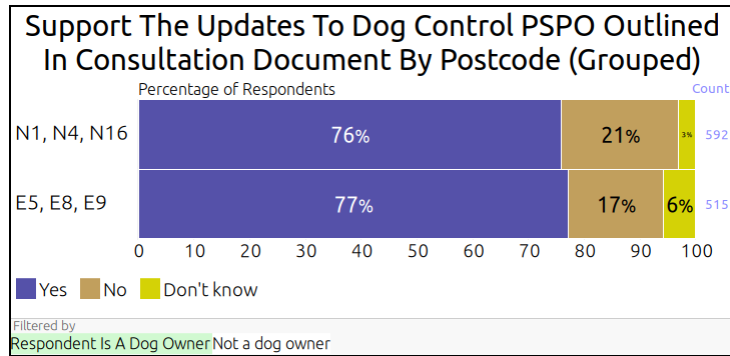


Figure 6.70

6.2.8 Q12: Reasons For Not Supporting Updates To PSPO

6.2.8.1 Dog Owners

The principal reasons given by dog owners for not supporting the updates to the PSPO are Abney Park Cemetery; issues with specific changes in the PSPO; the proposals being too restrictive and punishing responsible owners; and because dogs need exercise. Full details are shown in the graph below.

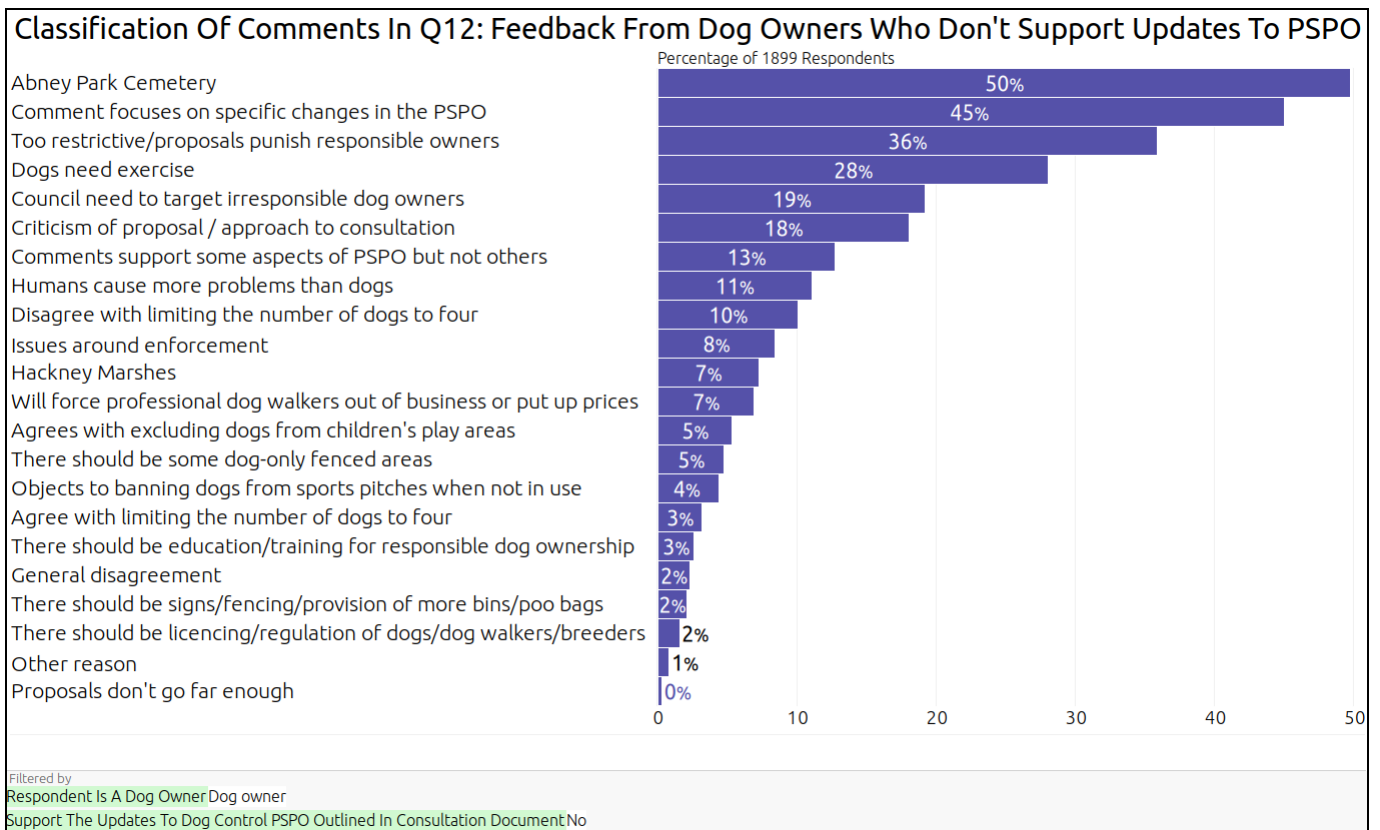


Figure 6.71

6.2.8.2 Non-Dog Owners

The most frequently cited reasons given by non-dog owners for not supporting the updates to the PSPO are also Abney Park Cemetery; issues with specific changes in the PSPO; because dogs need exercise; the proposals being too restrictive and punishing responsible owners.

In each case, these issues are mentioned by a smaller proportion of non-dog owners than dog owners who do not support the changes to the PSPO.

Full details are shown in the graph below.

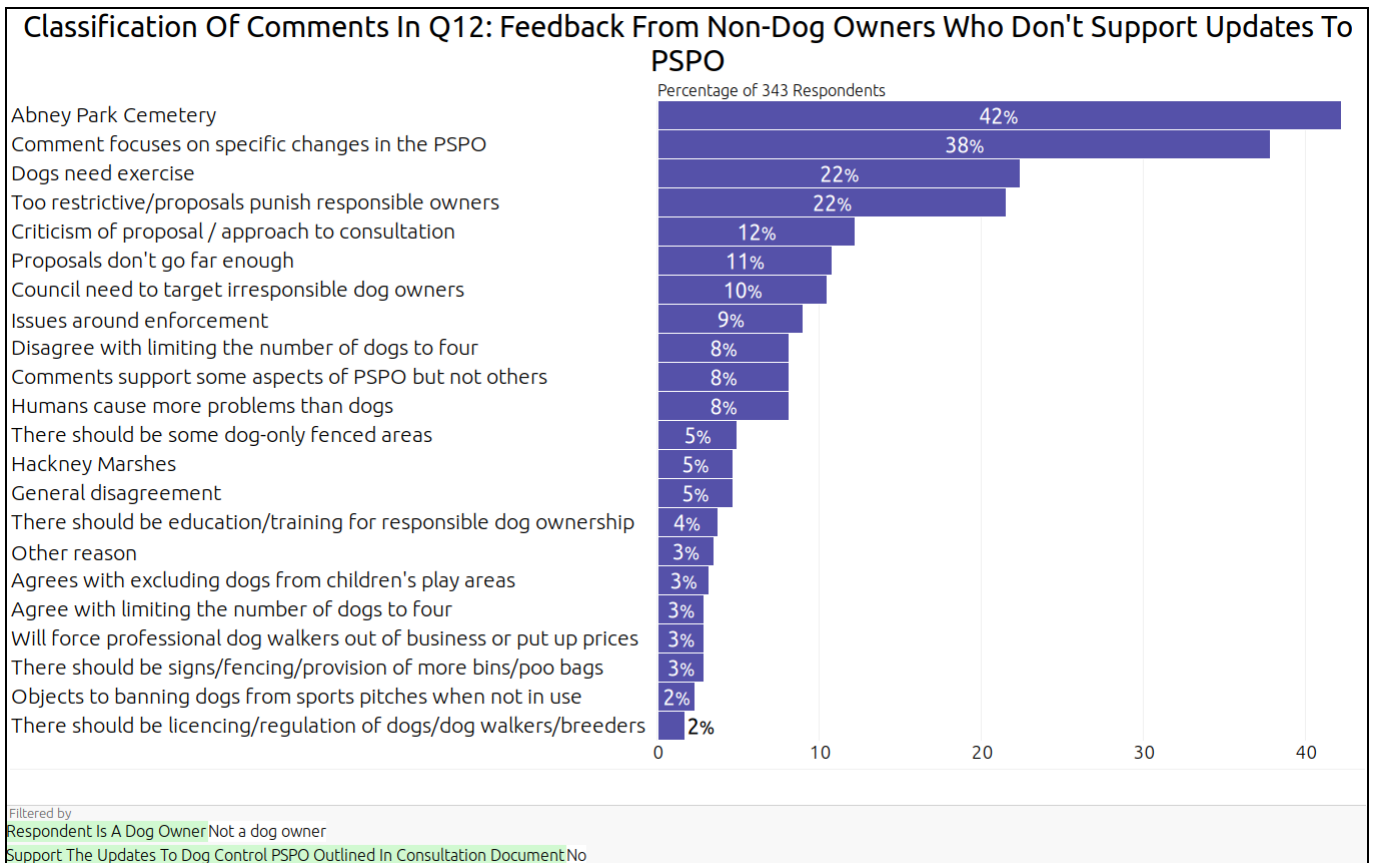


Figure 6.72

6.2.9 Q13: To What Extent Do You Agree Or Disagree With The Proposed New Requirement To Limit The Number Of Dogs That A Person Can Have Under Their Control/Walk At Any One Time To Four?

6.2.9.1 Age Group

44% of respondents aged under 35 agree with the new requirements compared to 79% of respondents aged 65+. Older dog owners are also more likely to agree with the new requirements than their younger counterparts.

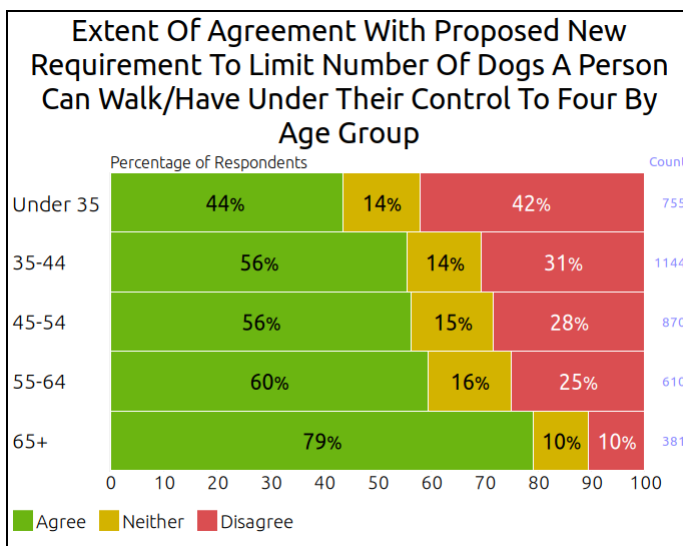


Figure 6.73

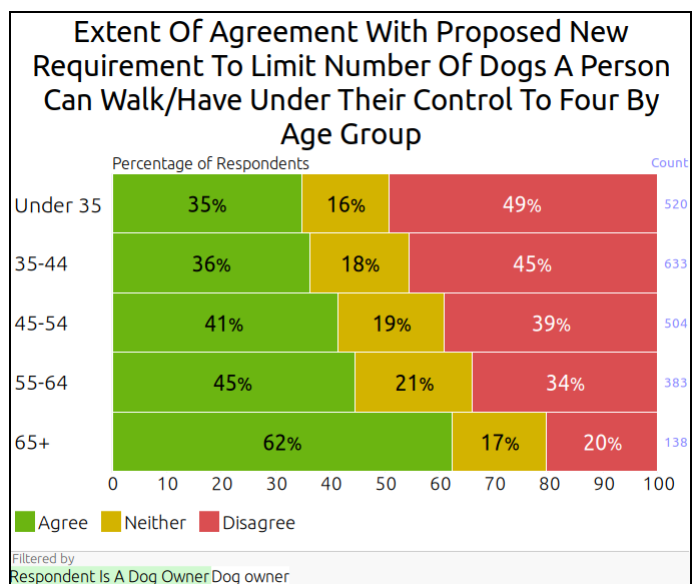


Figure 6.74

Among non-dog owners, those aged under 35 are also least likely to agree with the new requirements.

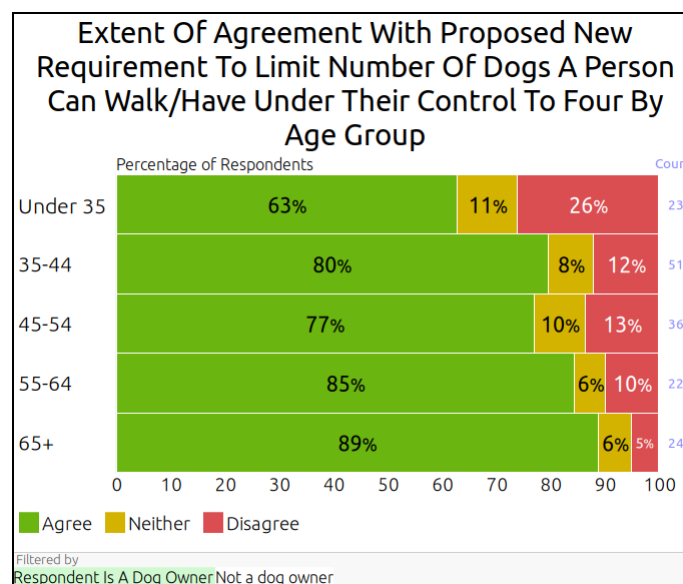


Figure 6.75

6.2.9.2 Caring Responsibilities

63% of respondents with caring responsibilities agree with limiting the number of dogs to four compared to 56% of respondents without such responsibilities.

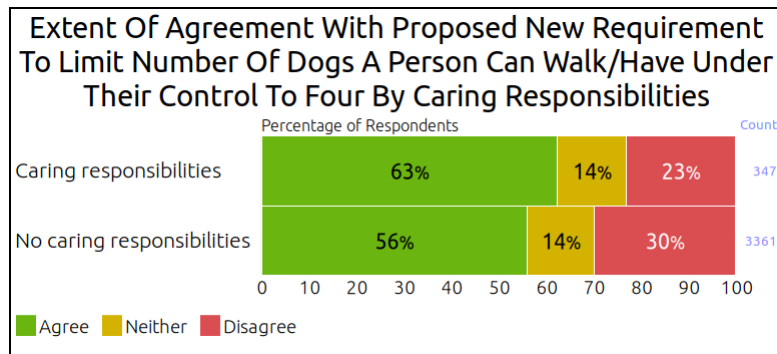


Figure 6.76

6.2.9.3 Ethnicity & Religion

Black and Asian respondents are more likely to support the restriction on the number of dogs compared to respondents of other ethnicities. However, there are only a small number of Black and Asian respondents to the consultation.

Muslim respondents are also more likely than those who follow other religions or beliefs to support the new requirement but, again, there are only a small number of replies from this group.

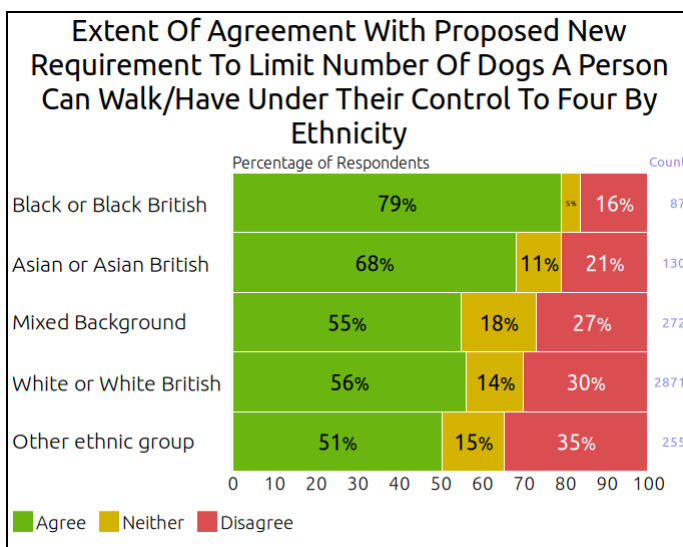


Figure 6.77

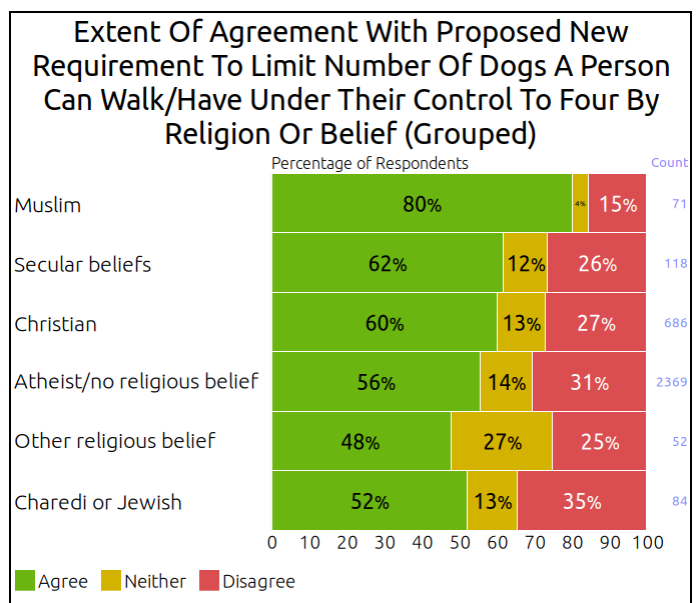


Figure 6.78

6.2.9.4 Sexual Orientation

51% of LGB+ respondents agree with the new requirement compared to 59% of heterosexual respondents. This pattern can also be seen in the views of non-dog owners, with 72% of these LGB+ respondents agreeing with the requirements compared to 83% of heterosexual respondents who do not own a dog.

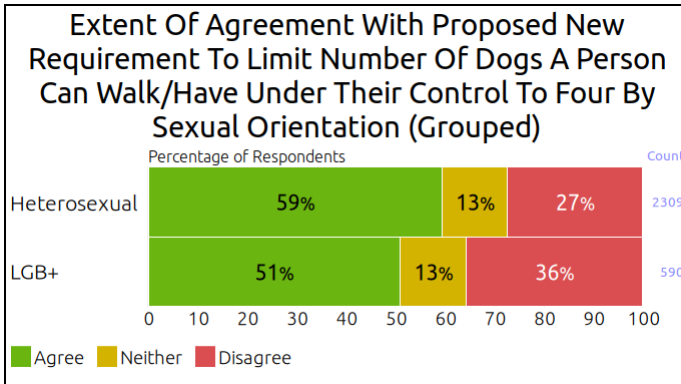


Figure 6.79

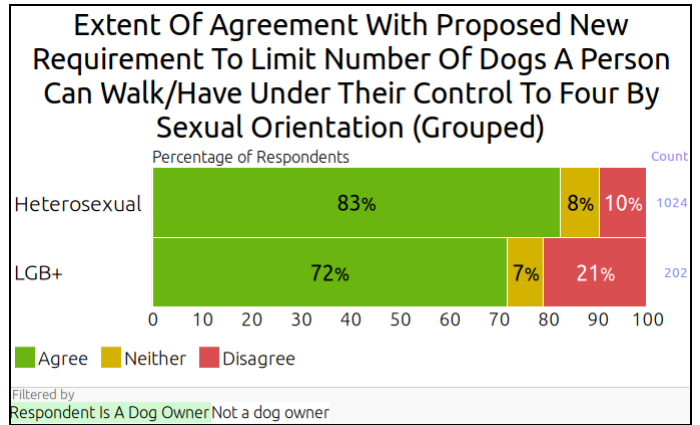


Figure 6.80

However, in contrast, the views of heterosexual dog owners are in line with those of LGB+ dog owners.

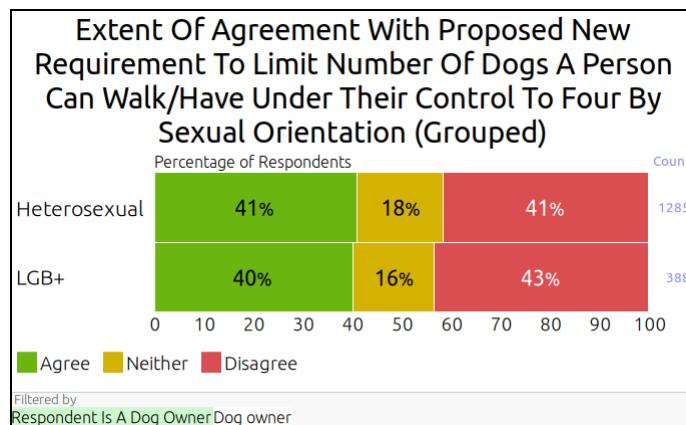


Figure 6.81

6.2.9.5 Postcode Area

62% of respondents who live in E5, E8 and E9 postcode areas agree with the new restriction on the maximum number of dogs compared to 56% of those who live in N1, N4 and N16.

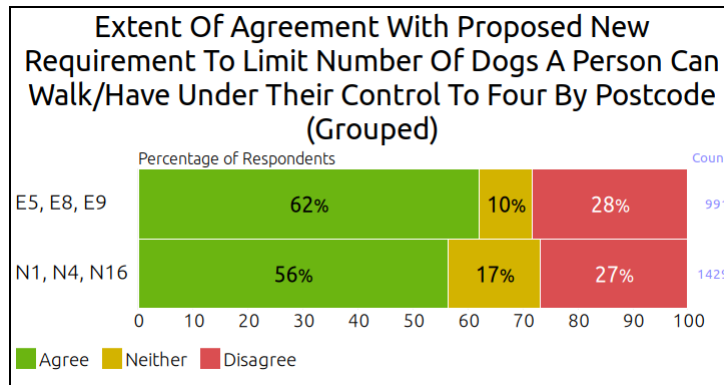


Figure 6.82

Although 41% of dog owners in each of these postcode areas agree with the proposal, a higher proportion of those in the E postcodes *disagree*. The difference in views of non-dog owners in these areas is not statistically significant.

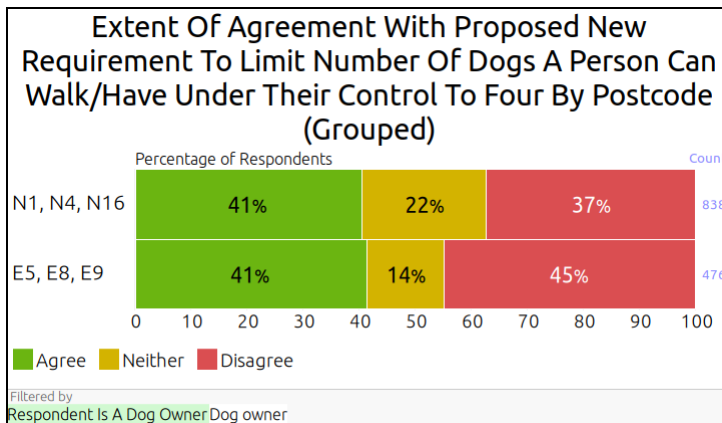


Figure 6.83

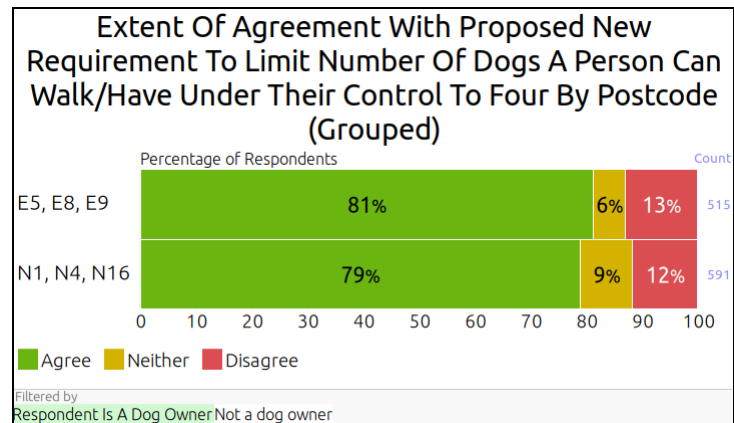


Figure 6.84

6.2.10 Q14: Reasons For Disagreement With The Maximum Number Of Dogs

Respondents who 'disagree' or 'strongly disagree' with the proposal to limit the maximum number of dogs were asked to explain the reasons for their views.

6.2.10.1 Dog Owners

The most common themes in the comments from dog owners who disagree with restricting the maximum number of dogs to four are that professional dog walkers do not cause any problems in the area along with concerns about the financial impact on professional walkers and dog day care businesses.

Full details of these respondents' views can be found in the graph below.

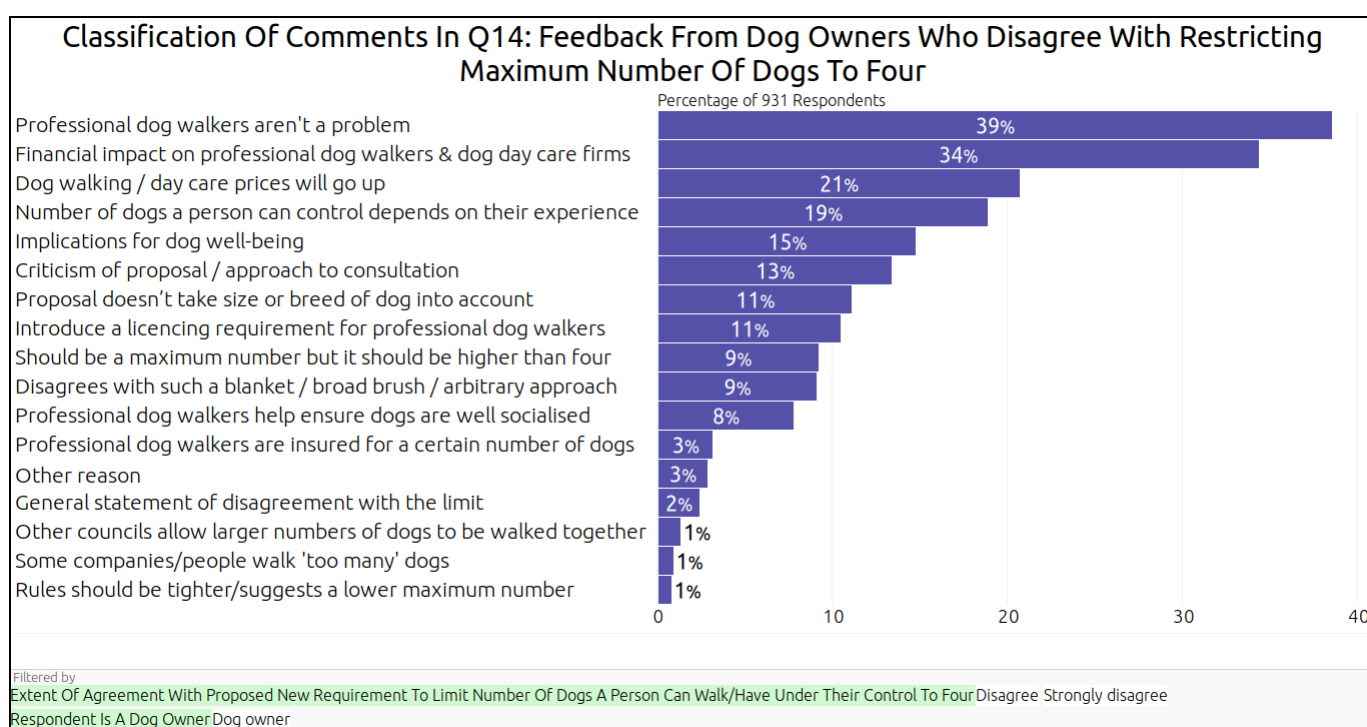


Figure 6.85

6.2.10.2 Non-Dog Owners

Non-dog owners who disagree with limiting the maximum number of dogs also say that professional walkers do not cause an issue in their area. The second most frequent theme in these respondents' comments is that the number of dogs a person can control depends on their experience.

Full details are shown in the graph below.

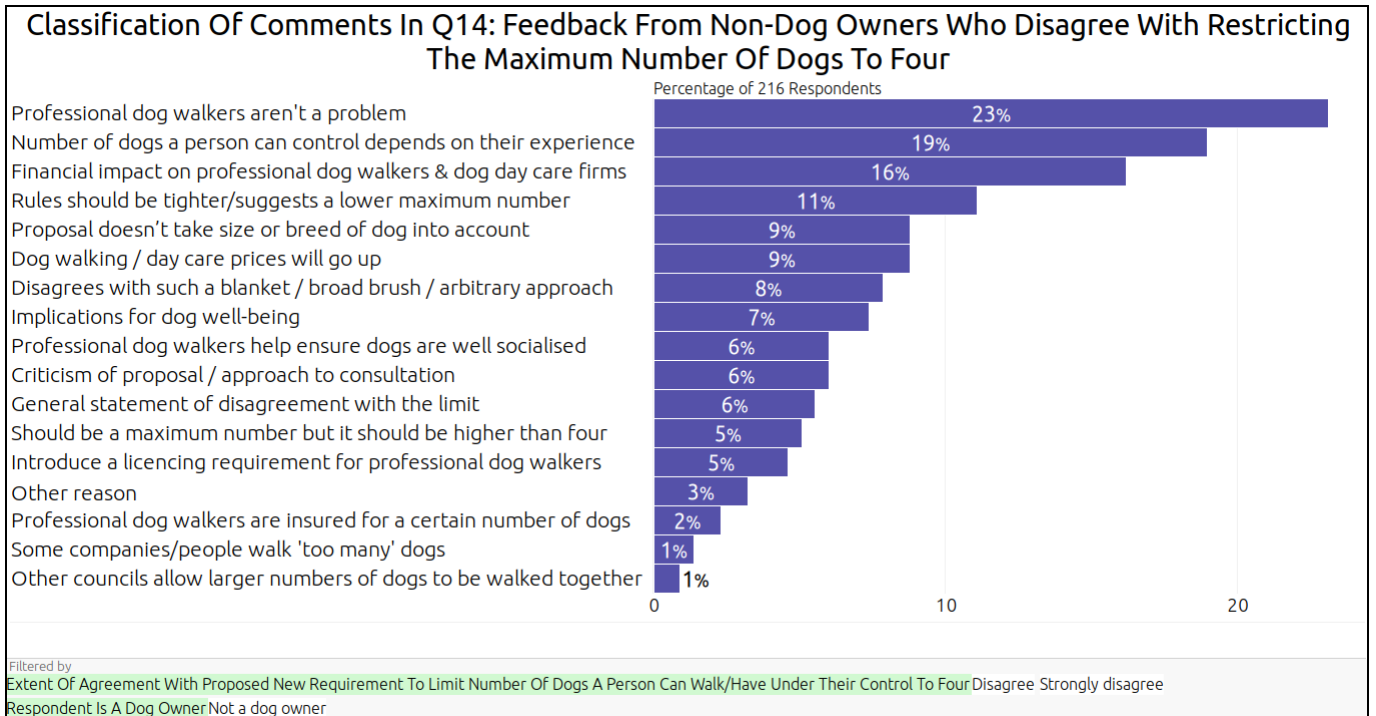


Figure 6.86

6.2.10.3 Professional Dog Walkers

Almost half of professional dog walkers who disagree with the proposed limit on the number of dogs they can walk mention the financial impact of this decision on their business. The same proportion also stress that the number of dogs a person can control depends on their experience.

Full details of the views of professional dog walkers are shown in the graph below.

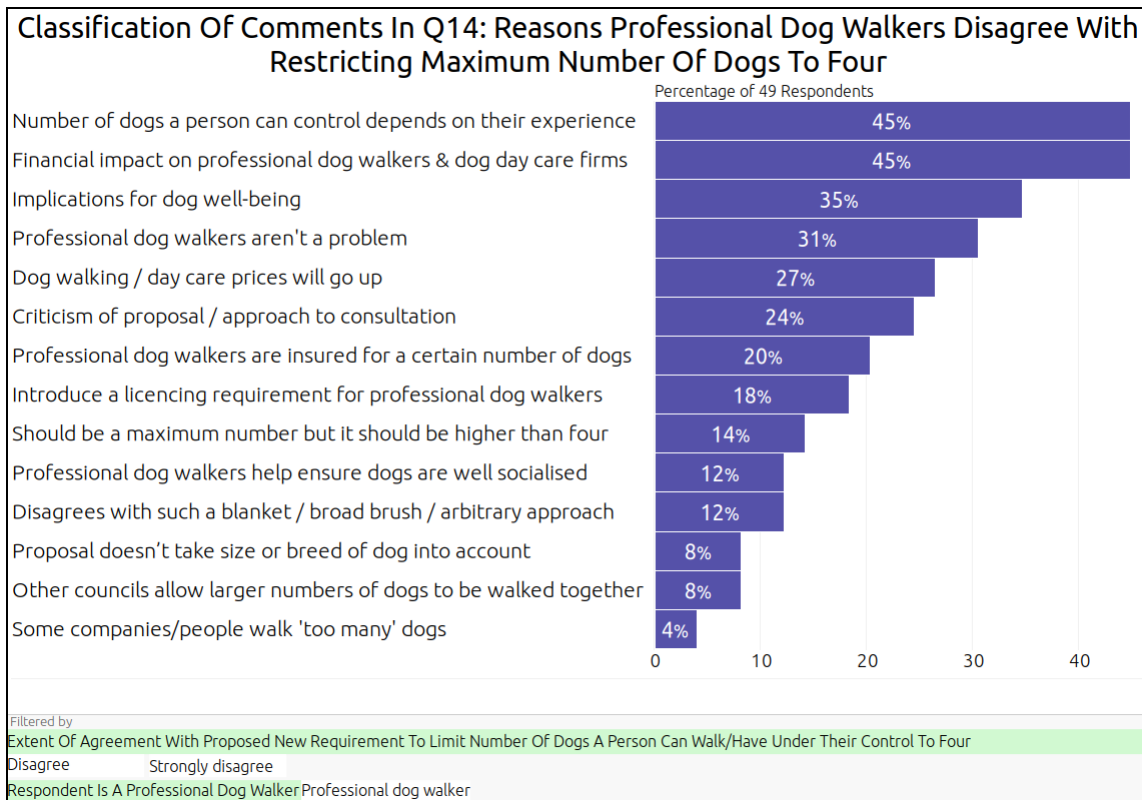


Figure 6.87

6.2.11 Q16: Has The Current Dog Control PSPO Had A Negative Impact On You In Any Way?

6.2.11.1 Age Group

21% of respondents aged under 35 say that the current PSPO has had a negative impact on them.

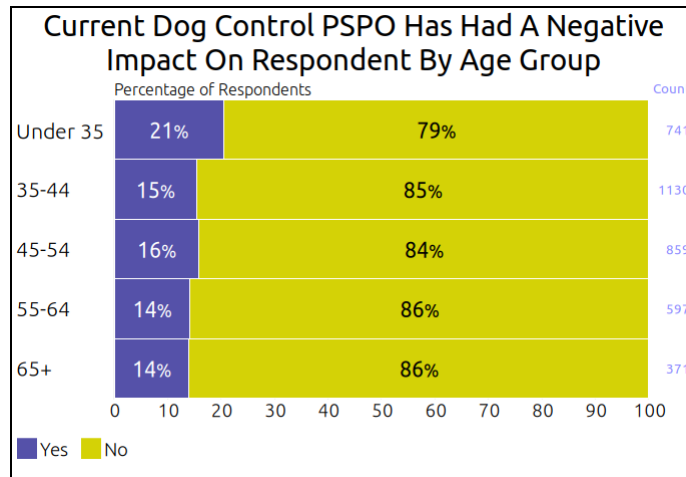


Figure 6.88

6.2.11.2 Disability

25% of disabled respondents say the current control order has had a negative impact on them compared to 15% of respondents who are not disabled. This difference in opinion is also true for disabled dog owners: 32% report a negative impact compared to 19% of dog owners without a disability.

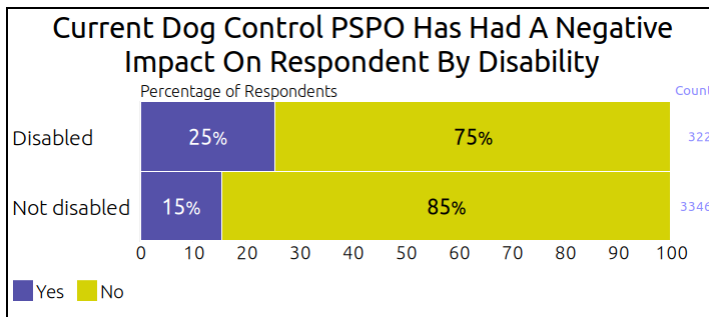


Figure 6.89

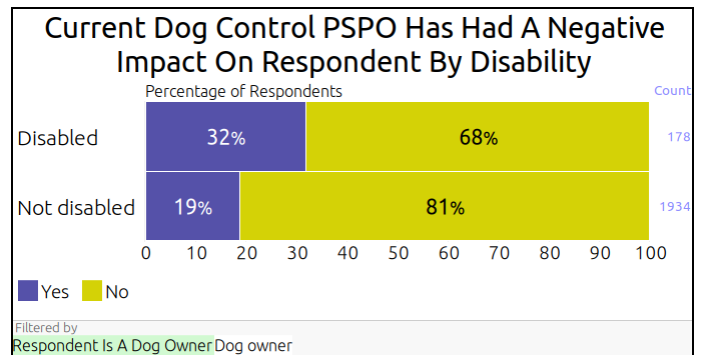


Figure 6.90

6.2.11.3 Caring Responsibilities

21% of respondents with caring responsibilities say the current PSPO has had a negative effect on them compared to 16% of respondents without these responsibilities.

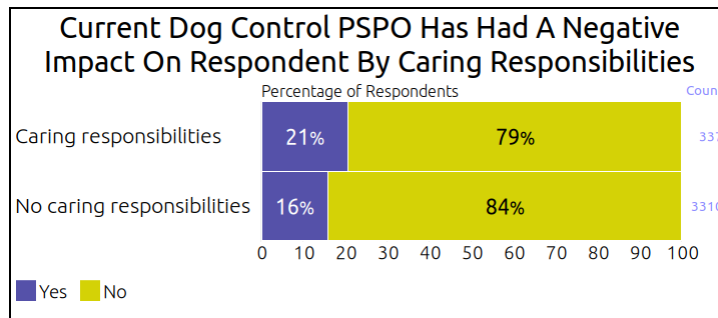


Figure 6.91

6.2.11.4 Ethnicity

15% of White respondents say that the current PSPO has had a negative impact on them compared to 21% of respondents from other ethnic backgrounds. The same is true for White dog owners: 18% say the current order has had a negative effect on them compared to 27% of dog owners from other ethnic backgrounds.

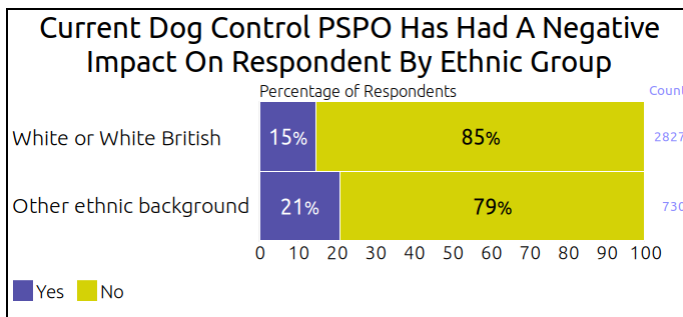


Figure 6.92

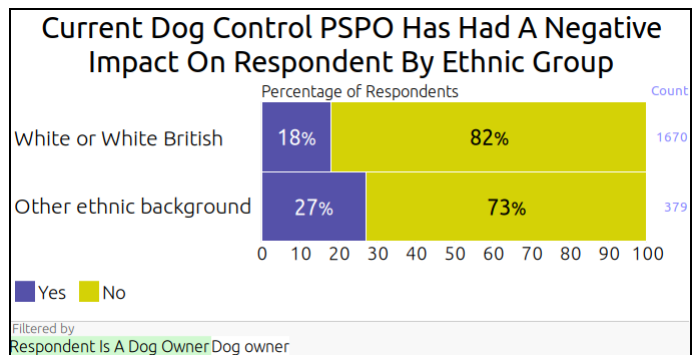


Figure 6.93

6.2.11.5 Sexual Orientation

20% of LGB+ respondents believe that the current PSPO has had a negative effect on them compared to 14% of heterosexual respondents. This is also the same for LGB+ respondents who are dog owners: 24% consider the current order to have had a negative impact compared to 17% of heterosexual respondents.

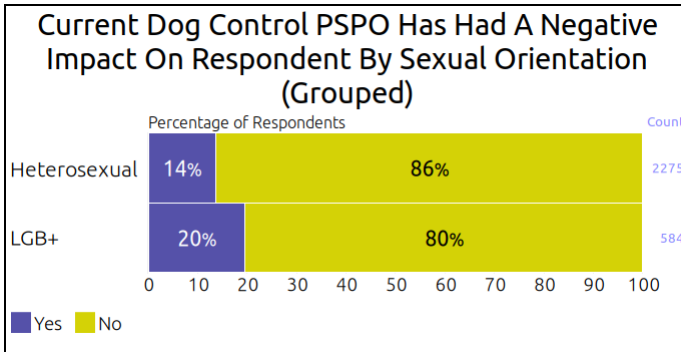


Figure 6.94

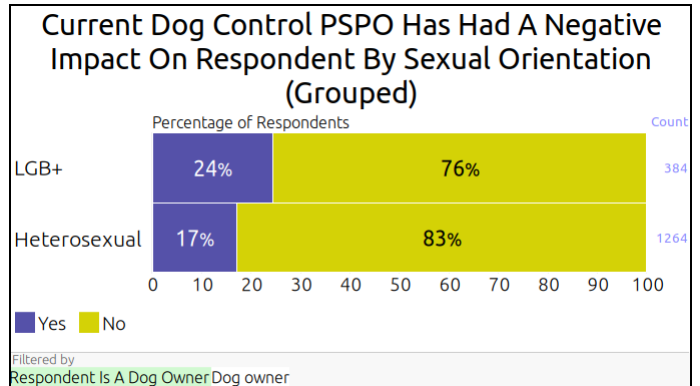


Figure 6.95

6.2.12 Q17: Reasons Current PSPO Control Order Has Had A Negative Impact

Respondents, who said 'yes', the current PSPO control order has had a negative effect on them, were asked to explain the nature of this impact. There appears to have been some confusion around these questions because 22% of all these respondents made comments relating to the proposed *changes* to the PSPO rather than the impact of the existing order.

6.2.12.1 Dog Owners

Dog owners' comments focused primarily on the limitations to where and how they can walk their dogs as well as giving feedback on how the changes to the PSPO would negatively affect them.

Full details are shown in the graph below.

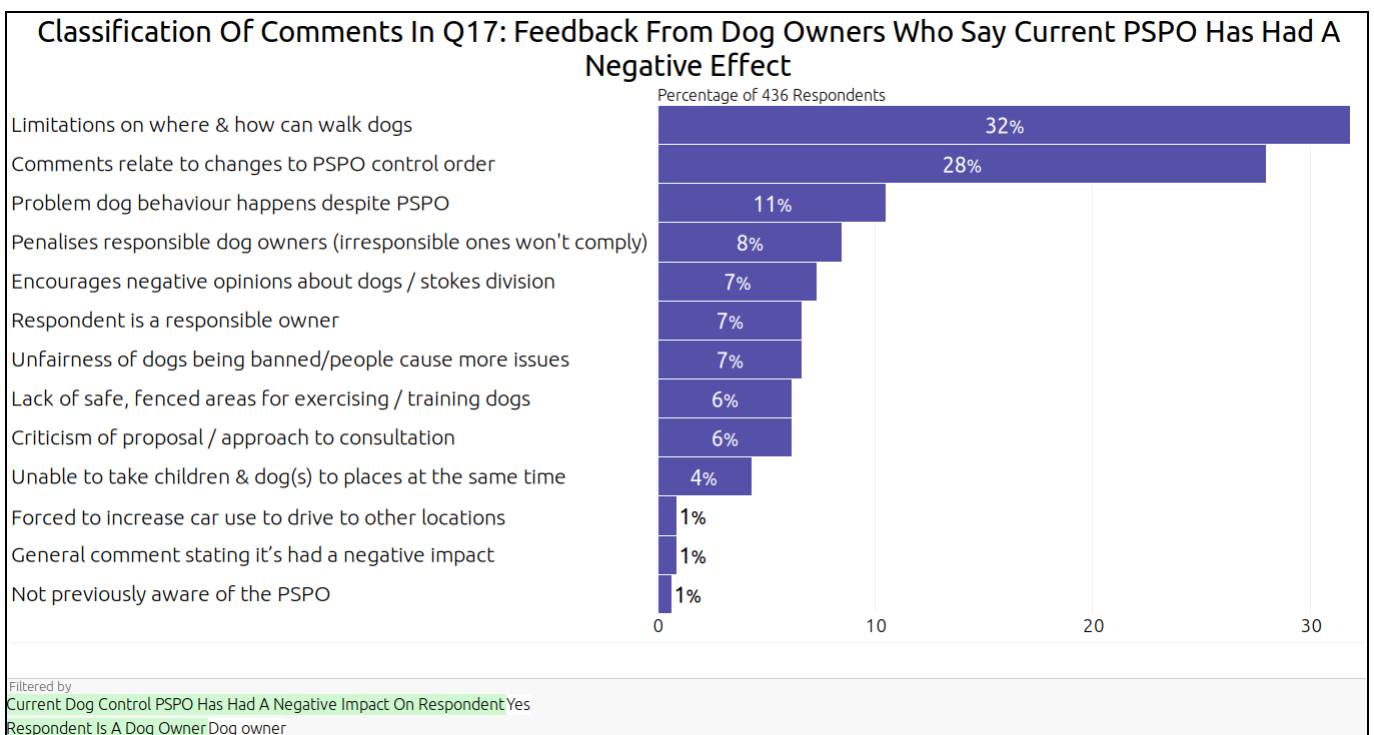


Figure 6.96

6.2.12.2 Non-Dog Owners

The majority of comments from non-dog owners, who say the current PSPO has had a negative impact on them, relate to problem dog behaviour that still happens despite the control order.

Full details are shown below.

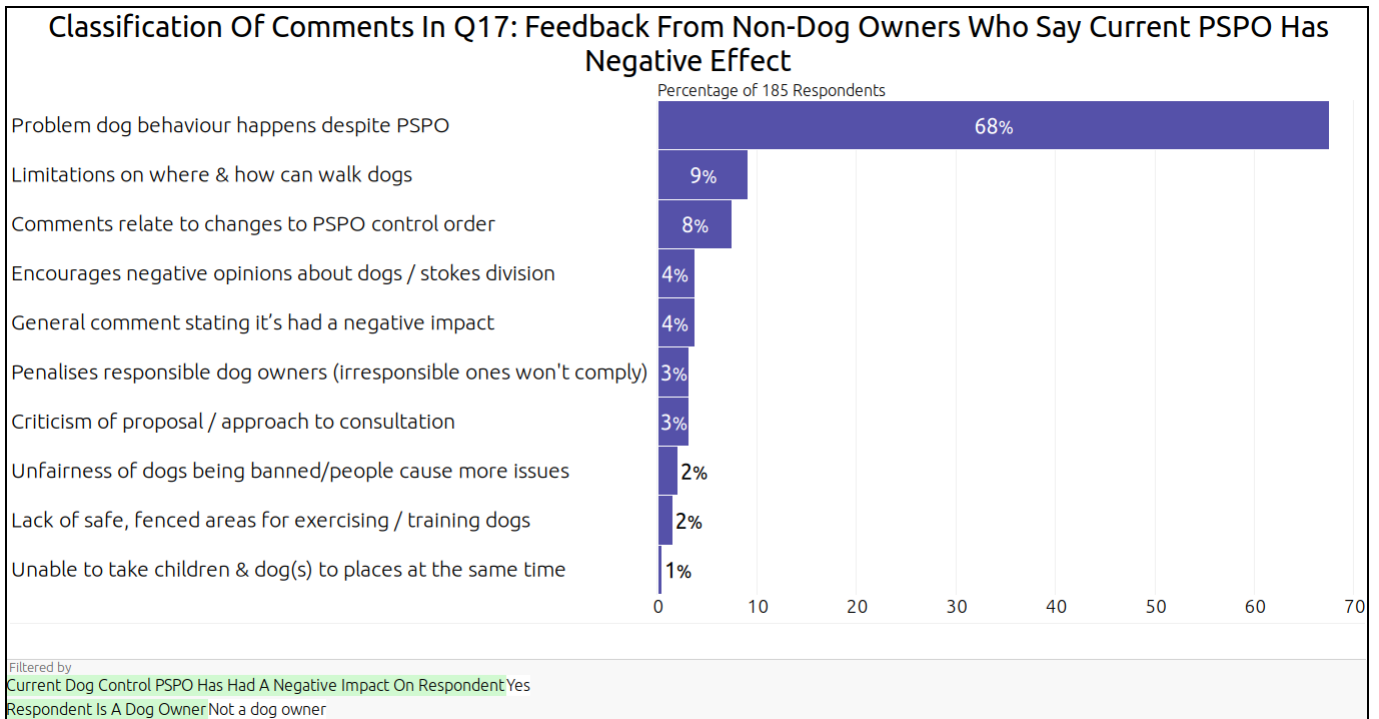


Figure 6.97

6.2.13 Q18: Do You Have Any Other Comments On Dog Control Or The Dog Control PSPO In General?

6.2.13.1 Dog Owners

The most common themes in the additional comments from dog owners are:

- that the proposal punishes responsible owners;
- Abney Park Cemetery;
- that the Council needs to target irresponsible owners;
- criticism of the proposal and council's approach to the consultation;
- and issues around enforcement.

Full details of all the themes in these comments are shown in the graph below.

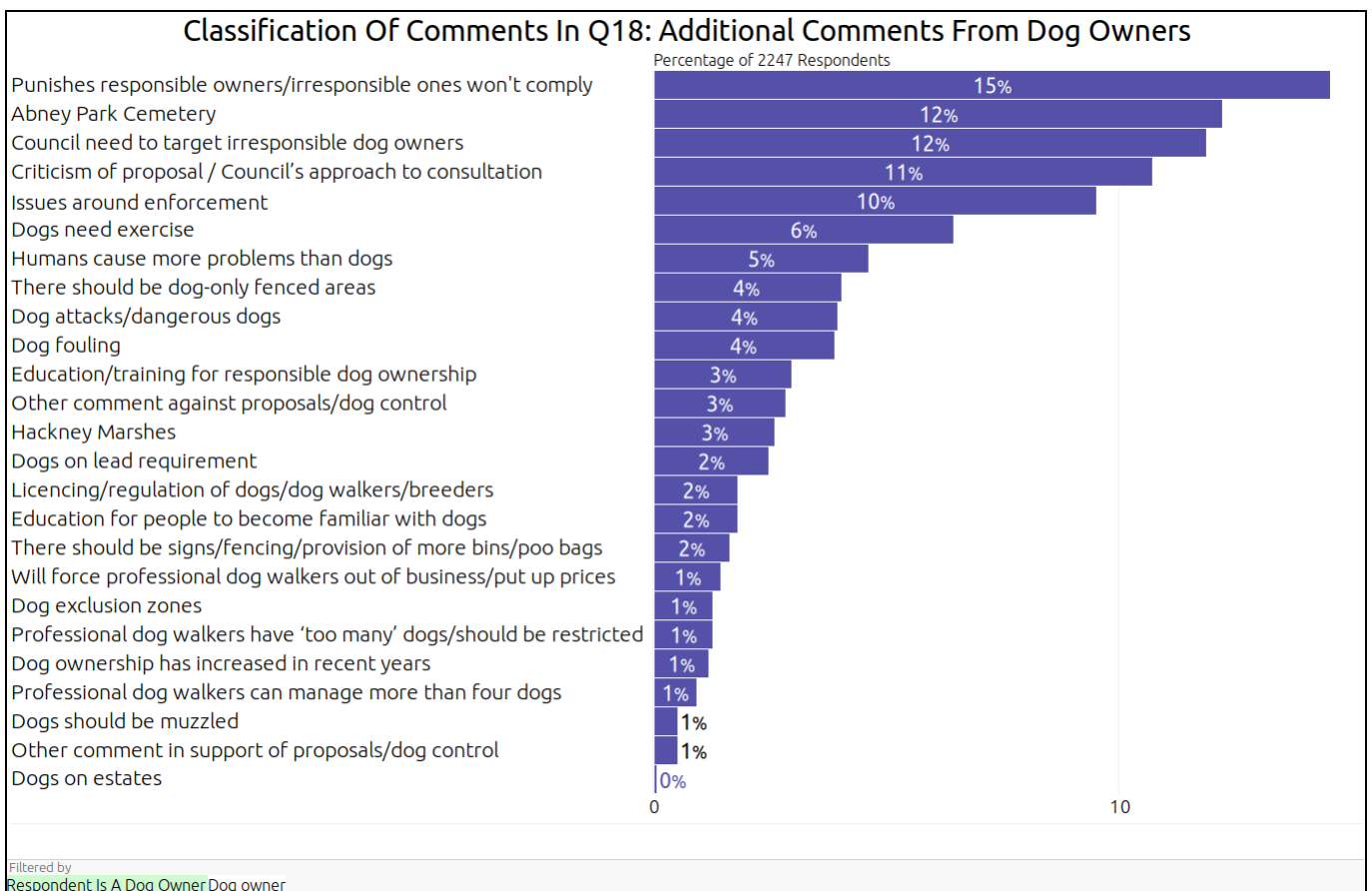


Figure 6.98

6.2.13.2 Non-Dog Owners

For respondents who do not own dogs, the most frequent themes in the qualitative feedback are:

- issues around enforcement;
- dog fouling;
- the dogs on leads requirement;
- Abney Park Cemetery;
- that the Council need to tackle irresponsible owners;
- and other comments in support of dog control.

The graph below shows all the themes in the additional comments from non-dog owners.

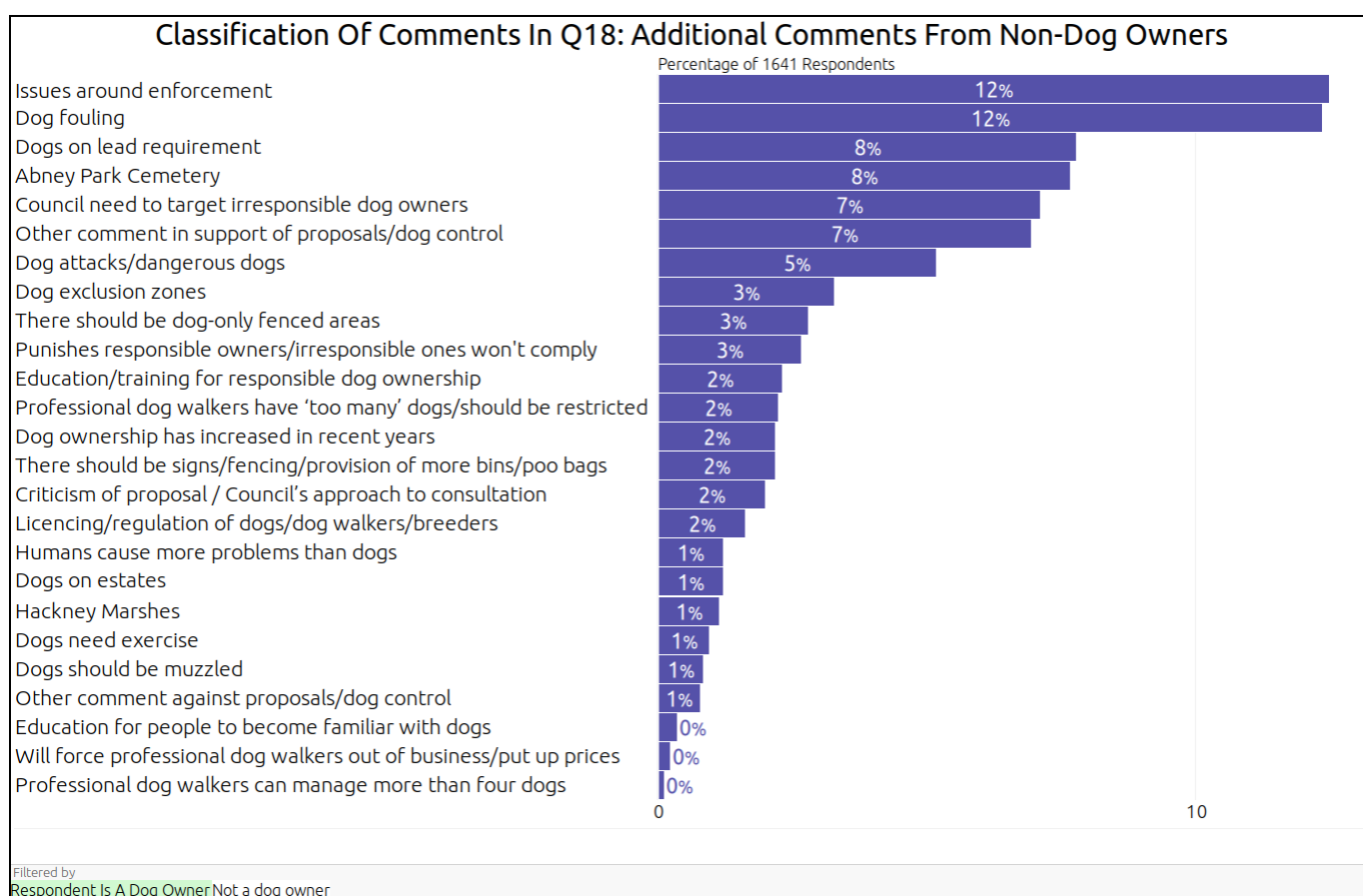


Figure 6.99

6.3 Abney Park Cemetery

The following graphs showing the proportion of respondents from different groups mentioning Abney Park in their comments.

6.3.1 Dog Owners

45% of dog owners made comments that included reference to Abney Park compared to 15% of respondents who do not own a dog.

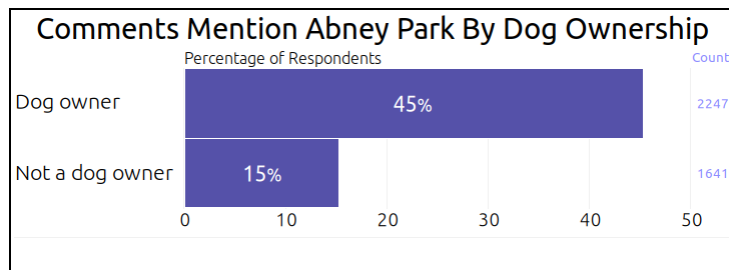


Figure 6.100

6.3.2 Respondents From N16

56% of respondents in N16 mentioned Abney Park in at least one of the qualitative feedback questions in the consultation.

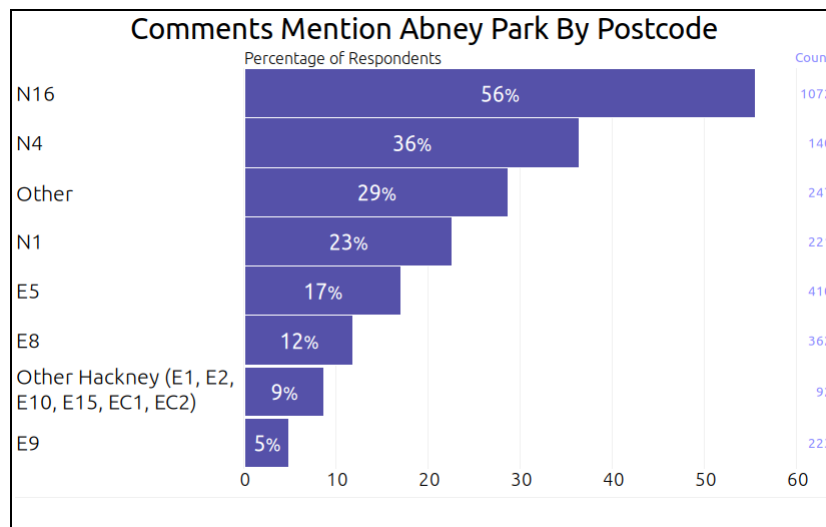


Figure 6.101

6.3.3 Age Group

44% of 55-64 year olds and 37% of 45-54 year olds commented on Abney Park in their response to the consultation.

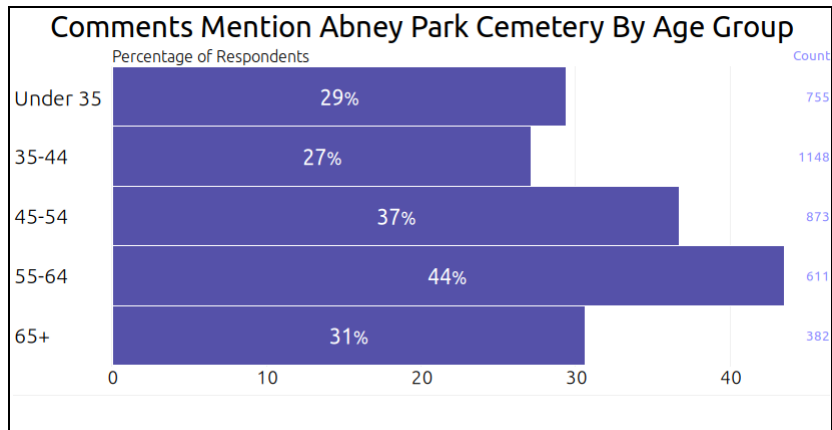


Figure 6.102

6.4 Classification Of Comments About Abney Park

6.4.1 All Respondents

16% of all respondents to the consultation made comments about Abney Park being a particularly suitable area for dogs to be exercised off the lead, whilst 14% said that they do not consider dogs to be an issue in the cemetery. 10% of all respondents explicitly stated that they walk a dog in Abney Park and 9% were critical of the proposal or the council's approach to the consultation in connection with Abney Park.

Full details of the themes in the comments from all respondents are shown in the graph below.

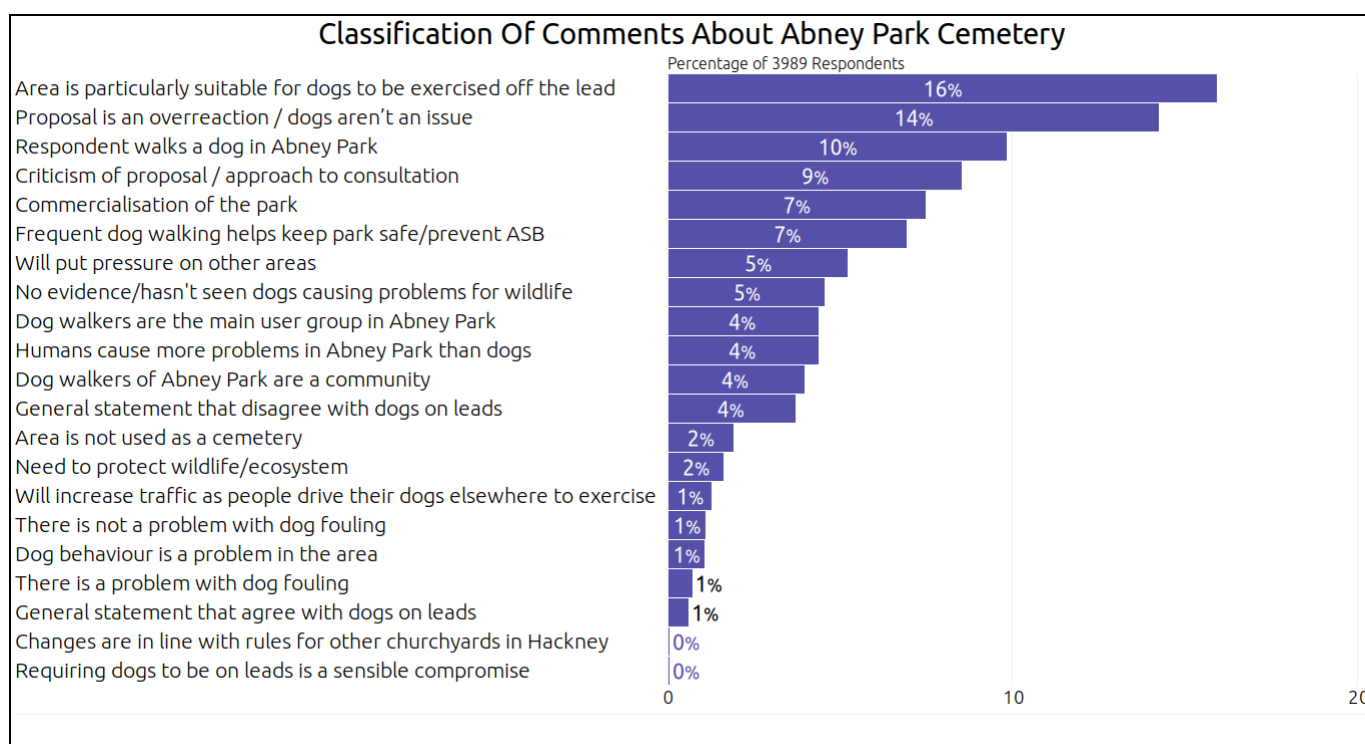


Figure 6.103

6.4.2 Dog Owners

23% of dog owners responding to the consultation made comments about Abney Park being a particularly suitable location for off-lead exercise, whilst 20% do not consider dogs to be an issue in the cemetery. In the feedback provided, 14% of dog owners made it clear that they walk a dog in Abney Park. 11% are critical of the proposal to require dogs on leads in the area or the approach the council has taken to the consultation, 10% made comments about the commercialisation of the park, and 9% stated their belief that frequent dog walking keeps the area safe and helps prevent anti-social behaviour.

Full details of all the themes in the qualitative feedback about Abney Park are shown in the graph below.

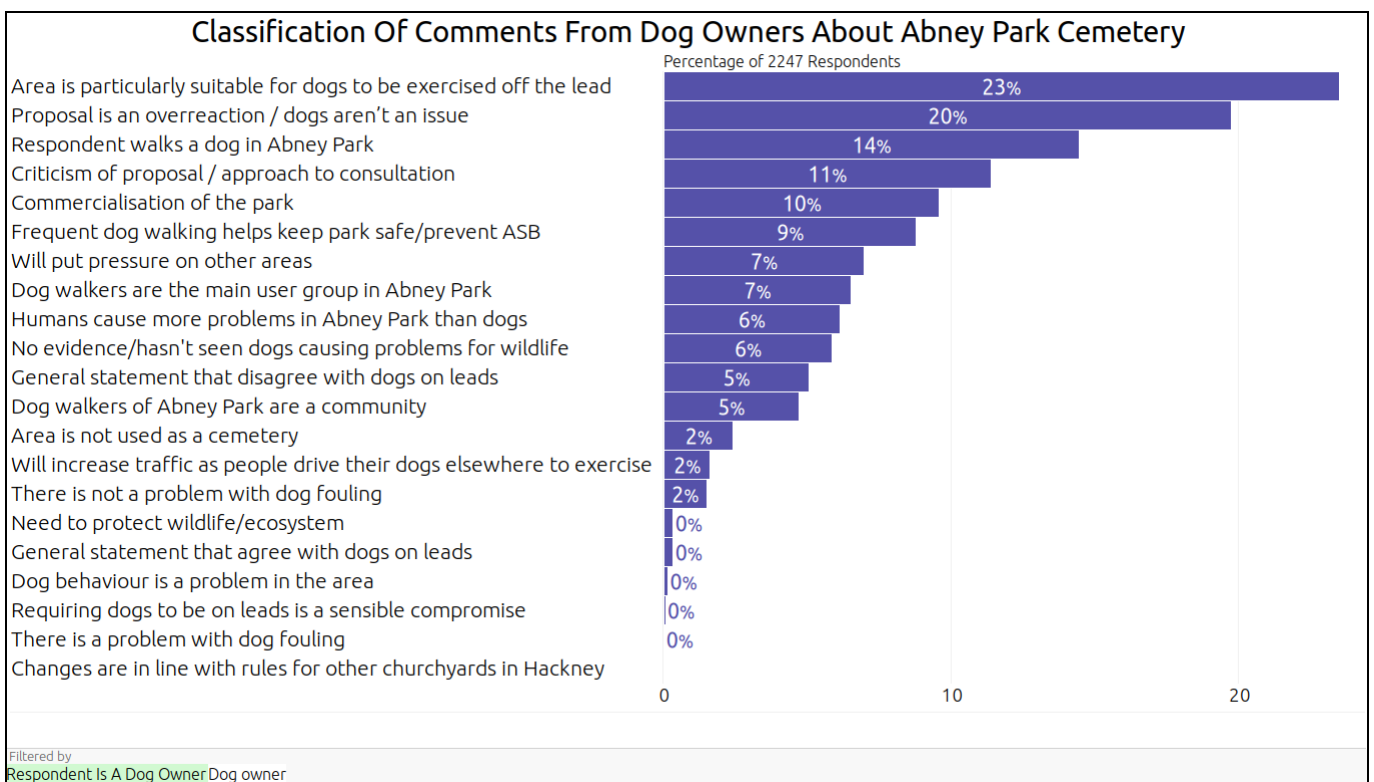


Figure 6.104

6.4.3 Respondents In N16 Postcode Area

24% of all those who gave a N16 postcode when responding to the consultation, made comments about Abney Park being a particularly suitable location for dogs to be exercised off the lead, whilst 23% do not consider dogs to be an issue in the cemetery. 16% of all these respondents made it clear in their comments that they walk a dog in Abney Park. 12% are critical of the proposal to require dogs on leads in the area or the approach the council has taken to the consultation, 12% made comments about the commercialisation of the park, whilst 10% stated their belief that frequent dog walking keeps the area safe and helps prevent anti-social behaviour.

Full details of all the themes in the qualitative feedback from these respondents that relates to Abney Park are shown in the graph below.

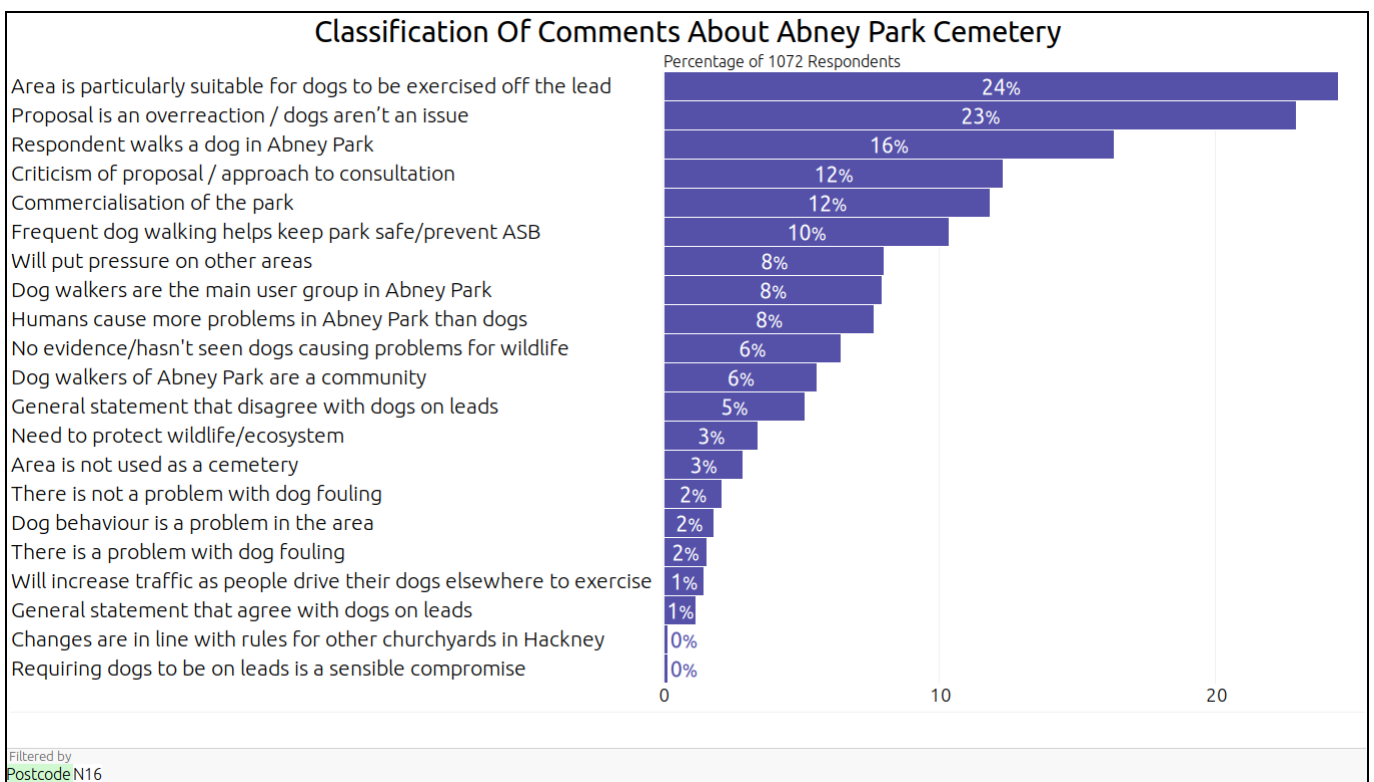


Figure 6.105

6.4.4 Respondents Who Explicitly State They Walk A Dog In Abney Park

Those respondents who made it clear in their comments that they walk a dog in Abney Park are all against the proposed update to the PSPO. The majority (70%) do not consider dogs to be a problem in the area, whilst 67% made comments about the cemetery being particularly suitable for off-lead dog walking. 36% of these respondents expressed criticism of the council's approach to the consultation or the proposal itself, whilst 31% made reference to the commercialisation of the park. 35% stated their belief that frequent dog walking helps keep the cemetery safe and prevent anti-social behaviour.

Full details of the themes in the qualitative feedback from these respondents is shown in the graph below.

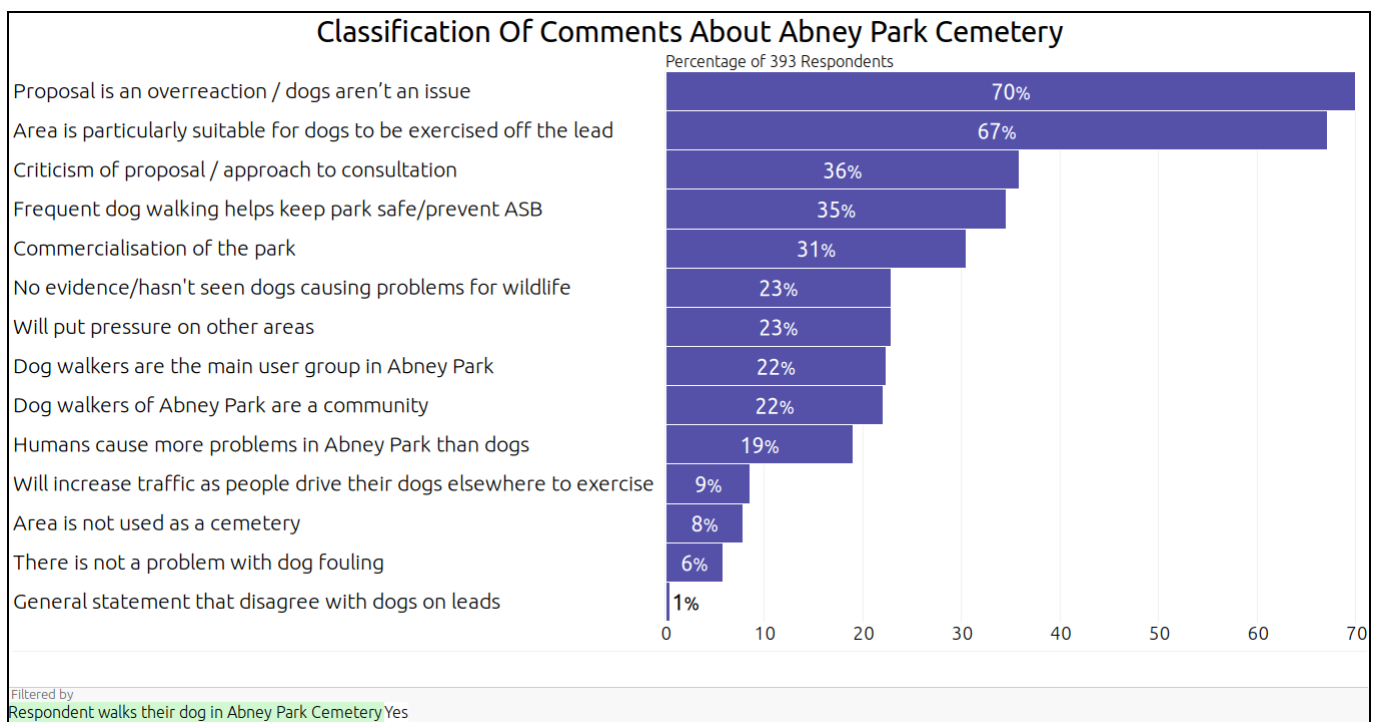


Figure 6.106

Appendix 1 – Consultation Information



Dog Control Public Space Protection Order (PSPo)

Deadline for responses, 15 December 2023

We are extending this consultation in response to comments from residents about providing additional clarity on the proposals. In addition, on the consultation page, some areas were missing from the list of proposed new sites that would be subject to dog controls, so we have added these and attached a copy of the draft PSPO.

All existing and new comments received in the consultation will be analysed and used to inform any recommendations by Council officers to Cabinet on the content of the revised dog control PSPO. No decision will be made on the proposals until after the consultation has closed.

The consultation will now close on 15 December 2023.

Overview

Hackney Council currently has a Dog Control Public Spaces Protection Order (PSPO) in place. The purpose of this PSPO is to control several issues that arise as a result of people failing to exercise proper control of dogs in public places.

The PSPO includes controls on dog fouling, defining areas where dogs are not permitted – such as playgrounds – and requiring dogs to be on leads in some public spaces.

The current PSPO is due to expire on 17 March 2024 and can be viewed at: hackney.gov.uk/dog-control-orders

We are proposing to:

- Extend the PSPO for a further three years, and
- vary the PSPO by:
 1. adding to the prohibitions/requirements stipulated in the PSPO,
 2. updating the list of locations from which dogs are excluded, and
 3. updating the list of locations in which dogs must be kept on a lead.

Why is a Dog Control Public Space Protection Order (PSPO) needed?

PSPOs are aimed at ensuring public spaces can be enjoyed free from anti-social behaviour. They are not about stopping the responsible use of public spaces, but they do provide councils with a tool to tackle persistent issues that are damaging their communities.

Over the past eighteen months, we have received a large amount of correspondence relating to the behaviour of dogs in the borough. Many residents are nervous about the large numbers of dogs in Hackney's parks and green spaces.

In addition, there are increasing numbers of professional dog walkers using Hackney's larger parks and green spaces. It is very difficult for professional dog walkers to be in control of high numbers of dogs at any one time.

This PSPO has been designed to be as clear as possible, outlining expectations of dog owners. Well-behaved dogs can be walked or exercised freely off-lead in most large parks. This promotes healthy exercise for dogs and takes into consideration the needs of the borough's dog owners and the welfare of dogs.

The aim of the public consultation is to invite views from all Hackney residents and interested groups about a variety of dog control related issues and potential amendments to the current PSPO. Additionally, the consultation aims to enhance comprehension of residents' firsthand encounters with dog control in parks and public spaces.

What does the draft Dog Control PSPO include?

The updated PSPO will include:

1. A 'dog fouling of land' prohibition, which makes it an offence if dog owners do not remove their dog's faeces from land within Hackney that is open to the air and accessible to the public. This prohibition applies to all land in Hackney.

2. A 'dog exclusion' prohibition, which enables the Council to stop dogs from entering certain areas including BMX tracks, children's play areas, fenced off dog free areas, multi use games areas, outdoor gyms, skate parks, small parks, splash pads and children's water features, sports courts, sports playing pitches, and water sports centres and reservoirs.
3. A 'dogs on leads' requirement, which enables the Council to stop people from exercising dogs off-leads in general public areas, on roads and in car parks, churchyards, burial grounds (including Abney Park), communal areas on estates and some smaller public parks. This requirement excludes canal towpaths, as these areas are managed by the Canal & River Trust rather than the Council.
4. A 'dogs on leads by direction' requirement, which gives officers the power to request that dogs be put on leads where they are not under the appropriate control of their owner, or where they are causing damage or acting aggressively. This requirement applies to the entire borough.

And a new requirement:

5. A 'maximum number of dogs' requirement, which makes it an offence for one person to have more than four dogs under their control at any one time. This requirement applies to the entire borough.

Are there any exemptions?

The following would be exempt from the Dog Control PSPO:

- people who are registered as blind,
- people who are deaf, in respect of a dog trained by Hearing Dogs for Deaf People and upon which they rely for assistance,
- People who have a disability which affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a Prescribed Charity and upon which they rely for assistance, and anyone training an assistance dog in an official capacity, and

- a dog used by the police or other agencies permitted by the Council for official purposes.

The following would be exempt from all provisions of the Dog Control PSPO, except the 'dog fouling of land' prohibition:

- anyone who has been given permission by the owner, occupier or person in charge of the land, not to comply with the order.

How will the PSPO be enforced?

If the person in charge of a dog fails to comply with the requirements of an order, they will be issued with a £100 Fixed Penalty Notice and taken to court if the Fixed Penalty Notice is not paid within the specified timeframe. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) unless:

- they have the consent from the owner, occupier or person in charge of the land, not to comply with the order, or
- they have a reasonable excuse for failing to comply, or
- they fall within one of the other exemptions within the order, such as the exemptions in the order for persons who are registered disabled and persons who have a registered assistance dog.

How long will the PSPO last?

We are proposing that the PSPO lasts for three years, until March 2027, at which point we would decide whether to renew it in consultation with residents.

Which locations will dogs be excluded from?

You can find a map showing the details and locations of the prohibitions/requirements in the Online Survey.

Dogs would be excluded from the list of locations on the following pages.

Proposed new locations are underlined and in bold green:

BMX Tracks	HAGGERSTON PARK, E2
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Children’s Play Areas

ALLENS GARDENS, N16	EVERGREEN ADVENTURE PLAYGROUND, E8	MILLFIELDS PARK, E5	ST JOHN’S CHURCHYARD PLAY AREA, E9
BROADWAY MARKET GREEN, E8	HACKNEY DOWNS, E5	PEARSON STREET ADVENTURE PLAYGROUND, E2	STOKE NEWINGTON COMMON, N16
BUTTERFIELD GREEN, N16	HACKNEY MARSH ADVENTURE PLAYGROUND, E9	<u>ROWLEY GARDENS, N4</u>	STONEBRIDGE GARDENS, E8
CLAPTON COMMON, E5	HAGGERSTON PARK, E2	SHAKESPEARE WALK ADVENTURE PLAYGROUND, N16	WELL STREET COMMON, E9
<u>CLAPTON POND, E5</u>	HOMERTON GROVE ADVENTURE PLAYGROUND, E9	SHEPHERDESS WALK, N1	<u>WEST HACKNEY RECREATION GROUND, N16</u>
CLAPTON SQUARE, E5	KIDS ADVENTURE PLAYGROUND, E5	SHOREDITCH PARK ADVENTURE PLAYGROUND, N1	<u>WOODBERRY DOWN PARK, N4</u>
CLISSOLD PARK, N16	<u>KYNASTON GARDENS, N16</u>	SHOREDITCH PARK, N1	
DAUBENEY FIELDS, E9	LONDON FIELDS, E8	<u>SPRING PARK, N4</u>	
DE BEAUVOIR SQUARE, N1	<u>MABLEY GREEN, E9</u>	<u>SPRINGFIELD PARK, E5</u>	

Fenced Off Dog Free Areas

<u>CLISSOLD PARK, N16</u> <u>((dog free area and surrounds of Clissold House/ Rose Garden)</u>	<u>HACKNEY DOWNS PICNIC AREA, E5</u>	<u>SPRINGFIELD PARK (CAFÉ SEATING AREA)</u>
<u>HACKNEY DOWNS (OLD BOWLING GREEN AREA), E5</u>	<u>MILLFIELDS PARK, E5</u>	<u>SPRINGFIELD PARK (OLD BOWLING GREEN AREA), E5</u>

Multi Use Games Areas		
ASKE GARDENS, N1	<u>HAGGERSTON PARK, E2</u>	<u>SHOREDITCH PARK, N1</u>
<u>BUTTERFIELD GREEN, N16</u>	<u>LONDON FIELDS, E8</u>	<u>STONEBRIDGE GARDENS, E8</u>
CLISSOLD PARK, N16	<u>ROWLEY GARDENS, N4</u>	UFTON GARDENS, N1
HACKNEY DOWNS, E5	SHEPHERDESS WALK, N1	

Outdoor Gyms		
<u>BUTTERFIELD GREEN, N16</u>	<u>MILLFIELDS PARK, E5</u>	<u>SPRINGFIELD PARK, E5</u>
<u>HAGGERSTON PARK, E2</u>	MABLEY GREEN, E9	<u>WEST HACKNEY RECREATION GROUND, N16</u>
<u>LONDON FIELDS, E8</u>	<u>SHOREDITCH PARK, N1</u>	

Small Parks	DE BEAUVOIR SQUARE
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Splash Pads and Children's Water Features	
<u>CLISSOLD PARK, N16</u>	<u>ST JOHN'S CHURCHYARD, E9</u>

Sports Courts		
<u>ASKE GARDENS TENNIS COURT, N1</u>	HACKNEY DOWNS TENNIS COURTS, E5	MILLFIELDS PARK TENNIS COURTS, E5
CLISSOLD PARK TENNIS COURTS, N16	<u>LONDON FIELDS PETANQUE COURT, E8</u>	SHOREDITCH PARK BEACH VOLLEYBALL COURT, N1
<u>GAINSBOROUGH PLAYING FIELDS, E20</u>	LONDON FIELDS TENNIS COURTS, E8	SPRINGFIELD PARK TENNIS COURTS, E5
HACKNEY DOWNS BASKETBALL COURTS, E5	MILLFIELDS PARK BASKETBALL COURTS, E5	SPRING HILL RECREATION GROUND TENNIS COURTS, E5

Water Sports Centre and Reservoirs	<u>WEST RESERVOIR, N4</u>
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Sports Playing Pitches		
HACKNEY DOWNS CRICKET AND FOOTBALL PITCHES, E5	MABLEY GREEN ARTIFICIAL TURF PITCHES, E9	SPRING HILL RECREATION GROUND RUGBY PITCHES, E5
HACKNEY MARSHES CRICKET, FOOTBALL AND RUGBY PITCHES, E9	MABLEY GREEN FOOTBALL PITCHES, E9	SPRINGFIELD PARK CRICKET PITCHES, E5
HAGGERSTON PARK ARTIFICIAL TURF PITCH, E2	MILLFIELDS PARK CRICKET PITCHES, E5	
LONDON FIELDS CRICKET PITCH, E8	SHOREDITCH PARK SPORTS PITCHES, N1	

Where would dogs have to be kept on a lead?

You can find a map showing the details and locations of the prohibitions/requirements in the Online Survey.

Dogs would need to be on leads in the following locations.

Proposed new locations are underlined and highlighted in bold green:

<u>ABNEY PARK CEMETERY, N16</u>	HOXTON SQUARE, N1	ST LEONARD'S CHURCHYARD, E1
ALBION PARADE, N16	KIT CROWLEY GARDENS, E9	ST MARY'S OLD CHURCH, N16
ALBION SQUARE GARDENS, E8	KYNASTON GARDENS, N16	ST THOMAS' LONG BURIAL GROUND, E9
ASKE GARDENS, N1	LEVY MEMORIAL GROUND, N16	<u>ST THOMAS' RECREATION GROUND, E9</u>
<u>BROADWAY MARKET GREEN, E8</u>	MARK STREET GARDEN, EC2	ST THOMAS' SQUARE, E9
CHARLES SQUARE, N1	QUAKER BURIAL GROUND, N16	<u>STONEBRIDGE COMMON, E8</u>
CHURCH STREET GARDENS, N16	<u>ROBIN HOOD COMMUNITY GARDEN, E5</u>	UFTON GARDENS, N1
<u>CLISSOLD PARK ANIMAL ENCLOSURE, N16</u>	SHACKLEWELL GREEN, E8	WEST HACKNEY RECREATION GROUND, N16
FAIRCHILD'S GARDEN, E2	SHORE GARDENS, E9	<u>WINDSOR TERRACE, EC1</u>
GOLDSMITH'S SQUARE RECREATION GROUND, E2	ST JOHN AT HACKNEY CHURCHYARD, E8	SHEPHERDESS WALK, N1 (which is over half a hectare in size)
<u>HOMERTON GROVE, E9</u>	ST JOHN OF JERUSALEM CHURCHYARD, E9	QUEEN ELIZABETH OLYMPIC PARK (which is over half a hectare in size)

Frequently Asked Questions

1. What amendments have you made to the Dog Control PSPO consultation page:

- We have added a link to the draft PSPO itself to provide more clarity for residents that are interested
- We have amended some of the text on the consultation page so it provides more clarity for residents
- We have updated the tables on the consultation page to ensure all sites are clearly listed in the tables. The changes include adding:
 - Children’s Play Areas: Broadway Market Green
- We have updated the tables on the consultation page to ensure all the sites that are proposed as new locations for dogs to be excluded from in the draft PSPO are highlighted in bold / underlined. The changes include the following sites being highlighted in bold / underlined:
 - Children’s Play Areas: Clapton Pond, Mabley Green and Springfield Park;
 - Dog Free Areas: Clissold Park (surrounds of Clissold House), Springfield Park (Cafe Seating Area) and Springfield Park (Old Bowling Green Area);
 - MUGAs: Butterfield Green, Haggerston Park, London Fields, Shoreditch Park and Stonebridge Gardens;
 - Outdoor Gyms: Butterfield Green, Haggerston Park, London Fields, Millfields Park, Shoreditch Park and Springfield Park;
 - Small Parks: De Beauvoir Square;
 - Skate Parks: Clissold Park and Daubeney Fields.
- We have also updated the tables on the consultation page to ensure that a number of sites that are existing or proposed as new locations for dogs to be on leads, and had been missed from the previous list on the consultation page, are highlighted in bold / underlined.

- These include:
 - Broadway Market Green, Clapton Pond, Homerton Grove, Kynaston Gardens, Robin Hood Community Garden, St Thomas’ Recreation Ground, Stonebridge Common and Windsor Terrace.
- We have added to and updated the Frequently Asked Questions section to address some of the points being raised by residents.

2. Has a decision already been made on what will be included in the Dog Control PSPO?

No. We welcome all views and comments on the consultation proposals. All existing and new comments received in the consultation will be analysed and used to inform any recommendations by Council officers to Cabinet on the content of the revised Dog Control PSPO. No decision will be made on the proposals until after the consultation has closed.

3. Why aren’t you responding to comments raised in the consultation?

We have updated the Frequently Asked Questions on the consultation page to answer a number of questions that have been raised frequently. This however, is a consultation on draft proposals to get the views and comments of residents on the proposals. It would therefore not be practical to respond directly to all the individual comments that have been made in the consultation at this stage. However, the comments will be addressed when the Council makes a decision on the draft PSPO.

4. Why are you proposing to add new sites in the draft PSPO that dogs are excluded from?

The existing Dog Control Public Space Protection Order already excludes dogs from BMX tracks, children’s play areas, courts, multi use games areas, outdoor gyms, fenced off picnic areas, sports grounds and skate parks.

The proposed additional sites that dogs are excluded from reflects an updating of the list from 2021 for these types of facilities.

In addition, a number of areas that are fenced off and have traditionally been dog free are proposed to be formalised.

5. What areas of Clissold Park are you proposing to be dog free in the draft PSPO?

In the current PSPO, the following areas are designated as dogs free in Clissold Park:

- Clissold Park Basketball Court
- Clissold Park Dog Free Area
- Clissold Park MUGA
- Clissold Park Play Area
- Clissold Park Tennis Courts

The draft PSPO still includes these areas and also proposes the inclusion of the following areas:

- Clissold Park Animal Enclosure (dogs on leads)
- Clissold Park (surrounds of Clissold House) (dogs free)
- Clissold Park Splash Pad (dogs free)

6. Why are you proposing that dogs be kept on leads in Abney Park Cemetery in the draft PSPO?

The Council recognises the benefits of dog walking, particularly as a healthy and social activity that encourages physical and mental wellbeing.

However, to help balance the needs of dog walkers with those of other visitors and the particular character of Abney Park Cemetery, the Council is proposing to add Abney Park Cemetery to the list of sites where dogs must be kept on a lead.

The Council is proposing to make this change now for a number of reasons:

- **Addressing Issues:** Over the last few years, we have received correspondence and feedback relating to the behaviour of dogs in Abney Park Cemetery from concerned residents - this behaviour has also been observed by Parks and

Green Spaces staff. In addition, some residents are nervous about the number of dogs in Abney Park and the behaviour of some.

- **Consistency:** The existing Dog Control Public Space Protection Order already requires dogs to be kept on leads in Council managed closed churchyards and burial grounds in the borough, with the exception of Abney Park Cemetery. The proposed changes are intended to bring Abney in line with these other sites, although it is acknowledged that Abney is a larger site than the other closed churchyards and burial grounds in the borough.
- It is also worth noting that Abney Park Cemetery is one of the 'Magnificent Seven' garden cemeteries of London. Three of these sites exclude dogs, two require dogs to be on leads and only one (Tower Hamlets) allows well behaved dogs off the lead. So our approach is commensurate with the majority of the other 'Magnificent Seven' cemeteries.
- **Preservation of Historical Significance:** Abney Park Cemetery is Hackney's most significant burial site with historical and cultural significance. It has always been a place of reflection, remembrance and the final resting place for thousands of people. It is therefore important that we ensure behaviour or activities in the Cemetery are respectful. By extending the requirement for dogs to be on leads, the Council aims to show respect for the site and the individuals buried there. Keeping dogs on leads helps prevent them from running and doing other things amongst the graves, a mark of respect for the deceased and their families.
- **Dog Fouling:** The increasing number of dogs being walked in Abney Park Cemetery off the lead has resulted in increased levels of dog fouling, in amongst graves, and other less accessible areas off the main paths of the Cemetery. Not only is this unacceptable behaviour, as much of the dog faeces is not removed, but the dog faeces and urine is contributing nutrients to the environment, which could be harming local biodiversity.
- **Ecological Conservation:** The UK's wildlife is continuing to decline. The most at-risk groups include birds, amphibians

and reptiles, fungi and lichen and land mammals. In addition, plant species are also declining.

As a borough we have to respond to this and continue to take measures to address the ongoing decline. The recently adopted Green Infrastructure Strategy and Local Nature Recovery Plan set out how parks, rivers, wetlands, street trees, gardens, rain gardens, green roofs and walls across Hackney can all help combat climate change and tackle biodiversity loss.

The documents also identify the need to continue working to protect and enhance the existing Sites of Importance for Nature Conservation network to promote biodiversity within the borough, as well as providing space for new and enhanced habitat.

Within this context, Abney Park Cemetery is one of the borough's most significant ecological sites, with valuable habitats and wildlife. It represents an urban example of a naturally regenerated woodland. The 13 hectares of woodland is home to around 200 'old' trees including exotics that were planted as part of the original layout of the Cemetery in 1840, but the bulk of the woodland is secondary woodland established after the Cemetery ceased to operate in the 1970s.

It has a remarkable population of breeding birds for an inner-London borough – including tawny owl, sparrowhawk, stock dove, goldcrest, and coal tit. The large number of old trees makes the woodland particularly important for invertebrates that favour decaying wood including a number of rare beetles and the hoverfly *Pocata personata*, which is reliant on rot holes in old trees.

Other invertebrates include the longhorn beetle *Phytoecia Cylindrica*, which favours the sunlit rides through the woodland and white-letter hairstreak butterfly which feeds on elm in its larval stage.

Abney is a:

- Local Nature Reserve (LNR): which is a

statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities for places with wildlife or geological features that are of special interest locally; and

- A Site of Importance for Nature Conservation (SINC): which are areas designated for their importance for wildlife. In London, there are 3 grades of SINC:
 - Sites of Metropolitan Importance: important at a London-wide scale, sites which contain the best examples of London's habitats, have particularly rare species or have particular significance in heavily built-up areas;
 - Sites of Borough Importance: important on a borough perspective, divided into two grades on the basis of their quality; and
 - Sites of Local Importance: of particular value to people nearby, such as residents or schools.

Abney Park Cemetery is designated as a Site of Metropolitan Importance, the highest grade of site.

Dogs negatively impact wildlife in a number of ways, some of which are easily observable by watching. Impacts can take a number of forms, including:

- Physical and temporal displacement - the presence of dogs causes wildlife to move away, temporarily or permanently (e.g. a Blackbird feeding on the ground will fly away)
- Disturbance and stress response - animals are alarmed and cease their routine activities. (e.g. a bank vole feeding on the ground will run away)
- Repeated stress causes long-term impacts on wildlife
- Predation: some dogs chase, attack and/or kill wildlife

In the context of Abney the above apply particularly to ground feeding birds like Blackbirds, Robins, Wrens, Song Thrush, Jays, etc. and small mammals like wood mice and bank voles.

In addition, allowing dogs to run freely in Abney could lead to habitat disruption and damage to plant life (e.g. toadstools [fungal fruiting bodies] can be trampled. The impact of dogs off leads exceeds that of dogs kept on leads, so requiring dogs to be on leads helps protect this precious ecological site and maintains the balance of its delicate ecosystem.

We have not proposed to exclude dogs from Abney Park Cemetery entirely, given the benefits of dog walking for residents, and instead are proposing an integrated management strategy that still allows dogs, but controls them for the benefit of Abney as a whole. Abney Park Cemetery is a unique environment and we have a responsibility to protect and manage the Cemetery to balance the needs of people and wildlife, so that both continue to flourish.

The measures we are proposing to introduce aims to strike a balance between responsible dog ownership and the protection of this unique and valuable site.

7. Did you consider other options to address some of the challenges at Abney Park Cemetery, instead of the proposed requirement for dogs to be on leads?

We did think about other options at an early stage, including excluding dogs from the site (with the exception of those exempt from the PSPO) and possibly 'zoning' the site to allow dogs to be off the lead in certain areas.

We discounted the idea of excluding dogs from Abney Park Cemetery at a very early stage as we didn't consider it to be proportional or fair, given the benefits of dog walking for residents in Abney. We also didn't think that 'zoning' was a particularly practical option and would not specifically address a number of the reasons why we are proposing the requirement for dogs to be on the lead in Abney.

Instead we are proposing an integrated management strategy that still allows dogs, but controls them for the benefit of Abney as a whole.

8. What happens if there are other areas that people think should be included in terms of dogs being excluded from or dogs must be kept on leads in? Can these be included in this draft Public Space Protection Order?

We welcome all views and comments on the consultation proposals. All comments received in the consultation will be analysed and a report written, enabling the Council to make a decision on what should be included in the Public Space Protection Order.

9. Why are you proposing to add new sites in the draft PSPO that dogs must be kept on leads in?

We are updating the list of sites that dogs must be kept on a lead in, for three main reasons:

- To ensure consistency of approach for similar sites across the borough
- To add sites that weren't included in the last order, have been developed or will be transferred to the Council since the existing PSPO was adopted
- To address concerns or issues raised

10. Are the new proposals in the draft PSPO that dogs be kept on leads in Abney Park Cemetery linked to the creation of a new venue in Abney Park Chapel?

No. The proposals have nothing to do with the creation of the new venue, which will have its own separate management arrangements in place to ensure events are appropriately managed.

11. Won't the events that are proposed to be held in Abney Park Chapel have as much of an impact on the biodiversity and ecology of Abney as dogs?

No. Any events that will be held in the new venue will be self-contained, have limited impact on the wider Park and will be carefully managed by the Council's Venues Team

according to a management plan, as they do currently for similar venues in Clissold Park and Springfield Park. In addition, restrictions have been placed on the new venue by the Licensing Committee to ensure a balance with Abney's status.

12. Will this draft PSPO stop me from exercising my dog off of a lead?

No - dogs will still be able to be exercised off the lead in many parks and green spaces in the borough, with the exception of those areas and sites they would be excluded from, and those that they must remain on a lead within.

13. Does this draft PSPO apply to professional dog walkers?

Yes.

We are also proposing a 'maximum number of dogs' requirement that applies to everyone. This would make it a breach of the PSPO for a person to have more than four dogs under their control at any one time.

14. Why are you proposing the maximum number of dogs for a person to have is four in the draft PSPO?

Guidance issued by the RSPCA (and endorsed by Canine & Feline Sector Group, the Dogs Trust and the Pet Industry Federation) for professional dog walkers, and prepared in the best interests of animal welfare, recommends that no more than four dogs are walked by one person at any one time. This guidance is supported by a number of other organisations associated with professional dog walking.

15. Have you thought about a licensing scheme for professional dog walkers?

Yes, we have considered this. However, based on best practice guidance, we believe the maximum number of dogs that one individual can control is four - regardless of whether the person is a member of the public or professional dog walker. We therefore don't consider a licensing scheme necessary.

Why your views matter

The vast majority of dog owners act responsibly, keeping their dogs under control and clearing up their dog's waste. However, the Council continues to receive complaints about dog-related negative behaviour and irresponsible dog owners.

In response to this, we have made some proposed variations to the Dog Control PSPO and are consulting with residents to ask their opinions about a variety of dog control-related issues. The feedback from this consultation will help to shape and inform the final Dog Control PSPO.

We would like to hear your views on any aspects of the proposed Dog Control PSPO. Please complete the survey and provide us with your feedback.

The consultation has been extended to ensure everyone has the opportunity to let us know what they think and now closes on 15 December 2023.



If you need any of this information in a different format please email consultation@hackney.gov.uk We'll consider your request and get back to you within 5 working days.

Further information

The draft Dog Control PSPO and the areas it covers can be viewed here:

hackney.gov.uk/dog-control-orders

Questionnaire

Please read the consultation summary before completing the questionnaire. You can also complete the questionnaire online at consultation.hackney.gov.uk

1. Do you live in Hackney? (Required):

- Yes No

2. Do you work or own a business in Hackney?

- Yes No

3. What is your postcode? (Required)

Dog control

4. Are you a dog owner? (Required)

- Yes No

5. Are you a professional dog walker?

- Yes No

6. Have you, or a member of your family, or someone you know had any problems regarding dog behaviour in Hackney the past year? (please select one)

- Yes (me) Yes (a family member) Yes (someone I know) No

7. If you answered 'Yes', was this related to any of the following? (please select all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Dog fouling | <input type="checkbox"/> Dog running out of control |
| <input type="checkbox"/> Dog barking | <input type="checkbox"/> Dog off lead in a controlled area |
| <input type="checkbox"/> Dog attack on a dog or other pet animal | <input type="checkbox"/> Dog attack on a person |
| <input type="checkbox"/> Dog loose in children's play area or other dog free area | <input type="checkbox"/> Threatened by a dog's behaviour |
| <input type="checkbox"/> Stray dog | <input type="checkbox"/> Other (please specify): |

8. To what extent do you agree or disagree that the current Dog Control PSPO is effective?

- Strongly agree Agree Neither agree nor disagree
 Disagree Strongly disagree

9. If you disagree, please tell us why:

10. To what extent do you agree or disagree that it is important to control the way in which people look after their dogs in shared public spaces?

- Strongly agree Agree Neither agree nor disagree
 Disagree Strongly disagree

11. Do you support the updates to the Dog Control PSPO as outlined in the consultation information?

- Yes No Don't know

12. If you answered 'No', please tell us why:

13. To what extent do you agree or disagree with the proposed new requirement to limit the number of dogs that a person can have under their control/walk at any one time to four?

- Strongly agree Agree Neither agree nor disagree
 Disagree Strongly disagree

14. If you disagree, please tell us why:

Suggested PSPO locations

15. Do you think there are any other locations which need to be covered by the PSPO? If yes, please tell us where and why by adding the location in the box below.

16. Has the current Dog Control PSPO had a negative impact on you in any way?

Yes

No

17. If so, how?

18. Do you have any other comments on dog control or the Dog Control PSPO in general?

About you

This information will help us to understand our service users and residents, allowing us to establish if the response to the questionnaire is representative of the borough. All information is used under the strict controls of the 1998 Data Protection Act and the 2016 General Data Protection Regulations (GDPR).

This information is optional and will not be used in a way that identifies you.

19. Gender: Are you...

Male

Non Binary

Prefer not to say

Female

Another term

If you prefer to use your own term please provide this here:

20. Age: what is your age group?

- | | |
|-----------------------------------|--------------------------------|
| <input type="checkbox"/> Under 16 | <input type="checkbox"/> 45-54 |
| <input type="checkbox"/> 16-17 | <input type="checkbox"/> 55-64 |
| <input type="checkbox"/> 18-24 | <input type="checkbox"/> 65-74 |
| <input type="checkbox"/> 25-34 | <input type="checkbox"/> 75-84 |
| <input type="checkbox"/> 35-44 | <input type="checkbox"/> 85+ |

21. Disability: Under the Equality Act you are disabled if you have a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal daily activities. Do you consider yourself to be disabled?

- Yes No

22. Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. Do you regularly provide unpaid support caring for someone?

- Yes No

23. Ethnicity: Are you...

- | | |
|---|---|
| <input type="checkbox"/> Asian or Asian British | <input type="checkbox"/> Mixed background |
| <input type="checkbox"/> White or White British | <input type="checkbox"/> Other ethnic group |
| <input type="checkbox"/> Black or Black British | |

Other (please state if you wish):

24. Religion or belief: Are you or do you have...

- | | | |
|--|--|-------------------------------|
| <input type="checkbox"/> Atheist/no religious belief | <input type="checkbox"/> Hindu | <input type="checkbox"/> Sikh |
| <input type="checkbox"/> Christian | <input type="checkbox"/> Secular beliefs | |
| <input type="checkbox"/> Muslim | <input type="checkbox"/> Charedi | |
| <input type="checkbox"/> Buddhist | <input type="checkbox"/> Jewish | |

Other (please state if you wish):

25. Sexual orientation: Are you...

- | | | |
|---|--|--|
| <input type="checkbox"/> Heterosexual | <input type="checkbox"/> Pansexual | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Bisexual | <input type="checkbox"/> Asexual | |
| <input type="checkbox"/> Gay man | <input type="checkbox"/> Queer | |
| <input type="checkbox"/> Lesbian or Gay woman | <input type="checkbox"/> All other sexual orientations | |

Other (please state if you wish):

26. Housing Tenure: Which of the following best describes the ownership of your home?

- | | |
|---|--|
| <input type="checkbox"/> Being bought on a mortgage | <input type="checkbox"/> Rented (private) |
| <input type="checkbox"/> Owned outright | <input type="checkbox"/> Shared ownership (part rent/part buy) |
| <input type="checkbox"/> Rented (Local Authority/Council) | <input type="checkbox"/> Don't know |
| <input type="checkbox"/> Rented (Housing Association/Trust) | |

Accessibility statement

If you require this document in a different format, please email consultation@hackney.gov.uk

We will consider your request and get back to you in the next five working days.

If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.

এই দলিলে কি লেখা আছে সে সম্পর্কে যদি আপনি জানতে চান তাহলে অনুগ্রহ করে উপযুক্ত বাক্সে টিক দিন, এই পাতার নিচে আপনার নাম, ঠিকানা ও ফোন নম্বর লিখুন এবং এটি নীচের ঠিকানায় ফেরত পাঠান। (Bengali)

如果你想知道這分文件的詳細內容，請在方框內打鉤，在本頁下面寫下你的名字、地址和電話號碼並寄到下面的地址。(Chinese)

Si vous désirez connaître le contenu de ce document, veuillez cocher la case appropriée et indiquer votre nom, adresse et numéro de téléphone au bas de cette page et la renvoyer à l'adresse indiquée ci-dessous. (French)

Ger hun dixwazin bizanibin ku ev dokument çi dibêje, ji kerema xwe qutika minasib îşaret bikin, nav, navnîşan û hejmara telefona xwe li jêrê rûpel binivîsin û wê ji navnîşana jêrîn re bişînin. (Kurdish)

Jeśli chcesz dowiedzieć się, jaka jest treść tego dokumentu, zaznacz odpowiednie pole, wpisz swoje nazwisko, adres i nr telefonu w dolnej części niniejszej strony i przeslij na poniższy adres. (Polish)

Haddii aad jeclaan lahayd in aad ogaato waxa dokumeentigani sheegayo fadlan calaamadi godka ku haboon, ku qor magacaaga, cinwaanka iyo telefoon lambarkaaga boggan dhankiisa hoose ka dibna ku celi cinwaanka hoose. (Somali)

Si desea saber de lo que trata este documento, marque la casilla correspondiente, escriba su nombre, dirección y número de teléfono al final de esta página y envíela a la siguiente dirección. (Spanish)

Bu dökümanda ne anlatıldığını öğrenmek istiyorsanız, lütfen uygun kutuyu işaretleyerek, adınızı, adresinizi ve telefon numaranızı bu sayfanın alt kısmına yazıp, aşağıdaki adrese gönderin. (Turkish)

اگر آپ یہ جاننا چاہتے ہیں کہ دستاویز میں کیا لکھا ہے تو ازراہ کرم مناسب باکس میں صحیح کا نشان لگائے اور اپنا نام، پتہ اور فون نمبر اس صفحہ کے نیچے لکھئے اور اسے نیچے دئے گئے پتہ پر واپس بھیج دیجئے۔ (Urdu)

Nếu bạn muốn biết tài liệu này nói gì hãy đánh dấu vào hộp thích hợp, điền tên, địa chỉ và số điện thoại của bạn vào cuối trang này và gửi lại theo địa chỉ dưới đây. (Vietnamese)

If you would like this document in any of the following formats or in another language not listed above, please complete and send the form to the address below.

In large print In Braille On Disk On audio tape In another language, please state:

Name:	
Address	
Telephone:	

Return to: Dog Control PSPO Consultation, Consultation Team, London Borough of Hackney, Hackney Town Hall,
Mare Street, E8 1EA

Appendix 2 – Kennel Club Submission



Formal Response to Hackney Council's Public Spaces Protection Order Consultation

Submitted on 7th December 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.

Exclusions

The Kennel Club does not typically oppose Orders to exclude dogs from playgrounds or enclosed recreational grounds, such as skate parks or tennis courts, as long as alternative provisions are made for dog walkers in the vicinity. Children and dogs should be able to socialise together quite safely under adult supervision, with having a child in the home the biggest predictor for a family owning a 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 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.

Maximum number of dogs a person can walk

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.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance they cannot control that number of dogs.

We thus suggest instead that defined outcomes are used to influence people walking one or more dogs – domestically or commercially – such as dogs always being under control or on lead in certain areas. An experienced dog walker, for example, may be able to keep a large number of dogs under control during a walk whilst an inexperienced private dog owner may struggle to keep one dog under control. Equally, the size and training of dogs are key factors, hence why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses the 'dogs on lead by direction' measures and other targeted approaches – including Acceptable Behaviour Contracts and Community Protection Orders – to address those who do not have control of the dogs that they are walking.

A further limitation of this proposed measure is that it does not prevent people with multiple dogs walking together at a given time, while not exceeding the maximum number of dogs per person. Limits may also encourage some commercial dog walkers to leave excess dogs in their vehicles, causing severe animal welfare concerns.

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.



Assistance dogs

The Kennel Club welcomes the exemptions proposed in this Order for 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>

However, we would suggest further consideration of the wording contained within the Order, specifically with reference to 'prescribed charity'. While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not. A number of reputable assistance dog providers are members of Assistance Dogs UK. This umbrella group currently has eight member organisations, which can be viewed here:

<http://www.assistedogs.org.uk/>. It is important to note that the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations and may change during the currency of the PSPO. It also does not provide for owner trained assistance dogs.

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 here:

https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

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".

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



THE KENNEL CLUB

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.

Appendix 3 – Dogs Trust Submission



5 October 2023

Dear Hackney Council,

Dogs Trust has been made aware that Hackney Council is currently consulting on the proposed extension and variation of its series of Public Space Protection Orders.

As the UK's largest dog welfare charity, we would like to make some comments for consideration.

Dogs Trust's Comments

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance, we urge the Council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.
- We question the effectiveness of issuing on-the-spot fines for not being in possession of a poo bag and whether this is practical to enforce.

2. Re; Dog Exclusion Order:

- Dogs Trust accepts that there are some areas where it is desirable that dogs should be excluded, such as children's play areas, however we would recommend that exclusion areas are kept to a minimum and that, for enforcement reasons, they are restricted to enclosed areas. We would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- Dogs Trust would highlight the need to provide plenty of signage to direct owners to alternative areas nearby in which to exercise dogs.

3. Re; Dog Exclusion and sport pitches

- Excluding dogs from areas that are not enclosed could pose enforcement problems - we would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- We feel that exclusion zones should be kept to a minimum, and that excluding dogs from all sports pitches for long stretches of the year is unnecessary. In some cases sports pitches may account for a large part of the open space available in a public park, and therefore excluding dogs could significantly reduce available dog walking space for owners.
- We would urge the Council to consider focusing its efforts on reducing dog fouling in these areas, rather than excluding dogs entirely, with adequate provision of bins and provision of free disposal bags

4. Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.

Dogs Trust

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Patron: Her Majesty The Queen
Registered Charity Numbers: 227523 & SC037843

- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign-posted areas locally for owners to exercise their dog off-lead.

5. Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to members of the public to be put on and kept on a lead when directed to do so by an authorised official).
- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

6. Re; Taking more than a specified number of dogs onto a land:

- The behaviour of the dogs and the competency of the handler need to be taken into consideration if considering this order. Research from 2010 shows that 95% of dog owners have up to 3 dogs. Therefore the number of dogs taken out on to land by one individual would not normally be expected to exceed four dogs.

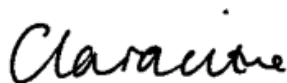
The PDSA's ['Paw Report 2018'](#) found that 89% of veterinary professionals believe that the welfare of dogs will suffer if owners are banned from walking their dogs in public spaces such as parks and beaches, or if dogs are required to be kept on leads in these spaces. Their report also states that 78% of owners rely on these types of spaces to walk their dog.

We believe that the vast majority of dog owners are responsible, and that the majority of dogs are well behaved. In recognition of this, we would encourage local authorities to exercise its power to issue Community Protection Notices, targeting irresponsible owners and proactively addressing anti-social behaviours.

Dogs Trust works with local authorities across the UK to help promote responsible dog ownership. Please do not hesitate to contact should you wish to discuss this matter.

We would be very grateful if you could inform us of the consultation outcome and subsequent decisions made in relation to the Public Space Protection Order.

Yours faithfully,



Clara Citro
Community Engagement

Dogs Trust

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Appendix 4 – RSPCA Submission

Dear Ms Carter-McDonald,

I am writing in reference to the open consultation on Dog Control Public Space Protection Orders (PSPO), which is open until mid-December and relates to proposals to extend and vary the existing PSPO arrangements.

I am writing about the intention to vary the Orders and specifically concerning the proposed changes at Abney Park to restrict dog walking to 'on-lead only'.

I would ask you to carefully consider the benefits of responsible off-lead walking to dogs and their owners and the evidence base on which this change of approach is being proposed. Rarely do blanket approaches change the behaviour of a minority who act irresponsibly (in any field), and instead may only reduce the ability of those behaving responsibly to enjoy public spaces.

You will be aware that both the Dogs Trust and the Kennel Club actively oppose these kinds of restrictions:

- www.dogstrust.org.uk/how-we-help/the-future/dog-restrictions-public-spaces
- www.thekennelclub.org.uk/about-us/campaigns/access-for-owners-and-dogs/advice-for-dog-owners-facing-restrictions/

At the RSPCA we believe in responsible dog ownership, including while walking, and emphasise the need for appropriate training of dogs so that everyone can enjoy public spaces. Our position is that PSPOs should not unwittingly compromise dog welfare by placing undue restrictions on dogs. This is especially pertinent if adequate dog walking spaces nearby are not available, and the introduction of certain provisions would prohibit the dog from expressing normal behaviour, for example, being able to run free off the lead.

The Code of Practice for the Welfare of Dogs Presented to Parliament pursuant to section 15 of the Animal Welfare Act 2006 December 2017 states: "A dog needs regular exercise and regular opportunities to walk, run, explore, play, sniff and investigate." Blanket bans on walking dogs off-lead can make it very difficult to provide for this natural behaviour.

I look forward to responding to the consultation and the outcome, which I hope will be positive for the welfare of animals. I hope you will consider the points set out above.

Yours sincerely,

Lee Gingell

Public Affairs Manager (Local Government)

RSPCA

Appendix 5 – London Fields Parks Friends Group Submission

I have been in touch with various Council Officers including Ian Holland and Ben (ccd in this) but I wanted to highlight the way that lack of inter-department communication and failure to engage with User Groups has had a detrimental impact on this consultation.

We received significant funding from the GLA to help improve biodiversity on London Fields and improve the Green Classroom areas. This has been undertaken in conjunction with local schools.

Council officers have been included in each stage including site plans, discussions and minutes from meetings.

These made clear, inter alia our intention to plant hedging to demark areas currently fenced and a desire to see consultation with a view to restricting dogs in the key area.

These discussions were documented and as such should have informed the Dog Consultation.

Ahead of the dog consultation I wrote to both Parks and Enforcement suggesting that while the consultation was at draft stage it would be useful to get input from Parks Friends Group. This was partly as we had concerns about some of the measures proposed and wanted to see alternatives included in the consultation. But it would have given us an opportunity to see things that had been omitted.

When the Consultation was launched we were very surprised and disappointed that the key areas on which we were working hadn't been included. This includes the existing Green Classroom area and the new fenced area beside Lansdowne Drive.

We feel we had done everything we could to ensure that these areas would be included and the impression that we were given by Parks Officers was this would be the case. It hasn't happened.

I've had various reasons and excuses for this but it really boils down to a breakdown in communication. Enforcement were leading on the Consultation and have no knowledge of developments that may be taking place in Parks. Senior Parks officers weren't aware of these plans because they hadn't been informed by Parks Development officers. By rejecting the offer engaging with us before the consultation was launched, the last opportunity to rectify these lacunae was missed.

I've been told now that the best course of action is to raise these issues in the consultation but I am not optimistic that it will be feasible to add areas, especially contentious ones, without them being properly consulted on.

This means that, with a PSPO lasting for three years, change has been locked out until the next consultation.

It's very disappointing for the school groups and it significantly undermines both the rewilding that we are doing and the sense that groups such as Parks Friends groups have any real function.

These are exactly the kind of situations where we should be able to give early input to shape consultations – and ensure the council “gets it right” but by cutting us out important areas were omitted.

I think, sadly, it is too late for these areas of London Fields on this occasion but I would ask that the Council learns from the execution of this consultation so that next time groups can input to inform the shape of the consultation.

As Cllr Woodley heard from stakeholders today the disappointment amongst the schools is significant and we are all very frustrated that this has happened.

Appendix 6 – Abney Park Trust Submission



**Abney Park is open. The current closing time is 4pm.
The Stoke Newington High St entrance is closed for essential construction
works.
Please use the Church St entrance during this time.**



Abney Park Trust's response to Hackney Council's "dogs on leads" consultation

As many of you will be aware, there is a proposal by Hackney Council to require dogs to be kept on leads in Abney Park as part of a borough wide consultation. Hackney Council are consulting on the renewal and extension of Hackney's Dog Control Public Space Protection Order (PSPO). The consultation opened on 28th August 2023 and closes on 19th November 2023.

This is a summary note from Abney Park Trust on the issues, challenges and potential solutions – and sets out our view on what should happen. The Abney Park Trust is responding to the consultation in its own right, and is also encouraging everyone who has a view – in either direction – to respond to the consultation.

Abney Park

Abney Park was created in 1840 on the land once occupied by Abney House. One of the original "Magnificent Seven" cemeteries, it was also an arboretum planted by the world famous Loddiges Nursery with rare, specimen trees, of international importance (of which a number remain).



Abney Park is first and foremost a cemetery with 200,000 burials in 60,000 marked plots. Occasional burials take place. And other family events such as memorial services, ashes interments and grave tending happen on a regular basis. We receive regular representations from friends and families about the need to maintain the respect for the cemetery and its purpose and these events.

As well as being the burial place for nearly 200,000 bodies, it is also the first Local Nature Reserve (LNR) to be designated in Hackney (in 1993). It is a Metropolitan Site of Importance for Nature Conservation (SINC) and the most important woodland area in Hackney (almost a third of the woodland habitat in the borough). It is also a Grade II listed registered park and garden.

Like all the Magnificent Seven it provides a tranquil place in the heart of the city. Of its 13 hectares approximately 11 hectares are woodland supporting a diverse range of trees which in turn support a wide range of birds, invertebrates and fungi.

It is owned and managed by Hackney Council. The Abney Park Trust plays a key role in maximising the benefits it delivers to the community which includes its historic, cultural, educational, recreational and biodiversity value.

The Trust's view

We support the proposal for dogs to be on leads at all times.

We've reached this view after careful consideration: we've spoken to park users about it over many years, looked at ecological knowledge and evidence, and explored how other nature reserves handle this question.

Abney Park Trust is a volunteer-led charity which puts in hundreds of volunteer hours a year caring for the park and speaking to those who use and cherish it. The volunteers who run the Trust are a mixture of dog owners and non-dog owners, and our board of trustees contains professionals working in ecology, community infrastructure, local government and more.

We know that dogs are a big part of some people's lives: they bring some people companionship, joy, meaning and beauty. Dogs are very welcome in Abney. We at the Trust have run fun social media competitions seeking to crown the best of all the



#DogsOfAbney, and there's always a free dog biscuit and bowl of water available at our volunteer-led community stalls.

However, the rapid increase in dog ownership presents challenges to some people, communities and ecosystems. Abney Park has always had to try to strike a balance between human users' needs and its ecological importance. We know that there are many reasons why park users come: walking within 11 hectares of an inner city woodland offers many pleasures. Some enjoy tranquillity, others are interested in the spiritual aspects of the park, while many come for the listed monuments and the historical interest of the Park's famous and not yet famous residents. Families come searching for their ancestors.

The value of the park for nature has been recognised by its LNR and SINC status and provides an important resource for scientists, natural history education, health and recreation and artists. To ensure that the park continues to be able to provide this wide array of ecosystem services to the community, continuous maintenance is required.

The challenge

Dogs are very welcome in Abney Park but the rapid increase in dog ownership presents a challenge for such a delicate ecosystem. The Kennel Club reported a 25 per cent rise in pet registrations during lockdown. Figures now stand at 12 million dogs in the UK. This has also led to an increase in dog-on-dog attacks, a 700% increase, with 2,264 in London alone. This increase in dog numbers has been particularly marked in Abney Park, as it is within a densely populated area, in the heart of the city.

We are currently facing a biodiversity emergency. The UK is one of the most nature-depleted countries in Europe. The Red List of British Mammals found that one quarter of UK mammals are threatened with extinction. 66% of ground-nesting birds are in decline in the UK, compared to 31% of other species. Since the 1970s, it has been shown that 41% of all UK species studied have declined. The government has committed to halting the decline in biodiversity by 2030.

The impacts



The impacts dogs have on wildlife include forcing wildlife to move away from the park, reducing their space to feed and breed. It also increases levels of disturbance and stress response, degradation of habitat through urine and faeces, and transmission of disease.

- Physical and temporal displacement – The presence of dogs causes wildlife to move away, temporarily or permanently reducing the amount of available habitat in which to feed, breed and rest. Animals become less active during the day to avoid dog interactions. Furthermore, the scent of dogs repels wildlife and the effects remain after the dogs are gone. Experts say loose dogs are one of the biggest causes of wildlife disturbance equivalent to the same disruption as low flying aircraft. An important study by the Nature Institute noted that the evidence that dogs negatively impact wildlife is overwhelming.
- Disturbance and stress response – Animals are alarmed and cease their routine activities. This increases the amount of energy they use, while simultaneously reducing their opportunities to feed. Repeated stress causes long-term impacts on wildlife including reduced reproduction and growth, suppressed immune systems and increased vulnerability to disease and parasites. There is a study which showed that dog walking caused a 41% reduction in the numbers of individual birds detected and a 35% reduction in species richness – while disturbance from humans walking alone was typically less than half that of dogs. Nature is particularly vulnerable in the spring and summer months when most breeding behaviour occurs.
- Degradation of habitat – Dogs can degrade habitats by nutrients from urine as well as faeces, which reduces the overall floral biodiversity by over fertilisation which can reach levels that would be illegal on farmland. In Abney Park there has been an increase in dog fouling both on and off the paths. Physical disturbance from trampling and digging also damages delicate plants and fungal mycelium and can lead to soil erosion and root damage.
- Indirect and direct mortality – Dogs can transmit diseases (such as canine distemper and rabies) to and from wildlife.



Loose dogs kill wildlife: the UK cost of dog attacks is up by 50% since pre-pandemic.

- Human disease - Dog waste can pollute water and transmit harmful parasites and diseases to people.

In conclusion

It's our view that the joy dogs bring to people and our community can be balanced with the needs of the ecosystem through a sensible and enforced on-leads rule. This is done in other comparable cemetery environments: two other Magnificent Seven cemeteries (West Norwood and Highgate) go further than this, and only allow guide dogs. In Brompton Cemetery, dogs must be on leads. London Wildlife Trust also prohibit dogs in local sites like Woodberry Wetlands.

In Abney, there are many positive steps that can be undertaken. Having dogs on the lead is the most effective means of reducing the negative impact on wildlife. There are options of seasonal lead enforcements, when wildlife is most vulnerable, during the breeding season, and/or temporal enforcements, restricting access to certain areas via fencing. Of course, this may be confusing and more difficult to enforce than a clear all areas lead enforcement. For that reason, we support this as the best course of action.

We hope that this summary is helpful, and we encourage users to contribute to the consultation. Please respond by 19th November 2023 at [Dog Control Public Space Protection Order \(PSPQ\) - Hackney Council - Citizen Space](#).

Our sources:

[***Dog Control Public Space Protection Order \(PSPQ\) - Hackney Council - Citizen Space***](#)

[***\(PDF\) The Trees and Woodland of Abney Park Cemetery \(researchgate.net\)***](#)

[***1 in 4 admit impulse buying a pandemic puppy | Kennel Club \(thekennelclub.org.uk\)***](#)



[**UK Pet Food releases its annual pet population data - Veterinary Practice \(veterinary-practice.com\)**](#)

[**Animal Welfare \(Responsibility for Dog Attacks\) - Hansard - UK Parliament**](#)

[**Red List of British Mammals**](#)

[**Pet owners urged to help keep wildlife and livestock safe this spring | The Wildlife Trusts**](#)

[**The state of nature: 41 percent of UK species have declined since 1970s | Natural History Museum \(nhm.ac.uk\)**](#)

[**Managing dogs and nature conservation - Inside Ecology**](#)

[**The-impact-of-dogs-on-wildlife.pdf \(thenatureinstitute.org\)**](#)

[**Managing dogs and nature conservation - Inside Ecology**](#)

[**Taking the lead: dog owners urged to keep their pets in check in the countryside | Dogs | The Guardian**](#)

[**Nutrient fertilization by dogs in peri-urban ecosystems - De Frenne - 2022 - Ecological Solutions and Evidence - Wiley Online Library**](#)

[**Managing dogs and nature conservation - Inside Ecology**](#)

[**UK cost of dog attacks rises by 50%, causing needless suffering of sheep \(nfumutual.co.uk\)**](#)



Previous
Chair's update: September 2023

Next
Chair's update: June



ABNEY PARK TRUST RESPONSE TO PSPO CONSULTATION

We support the Council's proposals to introduce dog controls in Abney Park Cemetery, a cemetery which is home to 200,000 burials and is a designated Local Nature Reserve and SINC.

It should be non controversial to require dogs to be on leads and under control in a cemetery site and for that reason alone we support the proposal.

But Abney Park is a much more complex and significant site than 'just a cemetery'.

We at the Trust are long-standing partners of Hackney Council and have been for decades. We have long supported the restoration project, and we're now preparing to enter a new period as partners on the NLHF Activity Plan and the park's re-opening. Our response to this consultation is in the same spirit as the rest of our partnership: as organisations with the same goals for the park, as critical friends where needed, and as partners to help each other in complementary ways.

Our response to the consultation has been two-fold: firstly, to encourage responses from all members of the community, and secondly, to respond to the consultation in our own right. We published a summary note earlier in the year in which we shared our first thoughts on the impact of dogs in precious nature reserves like this one: <https://abneypark.org/news/2023/9/dogs-on-leads>.

Our view on the ecological impact of off-lead dogs is outlined in the post above. We reached our perspective after careful consideration: we've spoken to park users about it over many years, looked at ecological knowledge and evidence, and explored how other nature reserves and cemeteries handle this question. We recognise that there is limited specific evidence and we highlighted a range of resources.

Abney Park was, of course, the first statutory Local Nature Reserve to be designated in Hackney, decades ago. And the evidence of dog ownership in such a context is clear: while dogs play a huge role in the lives of many people, the effect of their off-lead presence on nature reserves is noticeable and negative. There are no Abney-specific studies available, in part because of a historic failure to capture the relevant data. But there's also no reason to believe that the principles which apply to other nature reserves and Magnificent Seven cemeteries are not applicable in Abney's case.

The proposal to require dogs on leads is in line with the Council's own Green Infrastructure Strategy and Nature Recover Strategy which are published <https://news.hackney.gov.uk/seven-year-plan-to-green-the-grey/>.

Two other Magnificent Seven cemeteries (West Norwood and Highgate) go further than this, and only allow guide dogs. In Brompton Cemetery, dogs must be on leads. London Wildlife Trust also prohibits dogs in local sites like Woodberry Wetlands. The Wildlife Trust website includes material from members/officers on how they balance this issue <https://www.wildlifetrusts.org/blog/tom-hibbert/paws-thought>. It is an issue that is not unique to Abney Park. This evidence has been mocked by some but was always intended to highlight the broad range of issues with off-lead dogs in general.

The figures for nature reserves in general are stark. A study demonstrates that dog walking caused a 41% reduction in the numbers of individual birds detected and a 35% reduction in species richness – while disturbance from humans walking alone was typically less than half that of dogs. And recent socio-cultural changes have exacerbated problems in this area. Loose dogs kill wildlife: the UK cost of dog attacks is up by 50% since pre-pandemic. The pandemic lockdowns saw an increase in dog-on-dog attacks: a 700% increase, with 2,264 in London alone.

We at the Trust also see the human side of this issue. As the park's community volunteers, we work with groups from all across Hackney's diverse range of backgrounds and groups. We know from this that there are people who are fearful of off-lead dogs, and others who are not fearful but are reluctant to use the park regularly because of the risk of off-lead dogs jumping up at them. We receive correspondence from families who are concerned at the fact that off-lead dogs jump on their relatives' graves, or leave mess.

We also know that there are some members of some religious and ethnic groups who are less likely to use the park for lots of reasons, not least because there are off-lead dogs present. Back in July 2019, the research appendices for the Lottery funded Activity Plan that is about to begin were illuminating on this topic (carried out by independent consultants Julia Holberry Associates). One focus group composed of parents who weren't park users (one of whom was white British and the rest of whom were either black British or Muslim British); group members were quoted as saying that if there were activities like "dog yoga" and "dog movies" then it would be less attractive for them to come. In another group of adults over 55, one of whom was Nigerian British and another was Caribbean British, there was a sense among some that they did not like the dogs in the park – and some even felt that dogs shouldn't be allowed in. While this does not claim to be in any way representative, it does illustrate the complexities of the question.

It's important to note that, in our view, the question is not whether dogs should be prohibited to solve these problems. Instead, we ask: what does the spectrum of options look like, and where should the compromise fall? Non-exhaustively, that spectrum might look like this: a prohibition/ban at one end; then an on-leads rule or behaviour change signage or another compromise in the middle; then the status quo at the other. An ecologically ideal situation, as recognised on social media by Abney ecology experts and others, might be a full-on ban; we mention it to emphasise that the dogs on leads proposal is – and was intended to be – a possible compromise, a balancing act.

We recognise that this issue has been a divisive one, a fact which is no doubt reflected in the post bag the council will have received for this consultation.

In the end, the council – as our community's elected representatives – will balance the views and contributions and make a decision that is right for the park and those who love it. We support that, and we will support it whether it's a yes to the proposal, the status quo, or a compromise. Our partnership is robust and for the long-term although work to protect and preserve Abney's ecology must be enhanced in all cases.

It is important that a decision that is based on the whole range of evidence and perspectives and not on who shouts the loudest, and that you put the park's future, and its ecological and inclusivity-related interests, at the heart of the decision. It should also be carefully monitored in terms of footfall and paw-fall together with environmental studies to create up to date baseline information. Signage should also draw attention to the unique ecology and status of Abney Park.

Background: A further selection of the wider evidence base we have drawn on is below.

- Dog Control Public Space Protection Order (PSPO) - Hackney Council - Citizen Space
- 1 in 4 admit impulse buying a pandemic puppy | Kennel Club (thekennelclub.org.uk)
- UK Pet Food releases its annual pet population data - Veterinary Practice (veterinary-practice.com)
- Animal Welfare (Responsibility for Dog Attacks) - Hansard - UK Parliament

- [Red List of British Mammals](#)
- [Pet owners urged to help keep wildlife and livestock safe this spring | The Wildlife Trusts](#)
- [The state of nature: 41 percent of UK species have declined since 1970s | Natural History Museum \(nhm.ac.uk\)](#)
- [Managing dogs and nature conservation - Inside Ecology](#)
- [The-impact-of-dogs-on-wildlife.pdf \(thenatureinstitute.org\)](#)
- [Managing dogs and nature conservation - Inside Ecology](#)
- [Taking the lead: dog owners urged to keep their pets in check in the countryside | Dogs | The Guardian](#)
- [Nutrient fertilization by dogs in peri-urban ecosystems - De Frenne - 2022 - Ecological Solutions and Evidence - Wiley Online Library](#)
- [Managing dogs and nature conservation - Inside Ecology](#)
- [UK cost of dog attacks rises by 50%, causing needless suffering of sheep \(nfumutual.co.uk\)](#)
- [The-impact-of-dogs-on-wildlife.pdf \(thenatureinstitute.org\)](#)

Appendix 7 – Abney Park Trust Dog Users Group Submission

From the Abney Park Dogs Users Group

**DOG CONTROL PUBLIC SPACE PROTECTION ORDER (PSPO) –
RESPONSE TO CONSULTATION AND SUBMISSION TO COUNCILLORS**

1. We write to set out the reasons for our **opposition to the proposed ban of off-lead dogs in Abney Park cemetery** and to ask you to reconsider this aspect of the proposed PSPO extension.
2. This submission is made on behalf of a group of over 250 local residents and dog-owners who have come together in response to this particular aspect of the consultation launched by the Council in August. However, opposition to the proposed ban in Abney Park is even wider than this; a petition on Change.org to stop this aspect of the PSPO currently has **over 2,015 signatures**, and counting. <https://www.change.org/p/stop-hackney-councils-proposed-dogs-on-leads-pspo-in-abney-park>.
3. We are all regular users of Abney Park, and love and value the park as a place that we have used for many years. Some of us also have family members buried in the cemetery. **We love living in Hackney**, some of us having been here all our lives, and welcome everything the Council and councillors have done to build a **welcoming, inclusive and green borough**.
4. We acknowledge that the Council has a duty and responsibility to address unlawful and irresponsible behaviour that has an impact on the well-being of local people and their quality of life, and we support it in its efforts to do so. Problems associated with irresponsible dog ownership affect responsible dog owners as much as those without dogs. We **support** the following parts of the proposed PSPO:
 - the borough-wide 'dog fouling of land' prohibition;
 - the dog exclusion prohibition from specified additional areas such as children's playgrounds and sports areas, and existing dog-free areas in parks;
 - the borough-wide 'dogs on leads by direction' requirement, where a dog is not under the control of the owner, is causing damage or acting aggressively.
5. In the document that follows, we explain our position in three sections:
 - **Section 1**: our **response to the rationale** council officers have given for the ban on off-lead dogs in Abney Park;
 - **Section 2**: our views on the serious **legal questions** raised by the proposed ban;
 - **Section 3**: the **impact on the community** and **unintended consequences** of the ban.

From the Abney Park Dogs Users Group

6. The central points which we will explain and demonstrate in this document include, but are not limited to, the following:
- There is **no evidence at all of problems with anti-social behaviour by dogs in Abney Park**. This has been confirmed by Freedom of Information Act (“FOI”) responses from the Council and the Met Police.
 - There is **no evidence or justification** for banning dogs off-lead by reference to Abney Park’s status as a **historical site**. It has been an established dog walking area for decades without problems. **Nothing has changed**.
 - Similarly, there is no **evidence or justification** for banning dogs off-lead by reference to **ecological or conservation arguments**. Abney Park has been a nature reserve for decades. **Nothing has changed**.
 - **Abney Park Trust’s response** to the consultation, which the Council largely adopted mid-way through the consultation period, is a **misleading and untenable document**. It is alarmist, irrelevant and has damaged local community relations. We will systematically explain its flaws in detail below.
 - Because the proposed Abney Park measure within the PSPO has no basis or justification, **the Council would be acting unlawfully**, in excess of its powers, if it introduced the ban.
 - Further, the use of anti-social behaviour legislation for the purported protection of wildlife or ecology would be a fundamental mistake and a **misapplication of the legislation**. **There is no legal precedent for it**.
 - That issue is compounded by the **multiple failures of council officers** to follow, or even acknowledge, **applicable legal guidance** governing the process that should precede any potential PSPO.
 - **Procedurally, the PSPO consultation has been defective**. Serious flaws include a shifting justification, inadequate publicity, conflicting communications from councillors and officers, and an unfairly biased online consultation tool.
 - Our survey evidence demonstrates that **the Abney Park ban would have harmful unintended consequences for Abney Park, for other local spaces, and for Hackney residents**, whilst achieving no benefits to weigh against this damage.

From the Abney Park Dogs Users Group

- Key harms would be (i) an influx of **additional dogs to Clissold Park**, which is already a crowded space; and (ii) **making Abney Park less safe, particularly for women. The effect of the Abney Park PSPO would be indirectly discriminatory.**
7. This document is the end product of over three months of canvassing local views, carrying out research, collating extensive survey and monitoring data from Abney Park, and bringing together the information and arguments. We acknowledge this submission is detailed, and **we thank councillors in advance for their time** in reading through it. We will be happy to discuss any aspect of the findings and submissions presented in this document with you.
 8. We are not aware of any specific data that indicates what increase in dog ownership there has been since the pandemic in Hackney specifically. In general terms, we appreciate that there has been an increase in dog ownership nationally and that thought needs to be given as to how this increase should be accommodated. However, as we will explain in depth below, what is clear is that effectively withdrawing the second largest space that is currently used in Stoke Newington to exercise dogs will in fact **cause more problems** with the management of a larger dog population and will not solve or improve anything.
 9. We hope that it is accepted that only a very small minority of dog owners in Hackney, as elsewhere, are irresponsible and that problems caused by them should not be permitted to dominate and drive this discussion. There is sometimes a misunderstanding among people who do not have dogs about normal dog behaviour. Letting well-behaved dogs off the lead does not mean they are out of control, and even off-lead dogs usually stay close to their owners on the paths in Abney Park. The **overwhelming majority of dog walks take place without incident** and responsible dog owners dispose of their dogs' waste properly.
 10. We believe that the increased powers in the proposed PSPO listed in para 4 above, coupled with existing powers to police unlawful behaviour, are sufficient to meet any reasonable concerns concerning the dogs in Abney Park.¹ As we explain below, although the Council's responses to our **FOI requests have confirmed in clear terms that there is no evidence of poor behaviour by dogs in Abney Park**, we would nevertheless support a rigorous use of these powers to ensure that all dog owners behave responsibly throughout Hackney, including in Abney Park.

¹ A full range of the measures available to tackle problematic dog-related behaviour is set out in the DEFRA guide 'Dealing with irresponsible dog ownership – Practitioner's manual' https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697953/pb13333-cop-dogs-091204.pdf

From the Abney Park Dogs Users Group

11. It is not clear where the idea of adding Abney Park to the PSPO for the extension of the Order in March 2024 originated from, though our understanding is this idea may have come from council officers. We are aware from **direct discussions with councillors** that many of them feel that the Abney Park proposal should have been discussed with them before it was put out for public consultation. The phrase “**blind-sided**” is one we have heard many times.
12. In any event, we are concerned that council officers appear to have taken the need for an off-lead ban in Abney Park as a starting point in the **absence of any evidence** to support this. No steps seem to have been taken to establish an evidence base and a clear rationale for the Abney Park extension to the PSPO before it was introduced, notwithstanding the comprehensive guidance that exists to support this process (we address this guidance further below).
13. We all believe that in developing policy, council officers should have engaged directly with the constituents it would impact, and we urge councillors and officers to engage with park users now. We have talked to and carried out an **extensive survey of 429 Abney Park users**, both dog owners and non-dog owners, and we present key findings from that exercise throughout this document. We have appended a report of all findings from the survey in the form of a PowerPoint slide deck, ('Abney Park Survey') and we will present key highlights throughout this document as 'Survey Snapshots', in ***bold blue italics***. Where we cite percentages, those are percentage responses to our survey. For example:
 - ***Survey Snapshot: The overwhelming response to Hackney's PSPO proposal that dogs must be on leads in Abney is negative. 79% of the total survey population, and 96% of dog owners, oppose the ban.***
14. We also conducted monitoring over two days in October 2023 to establish actual behaviour patterns and usage of Abney Park by those with and without dogs. A summary of our findings is also appended ('Abney Park Gate Observations').
15. We are hopeful that this submission paves the way for a **measured discussion** about this issue, starting with an objective assessment of dog behaviour and any problems that are found to exist. We have recently received a letter of support from Diane Abbott MP, which adopts the same sensible and conciliatory approach:

*"I recognise ... that most dog owners are responsible people whose pets are not dangerous and behave sensibly and safely. Our public spaces in Hackney must be able to accommodate space for dogs to get much needed exercise as well as some dog free areas where appropriate. **Considering the high number of dog owners in this area, and the fact that off-lead dog walking in Abney Park is well established, I think Hackney Council should look against at their proposals for this site and***

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revisit alternatives that might provide an effective and fair compromise.”

The Rt. Hon. Diane Abbott MP; 5 December 2023

16. We would much **prefer to be allies** of the Council, not to be pitched against it by this **deeply divisive policy**. We will support any policy that proactively encourages responsible dog ownership throughout the borough, and many of us will actively engage in promoting this. We would like to build bridges between the Council, Abney Park Trust and dog owners, and hope you will help facilitate this and consult with us directly as to any future plans.

THANK YOU

From the Abney Park Dogs Users Group

QUESTIONS WHICH WE BELIEVE CABINET NEEDS TO ASK ITSELF:

- What is the problem that the ban on off-lead dogs in Abney Park seeks to address?
- Where is the evidence of dog-related anti-social behaviour in Abney Park and where is the evidence that the off-lead ban would mitigate or prevent such behaviour?
- What is it about Abney Park being a historical site and a graveyard now, compared to three years ago when the existing PSPO was made, that justifies the change of policy?
- Similarly, what is it about Abney Park being a nature reserve now, compared to three years ago, that justifies the change of policy?
- What proper evidence is there that off-lead dogs have a detrimental effect on the ecology and wildlife of Abney Park?
- Can the Council be satisfied that the consultation process has been a meaningful exercise in informing itself of the extent of dog-related problems and the experiences and views of residents?
- Can the Council be confident that the proposal for an off-lead ban in Abney Park, and its prior consultation and publicity, meets the requirements of the Anti-social Behaviour and Crime Act 2014 and associated legal guidance and that it would be a lawful use of its powers?
- Has the Council considered the impact on other parks in Hackney and whether these are acceptable alternatives?
- Does the Council's assessment of the impact of the Abney Park ban adequately address the likely effect of it upon all sectors of the community, particularly those who are disadvantaged?
- Has the Council made any assessment of the safety implications of fewer people using Abney Park having regard to safety issues, specifically combatting violence against women and anti-social behaviour?
- Wouldn't the proposals in the PSPO for the borough-wide 'dog fouling of land' prohibition and the borough-wide dogs on lead *direction*, together with proper use of existing powers, be sufficient to meet any perceived problem with dogs in Abney Park, and a good compromise that would be acceptable to everyone?

From the Abney Park Dogs Users Group

SECTION ONE

HACKNEY COUNCIL'S PROPOSAL AND EXPLANATIONS GIVEN FOR THE PSPO

17. From our conversations with Abney Park users at the gates, most were shocked to hear about the proposed ban on off-lead dogs there. Although most of us use it almost every day, we are unaware of any effort to talk to park users in advance. We are a very easy-to-reach group (as demonstrated by the ease with which this campaign was set up, and our survey conducted). If there was a problem with dogs in Abney Park, we would of course have welcomed the opportunity to discuss it with council officers and work together to find solutions. We are people who love and value the park.

What is the problem that this ban seeks to address?

18. To date, we have not been able to establish why the Council is proposing the ban on off-lead dogs in Abney Park.

19. Mid-way through the consultation period, the Council extended the period of the consultation and radically overhauled the reasons given for the Abney Park ban on its website. We address the procedural implications of this in section 2.

Anti-social behaviour

20. Since its launch, the Council's consultation webpage has included the following statement:

*"Over the past eighteen months, we have received a large amount of correspondence relating to the behaviour of dogs in the borough. Many residents are nervous about the large numbers of dogs in Hackney's parks and green spaces."*²

21. That is a statement about Hackney as a borough, and not Abney Park specifically.

22. Anecdotally, with our collective experience of walking our dogs in Abney Park for very many years, there does not appear to be a problem with dog-related behaviour in Abney Park, which feels safer now than it has ever been. We believe that the high proportion of **dog owners in Abney Park has made it an increasingly safe place for all users**, although we are aware of other, non-dog related, types of anti-social behaviour that are still causes for concern (these

² <https://consultation.hackney.gov.uk/communications-engagement/dog-control-public-space-protection-order/>

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include the use of the park for sexual activity, drug use and as a toilet).

23. If there was a problem with dog-related anti-social behaviour in Abney Park, we would hope that the Council would set out the evidence of such behaviour and identify potential remedies. Instead, it has proposed a total ban on dogs off-lead **without presenting any explanation of what anti-social behaviour problem** this aims to address. The Council needs to engage meaningfully with park users so we can better understand any concerns and work together to find practical solutions, should problems be found to exist.

- ***Survey Snapshot: Dog fouling on the streets (not in Abney) is the single overwhelming issue (38% of all respondents have personally witnessed it). Abney is notable for having the least anti-social behaviours by dogs, on all counts (versus the streets or other parks).***

24. We have asked council officers if they can provide information on the number of complaints they have received about Abney Park and dog-related anti-social behaviour. Members of our campaign made a number of proportionate and appropriately formulated **FOI requests**. Only some of them have been responded to, either within the statutory period, or at all. ³

25. However, the data given in the FOI requests that have been responded to presents a very clear picture. **Over the last three years**, the Council has recorded 34 complaints about dogs in parks in the borough. Just **six** of the complaints mention Abney Park and **just four** of them mention dogs being off the lead. Those are:

- a complaint about dogs off-lead, disrespectful people, and the park being overgrown and gravestones falling over (2023)
- a complaint about dogs off-lead (2023)
- a complaint about dogs off-lead (2022)
- a complaint about the number of dogs pooing at what will be the entrance to the new café area and suggesting owners should be encouraged to not just let dogs poo at the entrance (2021)
- a complaint about the number of people meeting up in Abney Park while walking dogs during lockdown. Wants a limit on total number of dogs allowed in at any time and them on leads (2021)
- out of control dog complaint made by a dog trainer who said they offered the owner advice (2020)

³ For example, FOIs with references 1036041, 1036039, 1036036, 1036035 and 1036031 have received no response. These were all filed on 9 October 2023, posing single questions, concerning the alleged evidence of dog-related behaviour in Abney Park.

From the Abney Park Dogs Users Group

26. We suggest that **perspective on these tiny numbers is vital:**

- there have been **376 complaints about dog fouling on Streets Data**. The Cleaner Estates Team had **544 complaints about dog fouling**;
- the Housing Team have had **58 complaints** about dogs, mostly noise-related or other forms of anti-social behaviour within estate buildings;
- the Community Safety and Enforcement Team recorded **252 incidents** involving dogs. 23 were dog control incidents and mostly involved anti-social behaviour and were referred to the police. Just six specifically mention a park, but none mention Abney: Millfields (3), Shepherdess Walk (1), Milton Gardens (1), Hackney Downs (1);
- all the remaining, **over 200 of the 252, are again about dog fouling**. The FOI did not record locations for the Enforcement Team's investigations of dog fouling.

27. In addition, on 8th December 2023, the Metropolitan Police confirmed, in response to FOI Request FOI/23/033788, that of the ten reported dog attacks that took place in the Hackney Council: Stoke Newington Safer Neighbourhood Area between January 2018 and October 2023, **none took place in Abney Park**.

28. There are two inescapable conclusions from these data:

- (i) of the complaints about dog behaviour which the Council has received in the last 3 years, **just 6 complaints out of 1230 related to Abney Park: 0.49%**.
- (ii) a ban on off-lead dogs in Abney Park **would do nothing to address the issues that exist in other areas in relation to dog control and/or fouling**.

- ***Survey Snapshot: We asked: Have you ever witnessed a dog-on-person attack in Abney Park (leading to any injury)? Response: 0% out of 429 had ever seen such an incident.***

We invite Councillors to ask critically: where is the evidence of dog-related anti-social behaviour in Abney Park? Where is the evidence that the off-lead ban would mitigate or prevent such behaviour?

Historical site and a graveyard

29. One of the reasons the consultation document gives as a reason for the Abney proposal is the fact that Abney Park is a historical site and a graveyard. Both are true. But **it has always been a burial site**, albeit not a working cemetery since the 1970s.

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30. We recognise that as a burial site which has graves that are still tended and memorials to historical figures, Abney Park has a different status from other local parks like Clissold Park. However, **Abney Park has a well-established status in the community, over several decades, as amenity woodland.** The management of Abney Park for its veteran trees (core to its biodiversity value) is itself in tension with the burials; the growth of the trees leads to major, permanent damage to memorials, unless they are tended graves or significant burials (in which case a different management regime is applied in the immediate area).

31. **Burial sites can be and are used as public amenity or even recreation spaces.** This issue is one which is clearly manageable with care and community input. We note the following claim on the Council's consultation website:

“By extending the requirement for dogs to be on leads, the Council aims to show respect for the site and the individuals buried there. Keeping dogs on leads helps prevent them from running and doing other things amongst the graves, a mark of respect for the deceased and their families.”

32. In our survey, we asked respondents whether they personally had relatives buried in Abney Park, and if so, how they felt about the Abney PSPO. In response:

- **Survey Snapshot: Over 70% of those who actually have relatives buried in Abney Park oppose the off-lead ban.**

33. Moreover, it is, unfortunately, necessary for us to raise that the claimed concerns of showing respect for the dead are in real tension with the Council's decision to grant the chapel a licence as an 'exclusive venue' with a capacity for at least 70 guests, permitting alcohol and music up to 93 decibels up to midnight three times a week. **There is genuine anger amongst the community** at the assertion, on the one hand, that dogs and/or their owners are disrespectful of the dead, whilst at the same time the Council is – and there is no debate about this – offering the chapel out as a party venue for hire. This is perceived by our members as **unfair to local residents with dogs, and showing double standards.**

34. Whatever anyone's views about the chapel becoming a private hire venue, it is a fact that Abney Park's status and usage have not changed at all in the three years since the Council last considered the PSPO in 2020, when it chose to take the diametrically opposite position to the one proposed today. **It previously chose not to apply any PSPO measures to Abney Park.**

35. It is **unclear why council officers have changed their minds about this.** If it were possible to articulate what the problem off-lead dogs are causing now to the historical site, that they were not causing three years ago, then we could all work

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together to find solutions. Dog walkers and owners are the most frequent users of the site, and we want to preserve it for future generations.

- ***Survey Snapshot: Dog owners & their accompanied friends come to Abney Park significantly more often than other respondents (67% visit daily or several times a week)***

36. We also made the following FOI request relating to the supposed impact of dogs off-lead upon Abney as a historical site and graveyard, and received the following response on 3rd November 2023:

Request: "What reports, surveys or other documents does the Council possess which address whether dogs off-the-lead pose a risk of damage to graves or other monuments in Abney Park? Please provide a copy or identify where any such reports are publicly available (including online)"

Response: "There are no reports, surveys or other documents related specifically to Abney Park Cemetery. The Council is proposing to make the change at Abney now for a number of reasons. The reasons for this are outlined here: <https://consultation.hackney.gov.uk/communications-engagement/dog-control-public-space-protection-order/> (FAQs Question 6)"

37. This confirms that there is no documented or researched evidence to support any alleged negative impact that off-lead dogs have upon Abney Park as a historical site and graveyard.

38. Finally, we note that the Council's consultation website suggests that the Abney Park PSPO would achieve "consistency" across the borough. We respectfully disagree.

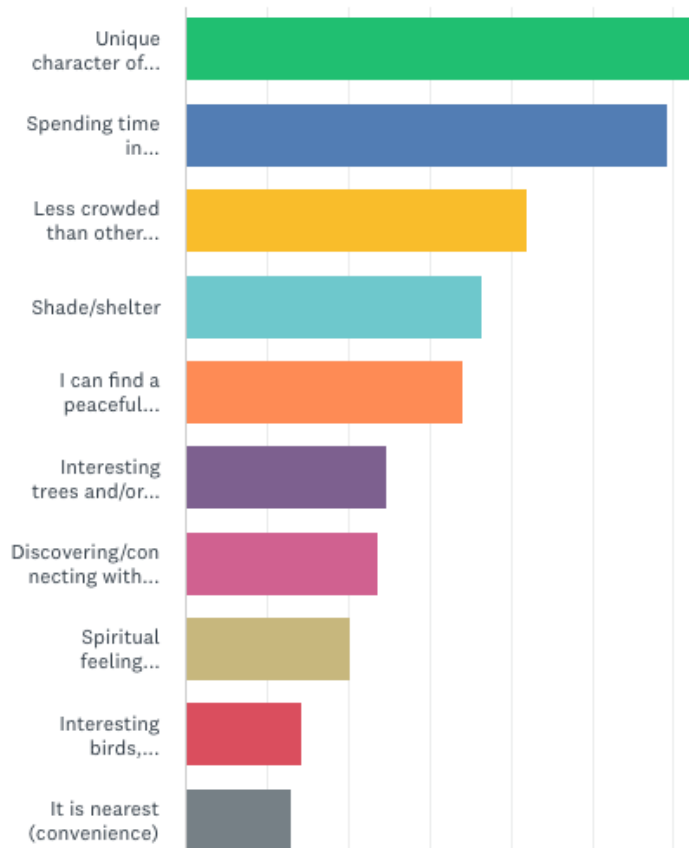
39. The consultation webpage notes that "it is acknowledged that Abney is a larger site than the other closed churchyards and burial grounds in the borough." However, it states that the existing PSPO "requires dogs to be kept on leads in Council managed closed churchyards and burial grounds in the borough", with the exception of Abney Park Cemetery.

40. The obvious response to that: **Abney Park is an exception for very good and well-established reasons.** Other churchyards and burial grounds are just that, whereas Abney Park is a 30-acre wooded area that people visit to walk in, to commune with nature, to get respite from the city, and to take exercise themselves or exercise their dogs. **Few, if any, of those considerations apply to a typical churchyard or burial ground.** It is not merely that Abney Park is larger site than the other closed churchyards and burial grounds: it is that **Abney Park is well established as a fundamentally different type of amenity space for the**

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community and has been for many decades.

■ *Survey Snapshot: We asked respondents what they most valued about Abney Park*



41. Finally under this heading, the consultation webpage notes that Abney Park Cemetery is one of the **'Magnificent Seven'** garden cemeteries of London. Far from there being "consistency" as to the presence of dogs in those cemeteries, **there is in fact a wide spread of approaches taken**, depending upon the particular characteristics of the various sites. Hence:

- 3 of 7 exclude dogs (42%)
- 2 of 7 (Abney Park and Tower Hamlets cemetery) allow well-behaved dogs off the lead (28%)
- 2 of 7 require dogs to be on leads (28%)

42. The statement that a dogs-on-leads policy would be "*commensurate with the majority of the other 'Magnificent Seven' cemeteries*" is therefore **quite simply wrong**. At present, **an equal number of the Magnificent Seven allow dogs off the lead as those which require dogs to be on the lead**.

43. Moreover, we suggest it is a thoroughly unconvincing basis for making policy

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decisions to simply point to other boroughs doing things one way or another. Each of the Magnificent Seven is its own unique space with its own particular physical and spatial character, and its own role within the community around it. The relevant question for councillors is **what is right for this borough, for Abney Park, and for the Hackney community**, which includes dog owners and their dogs, as well as those without dogs.

We invite Councillors to ask critically: what is it about Abney being a historical site and a graveyard now, compared to three years ago when the existing PSPO was made, that justifies the change of mind and change of policy?

Ecological site

44. The second argument made in the consultation proposal is that Abney Park is an ecological site. In the present context, it is important to be clear about what is meant by this term, in order to then consider the claimed impact of off-lead dogs upon that ecology.
45. Abney Park is a **precious and much-loved place for local residents**. Many of us visit it daily, in all weathers and throughout the year. **We support** the work of the Council and the Trust to maintain the park and its unique nature and special qualities. In fact, we would welcome opportunities to become more involved in that.
46. We emphasise that, as Abney Park Trust's own website points out, Abney Park was designated as a Local Nature Reserve in 1993 due "*to its value for **people and wildlife***" (our emphasis). It is also important to recognise that the wide diversity of wildlife that Abney Park is known and celebrated for appears to be thriving, notwithstanding the presence of off-lead dogs there for decades.
47. Abney Park is an important green space within Hackney and one of the borough's richer sites in biodiversity terms. As such, it features prominently in **Hackney's nature recovery plan 'Hackney Richer in Wildlife' (2021)**. The key actions set out in this plan relate to establishing linkages between green sites and enhancing the strengths of each site. Actions relating to Abney Park are identified as continuing tree management to maintain important deadwood habitat, planting trees and shrubs in council-owned space around Abney Park's margins and increasing linkages to Clissold Park and Woodberry Wetlands.
48. **At no point in Hackney's nature recovery plan** – or in fact in any report we have found in our research - **are dogs mentioned as a significant threat to Abney Park**, or a priority problem to solve to benefit biodiversity.
49. Ecological survey work is piecemeal and driven to a large degree by the

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enthusiasms of volunteer experts. Each such survey provides a snapshot of what has been seen in Abney Park over perhaps 20 years, but **no systematic surveys exist** which can pull those together in a baseline or evidence trends on the site. No full ecological survey has been done on Abney Park since the one that was submitted with the planning application in 2018, and **that ecological report contains no date references later than 2012.**

50. On the same theme, we asked the following FOI request relating to this, and received the following response on 3rd November 2023:

Request: *“What reports, surveys or other documents does the Council possess which address whether dogs off-the-lead pose a risk to the habitat or other wildlife in Abney Park? Please provide a copy or identify where any such reports are publicly available (including online)”*

Response: *“**There are no reports, surveys or other documents related specifically to Abney Park Cemetery.** The Council is proposing to make the change at Abney now for a number of reasons. The reasons for this are outlined here: <https://consultation.hackney.gov.uk/communications-engagement/dog-control-public-space-protection-order/> (FAQs Question 6)”*

51. Despite the absence of systemic, cohesive ecological survey evidence, some valuable ‘snapshot’ data exists. In an online talk, Abney Park enthusiast and ecologist Russell Miller notes that:

- Abney Park is a very unusual urban site and, due to its history as an arboretum planted with exotics, and a cemetery, botanically *“unnatural”*. To put that another way, **this is not a slice of pristine natural environment** comparable to a coastal heathland or ancient woodland.
- the key quality which makes Abney Park’s biodiversity special is the dead wood habitat, and the fact that it has been a feature for several decades - some very rare **dead wood fungi and invertebrate species** which are indicative of *“ecological continuity”* are found there.
- analysing the imperfect snapshot data by *“species quality index”* (i.e. how many of the species found there are rare shows that Abney Park scores highest for deadwood and decaying wood species, followed by **arboreal species: those living in trees**. Again, the species referred to are **overwhelmingly fungi and invertebrates**.

52. Crucially, it should be obvious that these, the most important habitats and species in Abney Park in biodiversity terms, are **not remotely threatened by the presence of off-lead dogs.**

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53. Against this backdrop, we must address **the position adopted by the Abney Park Trust.**

54. Abney Park Trust published its response to the consultation on its website on 8th September 2023, shortly after the consultation opened. Its response purported to justify the ban on off-lead dogs in Abney Park on what many feel are **erroneous and spurious** grounds, based on **arguments and research that are largely irrelevant.**

55. Regrettably, **there are numerous glaring examples of this:**

- A number of the most egregious misrepresentations that Abney Park Trust make concern a report compiled by Lori Hennings for the Portland, Oregon Metro Parks District (USA), dated April 2016. The Trust's position on the purported impacts of dogs upon wildlife in Abney Park involves **quoting, near verbatim, the findings of this American report.**
- As an important preliminary, the report by Ms. Hennings is a literature review. It is **not a scientific study.**
- From that source, the Trust addresses the supposed dangers that dogs pose to other animals by "*indirect mortality*". The Trust argues that "*dogs can transmit diseases (such as canine distemper and rabies) to and from wildlife*".
- In relation to Abney Park, this is arrant nonsense. **Rabies was eradicated in the UK** from all mammals (except for bats) 101 years ago, in 1922. **Canine distemper is virtually unheard of** among the vaccinated dog population of the UK.
- From the same source, the Trust also argues that "*dog waste can pollute water and transmit harmful parasites and diseases to people*". This is **entirely irrelevant** given that as the Trust itself recognizes, there is a "*lack of any water source within the cemetery*".
- Figures and citations given by the Trust are at best irrelevant, and often **sensationalist or even farcical.** Using alarmist language such as "*biodiversity emergency*" and "*nature-depleted*", the Trust equates the matter of dogs being walked off-lead with an impending nature crisis. Yet the statement that "*since the 1970s it has been shown that 41% of all UK species studied have declined*" has **no connection whatsoever to dogs,** let alone to dogs in Abney Park
- Moreover, that statement is a citation from a Natural History Museum article which, the Trust notably fail to mention, cites "*agriculture, urbanisation, pollution, hydrological degradation and climate change*" as the biggest drivers of species decline. **Domesticated dogs are not mentioned at all.**
- Several sources invoked by the Trust also make reference to the danger dogs pose to livestock. This is a meaningless argument because **no**

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livestock are held in Abney Park. Therefore, the Trust's citation that "*loose dogs kill wildlife – the UK cost of dog attacks is up by 50% since pre-pandemic*" is, in context, **simply absurd**. It is taken from a National Farmers' Union paper on sheep worrying. It has no conceivable application to Abney Park.

- The Trust cites a Guardian article as a reason for increased dog control,⁴ but in fact **that article does not mention keeping dogs on leads**. It does refer to dog owners "*being asked to clean up waste and, where possible, stop dogs jumping in ponds*"; there are no ponds in Abney Park, and the existing PSPO already applies to dog fouling (though the FOI responses and our survey show there is no real evidence of a dog fouling problem in Abney Park either).
- The Trust's response notes a decline in nesting birds. From the list of Abney Park bird life found on the Trust's website, only woodcocks are true ground-nesting birds. These are migratory in Abney Park, and as such they can be expected only in small numbers. Habitats for ground nesting birds are most commonly found in coastal areas, wetlands, heathlands, moors and uplands: not urban cemeteries. In any event, in such a setting, **the greatest threat to any ground nesting birds would be foxes and rats**, rather than domestic dogs, who do not have access to the park in the dark / low-light hours.
- More generally, almost all the Trust's sources relate to the UK-wide natural habitat. **Abney Park cannot**, by virtue of its location in Zone 2 of the country's largest city, **be considered a normal or representative example of rural England**. It is surrounded by urban development on all sides; and of course, the thousands of headstones are not a natural or rural feature.
- A further example of this is the Trust citing the Red List of British Mammals. They alarmingly refer to the fact that this list has found that one quarter of UK mammals are threatened with extinction. There is no comprehensive record of the mammal population in Abney Park; but the suggestion that dogs being on-lead in Abney Park will have any meaningful effect on these national trends or populations for any of the mammals on that is not credible. The endangered animals include things like bats (nocturnal, not ground nesting), **wildcats, beavers and wild boar**.
- The Trust's **methodological approach to its source material is also woeful**. Referencing is used incorrectly; there are no footnotes to take readers to the sources from which claims are made; and there are no links to actual studies.

56. Taken as a whole, the Trust's response was **poorly researched, showed confirmation bias, and is a thoroughly unreliable basis for any decision-**

⁴ <https://www.theguardian.com/environment/2023/mar/18/nature-reserves-urge-dog-owners-control-keep-pets-in-check-aoe>

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making by the Council. The only safe course is to disregard it in favour of more serious evidence and argument.

57. Claims by the Trust of the kind set out above are **seriously misleading to the public**. We are concerned that their publication of this material on their website shortly after the launch of the consultation will have unfairly influenced local residents, many of whom are rightly concerned about ecological issues generally.

- **Survey Snapshot: There is evidence that these ill-informed, unjustified claims about the impact of dogs upon ecology have influenced some respondents. A sample quotation:**

“If Hackney Council has determined that dogs off lead are disrupting that nature then I respect that view. I'd certainly put the needs of our very precious creatures (birds, small mammals) over the needs of dogs, of which there's an ecology-distorting overabundance”.

58. It is detrimental to the Trust's standing that its argument was so poorly constructed and so unscientific. As we have explained above, Abney Park's oft-cited expert spokesman **Russell Miller does not blame dogs for Abney Park's biodiversity losses** - he blames the loss of linkage to other large habitats, and encroachment from development at Abney Park's margins. Those are the same issues identified by and addressed in the Nature Recovery Plan, which we repeat, does not mention dogs at all. **The true position is that Abney Park's current richness has arisen and exists in equilibrium with off-lead dogs.**

59. When considered dispassionately and sensibly, the available material underscores that:

- there is **no evidence** of biodiversity trends relating specifically to Abney Park at all; and
- there is **no evidence** that any detrimental biodiversity impacts arise due to the presence of off-lead dogs.

60. We again refer to the uncomfortable issues relating to the chapel. **A tension exists** between, on the one hand, the Council's consultation argument that Abney Park is a vulnerable ecological site which dogs allegedly threaten, and on the other hand, the Council's decision to grant an events licence which permits parties and other gatherings up to three times a week, up until midnight, with loud music up to 93 decibels and with alcohol being served.

61. We ask rhetorically: what will be the consequences of such disturbing late-night behaviour upon the ecology of Abney Park, when the trees have for decades stood

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in peaceful quiet each night? ⁵

62. We do not exaggerate when we say that most people we have spoken with during the campaign **are simply incredulous at this**. It is one of the issues that **arouses the strongest anger**: the suggestion that off-lead dogs are a threat to habitat, whilst at the same time the Council is allowing these new and invasive activities, is one that people describe as perverse, unfair, and – a word that has come up time and time again – hypocritical.
63. It is very unfortunate for any policy to be so divisive as to generate such strong sentiment. It is even more unfortunate that the Trust's arguments and so-called 'evidence' plainly had a **significant influence upon the Council's revised justification** of the Abney off-leads ban, which it published in mid-October 2023. The adoption of the Trust's unsound arguments has, perhaps unintentionally, placed the Council in a position where it, too, has endorsed misleading and unevicenced claims on its consultation website.
64. Standing back: the Council has asserted in the consultation that ecology is a ground for the PSPO, but it does not appear to have anything to support this and has not explained what problem it is trying to solve. The FOI Response above confirms that the Council possesses no reports, surveys or other documents related specifically to Abney Park Cemetery.

We invite Councillors to ask critically:

- **under the existing PSPO, made just three years ago, Abney Park was specifically excluded from any restrictions upon dogs, and it has been a nature reserve for 30 years. What has changed in the last three years that would justify the ban now?**
- **what action have council officers taken to verify the ecological claims made by Abney Park Trust to ensure that residents taking part in the consultation have a balanced view of the ecological arguments concerning dogs in Abney Park? What proper evidence is there of the effect of off-lead dogs upon the ecology and wildlife of Abney Park?**

⁵ In a similar vein, in 2016, the chapel was celebrated as a roosting site for the rare soprano pipistrelle bat; this will obviously have been displaced by the extensive building works that have been carried out in preparation for the chapel's use as an events space.

From the Abney Park Dogs Users Group

SECTION TWO
THE LEGAL PERSPECTIVE

65. The power to make a PSPO is set out in s 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“**the 2014 Act**”). It is a **criminal offence** to breach the terms of a PSPO without reasonable cause. This means that the proposal to ban off-lead dogs will **criminalise** an activity that hundreds of local people and their dogs have enjoyed week in and week out without incident in Abney Park for decades.
66. The 2014 Act provides that a local authority may only make a PSPO if it is satisfied on reasonable grounds that there are **activities** carried on in a public place which have had a **detrimental effect** on the **quality of life** of those in the locality, and that the effect of these **justifies the imposition** of restrictions.⁶ Those activities have to be identified in the PSPO, and any prohibitions or restrictions imposed must be **reasonable and proportionate**.
67. A PSPO cannot, therefore, be lawfully used to impose an off-lead ban in Abney Park in the absence of clearly identified, actual dog-related anti-social behaviour there, which would be prevented or reduced by having dogs on leads.
68. Evidence of specified activities that are having a detrimental effect is the **first legal pre-requisite** for any PSPO. **The second legal pre-requisite** for any PSPO is that *where those activities exist*, restrictions can be imposed if they are **justified** in preventing or reducing those activities.
69. **The Council’s own FOI responses confirm in clear terms that there is no evidence of such problem behaviour.** As no behaviour has been identified which would be prevented or reduced by having dogs on leads, it follows that neither of the legal prerequisites for the imposition of the ban on off-lead dogs under the PSPO are made out.
70. We have addressed at length above the Council’s arguments for singling out Abney Park for an off-lead ban on the grounds that it is a site of historical significance and ecological importance. Whilst we agree that these are important issues generally, **these are not a lawful basis for the making of a PSPO.** They are outside the scope of the legislation which is concerned with anti-social behaviour, as distinct from cultural, heritage or ecological conservation.
71. For these reasons we believe that it would be **a misuse of the Council’s powers, and unlawful**, for the Abney Park ban to be included in the PSPO. Such a misuse

⁶ <https://www.legislation.gov.uk/ukpga/2014/12/section/59>

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is subject to statutory appeal, and there is recent legal precedent for the High Court overturning aspects of a broader PSPO that were found to have been unlawfully introduced by another local authority.⁷ To impose the ban on off-lead dogs in Abney Park under the PSPO would, on any considered view, involve serious legal risk for the Council.

72. Moreover, beyond the basic lack of a lawful basis for the measure, it does not appear that the Council has had regard to many of the legal requirements and guidance on the making of PSPOs as set out in:

- Anti-social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers Statutory guidance for frontline professionals (“**the Statutory Guidance**”),⁸ and
- The Public Spaces Protection Orders Guidance for Councils (“**the Local Government Guidance**”).⁹

73. In the first instance, the Council’s focus should have been on identifying problem behaviour. The Local Government Guidance states:

“Local areas will, of course, need to satisfy themselves that the legislative requirements are met before an Order can be introduced, and obtaining clear evidence to support this is important.”

74. It goes on to state the need for:

“a solid evidence base and rationale that sets out how the statutory criteria for each of the proposed restrictions have been met [to demonstrate] a direct link between the anti-social behaviour and the PSPO being proposed in response.”

75. The Local Government Guidance also provides that to be effective, a consultation should:

“Provide an overview of what the local issues are, set out why a PSPO is being proposed, and what its impact would be. Publishing details of the extent of the problem behaviour can assist respondents to understand why a PSPO is being considered and help inform views on whether it would therefore be an appropriate response.”

76. The Council’s consultation has failed to do this. Its ‘overview of local issues’

⁷ Summers v LB Richmond Upon Thames <https://www.2tg.co.uk/summers-v-lb-richmond-upon-thames-2018-ewhc-782-admin/>

⁸https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1146322/2023_Update_ASB_Statutory_Guidance_-_FINAL_1_.pdf

⁹ https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

From the Abney Park Dogs Users Group

consists of the following statements:

- in relation to Hackney generally: *“over the past eighteen months, we have received a large amount of correspondence relating to the behaviour of dogs in the borough. Many residents are nervous about the large numbers of dogs in Hackney’s parks and green spaces”*;
- in relation to Abney Park: *“[o]ver the last few years, we have received correspondence and feedback relating to the behaviour of dogs in Abney Park Cemetery from concerned residents - this behaviour has also been observed by Parks and Green Spaces staff. In addition, some residents are nervous about the number of dogs in Abney Park and the behaviour of some.”*
- In relation to dog fouling: *[t]he increasing number of dogs being walked in Abney Park Cemetery off the lead has resulted in increased levels of dog fouling, in amongst graves, and other less accessible areas off the main paths of the Cemetery much of the dog faeces is not removed’.*¹⁰

77. No data or actual figures relating to the volume of correspondence or number of complaints was provided. On 9 October 2023, we submitted FOI 1036041, asking:

“How many items of correspondence has the council received relating to a large number of dogs in the council in the years 2019, 2020, 2021, 2022 and 2023 year-to-date? How do the council determine what constitutes a ‘large number’ of dogs?”

78. In breach of its legal obligations under the Freedom of Information Act 2000, the Council failed to respond to that FOI (and to several others).

79. However, in relation to the claimed concerns about Abney Park, we have set out above that the FOI responses which were responded to have since established that **only 0.49 % of total complaints** to the Council, according to Hackney’s own data, relate to Abney Park; we refer again to the data from the Metropolitan Police in para 27 above which states that none of the reported dog attacks in Stoke Newington between January 2018 and October 2023 took place in Abney Park. **There is no credible to support the claim that “residents are nervous about the number of dogs in Abney Park and the behaviour of some”.**

80. Furthermore, our own survey responses confirmed that dog fouling **on the streets** was the single overwhelming issue (38% of all respondents had personally witnessed it).

■ **Survey Snapshot: Abney Park is notable for having the least anti-social**

¹⁰ <https://consultation.hackney.gov.uk/communications-engagement/dog-control-public-space-protection-order/>

From the Abney Park Dogs Users Group

behaviours by dogs on all counts. 0% had seen a dog-on-person attack in Abney; 0.9% had seen a dog-on-dog attack in Abney; and just 8% said they had seen dog poo not picked up in Abney.

81. Notwithstanding the serious absence of evidence to justify the consultation's claims, the **consultation webpage presupposes a problem** with dog behaviour, and presents the PSPO as the only possible solution. This too is incorrect and contrary to legal guidance.

- The Statutory Guidance states that *where problematic behaviour has been identified* (we dispute this is the case for Abney Park), councils should also **consider whether there are alternative options to a PSPO**, as set out in the **DEFRA guidance**, which may be more appropriate. A full range of the measures available to tackle problematic dog-related behaviour is set out in the DEFRA guide "*Dealing with irresponsible dog ownership – Practitioner's manual*";¹¹
- Furthermore, the Local Government Guidance notes that some issues "*may be **adequately addressed using other tools**. For instance, awareness-raising campaigns about the effects of certain activities on others.*"

82. There is **no evidence that the Council have considered any other measures** to meet any perceived dog-related problem in Abney Park (or elsewhere in Hackney). Obvious measures to tackle the problem of dog-fouling throughout the borough would, we would say, include an awareness campaign and punitive measures to target specific offenders.

83. In its response to Hackney's consultation on 7th December 2023, **the Kennel Club** (approached by this campaign group) have said "we encourage local authorities to make use of more flexible and targeted measures at their disposal, including Acceptable Behaviour Contracts and Community Protection Notices" and suggest the use of Kennel Club Good Citizen Training Clubs and accredited trainers in this.

84. The belief that the Abney PSPO is **not reasonable or proportionate** was also resoundingly borne out in our survey:

Survey Snapshot: The number one reason (72% of responses) why the ban is opposed is that local people feel it is a disproportionate measure and that it is not a reasonable response to any evidenced issue.

85. We also have significant concerns about the extent of consultation undertaken and the **failure to consult appropriate groups and bodies**. The Local Government

¹¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697953/pb13333-cop-dogs-091204.pdf

From the Abney Park Dogs Users Group

Guidance states that as well as consulting the police, councils should consult with community representatives: ***“those who will be directly affected by the Order or groups representing their interests should be directly approached”***. The last survey of Abney Park users by the Council was published in January 2018, and contains **no** complaints or comments about the presence of dogs or dog behaviour in Abney Park (although it did highlight safety concerns).¹²

86. The Council have not surveyed Abney Park users in the period preceding the current consultation, or during it, and no approach has been made to this group which, as the Council is aware, was set up in early September 2023 specifically in response to the Abney Park ban. **We are not aware of any consultation with any other community or interest groups.**

87. The Statutory Guidance also reminds the Council of its **obligation to consult dog law and welfare experts** *before* seeking to impose restrictions and advises councils to consider consulting the Kennel Club. It is not known whether the Council have done so.

88. The Local Government Guidance recommends that ‘councils should use a range of means to reach out to potential respondents’ and sets out **eleven different forms of consultation methods** that councils should consider engaging in. Hackney’s consultation process appears to be limited to the online survey. **We are not aware of any** (i) face-to-face surveys, (ii) drop-in sessions, (ii) public meetings, or (iv) any other method of consulting people. In fact, we understand that the organisers of a Clissold Park User Group meeting on 14th October 2023 tried to secure the attendance of a council officer to answer questions about the PSPO, but no one was available to attend.

89. The Local Government Guidance further suggests that **expert advice should be sought in drafting questions and undertaking consultations to ‘ensure that questions are appropriately phrased, clear and objective’**. We believe that the online survey questions fall a long way short of this, demonstrate a clear bias, and fail to give respondents adequate opportunity to express their views. For example:

- Rather than people being asked to comment on individual proposals, respondents have been expected to give a blanket response. Q 11 simply asks *“do you support the updates to the Dog Control PSPO as outlined?”*, inviting respondents to reply ‘Yes/No/Don’t know’ to the whole range of proposals.
- In consequence, it is very likely the case that there have been respondents who never use Abney Park and have no views about dogs there, who have

¹² <https://consultation.hackney.gov.uk/leisure-parks-green-spaces/abney-park-improvements/results/abneyparkusersurveyreport.pdf>

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responded to say that they *are* in agreement with the PSPO on the basis they approve of some of the other measures that affect them.

- It is **wrong in principle** that people should be asked whether they agree or disagree with the PSPO as a whole, when it consists of a raft of different measures across the entire borough, **unless a proper opportunity is provided to reply fully.**
- The Local Government Guidance also states that consultations should provide sufficient means for respondents to oppose the proposals and provide views on alternative approaches. **This has not been done.**
- Since the Council has sought to make out a special case for Abney Park, using different arguments to those elsewhere, it is strongly felt that people should have been asked **specifically** about the Abney Park ban. If people have wanted to respond to this proposal specifically, the only way to do this has been to use an 'any other comments' box. Drop-down menus and other ways of responding to a range of options should have been provided.
- Because of the way the questions have been put, the consultation survey will fail to find out about specific problems people are experiencing with dogs in Hackney; Q7 for example asks about the *type* of incident respondents have witnessed and are concerned about but **fails to ask for any details** such as where and when dog attacks occurred. Without specific data, resources cannot be targeted appropriately. This is a missed opportunity.

90. Due to the limitations of the consultation survey, many members of this campaign group have emailed councillors direct in order to make proper representations. **Contradictory advice has been provided** concerning these emails to councillors; initially, we were told that they would be considered alongside the consultation responses, but more recently it has been said that they will not be; more recently still officers have said only some emails will be counted. This is clearly very unsatisfactory and has caused anger among residents.

91. **Six weeks after the consultation was launched, the consultation document was substantially revised, and the consultation period extended.** The reason provided for this was that some of the proposed new sites and the draft PSPO had been missed off from the original consultation page; it was also to 'provide additional clarity'. We surmise that council officers took this opportunity to address the opposition that people had already voiced to councillors by overhauling the consultation webpage. Whereas the **original consultation webpage had only contained brief reference to the reasons for the ban on off-lead dogs in Abney Park**, the revised one devotes **substantial** sections to justifying it on the grounds of ecology and it being a historical site. In doing this, the Council effectively **adopted the position of Abney Park Trust** as set out in its response to the consultation on 8th September, in some places verbatim, to expand upon the reasons for the ban. In addition, some replies to members of this group from one

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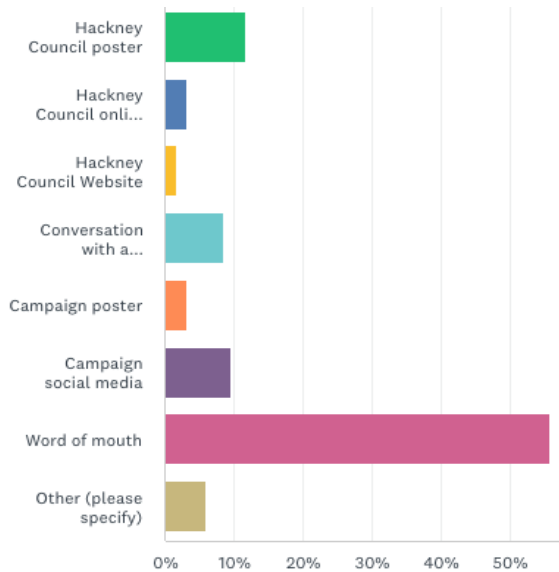
of the councillors go so far as to incorporate some of the Trust's wording to justify the ban. All of this creates a clear impression of bias and does not sit comfortably with the Council's assertion that no decision will be made on the PSPO until after the consultation period. The fact that the Cabinet member with responsibility for the PSPO is also a trustee of Abney Park Trust has unfortunately strengthened that perception. It is right to say that this has generated a lot of concern and anger at local level and has led to a questioning of the accountability of our elected representatives and the transparency of local government.

92. **There was very little publicity** for consultation in the area that will be most affected by the Abney ban. The Council posted very few notices about the PSPO and the consultation in Stoke Newington, and where these have been put up they are not prominently displayed, in marked contrast to other areas in the borough, such as around Springfield Park. For most of the consultation period, there has only been only one A4-sized notice about the consultation posted in the general vicinity of the Abney Park gate. For much of the time, this has been on the inside of the railings and would not be visible on entering, and only if exiting from a particular direction. Similarly, there has been only one small notice near each gate in Clissold Park. In neither case have notices been placed in noticeboards. Our survey showed that **fewer** people who use Abney Park for dog-walking knew about the PSPO than other respondents.

93. Although most (95%) of the respondents to our survey had, perhaps predictably, heard about the PSPO, 56 % of these said that this was through word of mouth, and a further 21% specifically through this campaign. Only 17% said that they heard about through the Council's publicity.

- ***Survey Snapshot: 95% of respondents had heard about the PSPO but this goes down to 87% of those who visit Abney Park for dog walking reasons. But importantly, word-of-mouth was 3 x greater than any Hackney publicity.***

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94. Right up until the end of the consultation period – i.e. over three months since it opened – whilst leafletting at the Abney Park gate, **we still came across users who did not know about the proposed ban**. If the Council had genuinely wished to engage with residents and Abney Park users, clear notices should have been put on the gates of Abney Park highlighting the proposed ban and directing people to the online consultation.

95. We are not aware of any social media advertising the Abney Park ban. The social media advertising that the Council has done, however, has been very leading, in keeping with the structure of the consultation survey form. For example: *'Dogs should not be allowed in certain places. Do you agree?'* with a picture of a dog standing on children's play equipment in a playground.

96. In summary, therefore, as well as the integrity of the consultation being seriously compromised by the catalogue of shortcomings listed above, the Council has failed to gather, and does not have, evidence to justify the part of the PSPO that purports to deal with the off-lead ban in Abney Park PSPO, and is unable to make out the legal basis for this.

We invite Councillors to ask critically:

- can the Council be satisfied that the consultation process has been a meaningful exercise in collating evidence of (i) problematic behaviour that needs addressing, and (ii) the experiences and views of residents?
- can the Council be confident that the proposal for an off-lead ban in Abney Park, and its prior consultation and publicity, meets the requirements of the Anti-social Behaviour and Crime and associated legal guidance and will be a lawful use of its powers?

SECTION THREE
THE IMPACT OF THE BAN ON OFF-LEAD DOGS IN ABNEY PARK ON THE
COMMUNITY AND UNINTENDED CONSEQUENCES

97. This campaign group has conducted **two pieces of research** aiming to inform the discussion; (i) a '**gate watch**' on two separate days (giving full visibility of usage of Abney on an exemplar weekend day, and a comparable weekday), and (ii) **the public survey** from which we have quoted regularly, which the group shared widely online and which achieved 429 completed responses. Reports on both pieces of work are appended.

98. The starting point is that **a very high proportion of the daily usage of Abney Park is by dog owners and walkers, or is connected with dogs:**

- Our survey found that 49% of respondents were dog owners, yet 66% of respondents mainly visit Abney Park to walk a dog – for example, meeting a friend to walk with them and their dog.
- Our gate watch data, collected in October, confirms that people or groups with dogs comprise **over half (53%) of groups** entering Abney Park on weekdays.
- The gate watch data also evidences a steady pattern of use by dog walkers. Non-dog-walker usage fluctuates heavily with the weather and between weekdays and weekends; whereas dog walkers maintain a **steady presence** - dogs need walking whatever the weather, every day.
- Based on numbers and walk duration, for much of the week there will be around 10-12 dogs in Abney's 31 acres at any given moment – and up to **20-23 during the morning peak**.¹³

99. We suspect that many local people will have acquired their dogs specifically intending to use Abney Park to exercise them, in the knowledge that there is somewhere close by that is safe, and conducive to undisturbed, peaceful dog walking.

100. The next key data concerns the probable **effect of the off-lead ban** upon the behaviour of this population.

¹³ As the weather becomes colder and wetter, the proportions of those using Abney Park will change further. In the true winter months, the daily reality is that dog owners and walkers are the great majority of the park's visitors – sometimes the only visitors.

From the Abney Park Dogs Users Group

101. The context here is that the Animal Welfare Act 2006 places a legal requirement upon those responsible for dogs to provide them with “*suitable exercise*”, which means regular opportunities to walk and run off lead.¹⁴ The Kennel Club states that “*blanket “dogs on lead” restrictions can prevent dog owners and their dogs from getting their appropriate daily exercise, including ‘regular opportunities to walk and run’ – which in most cases, will be off the lead while still under control*”.¹⁵

102. Emma Slawinski, the Director of Policy at the RSPCA has responded to Hackney’s current consultation and the proposal to ban off-lead dogs in Abney Park, and urges the Council to:

“carefully consider the benefits of responsible off-lead walking to dogs and their owners and the evidence base on which this change of approach is being proposed. Rarely do blanket approaches change the behaviour of a minority who act irresponsibly (in any field), and instead may only reduce the ability of those behaving responsibly to enjoy public spaces”.

She also quotes from the Code of Practice for the Welfare of Dogs: ‘a dog needs regular exercise and regular opportunities to walk, run, explore, play, sniff and investigate’, and points out that ‘blanket bans on walking dogs off-lead can make it very difficult to provide for this natural behaviour’.

103. The results we received from our survey were entirely as expected, given the above context:

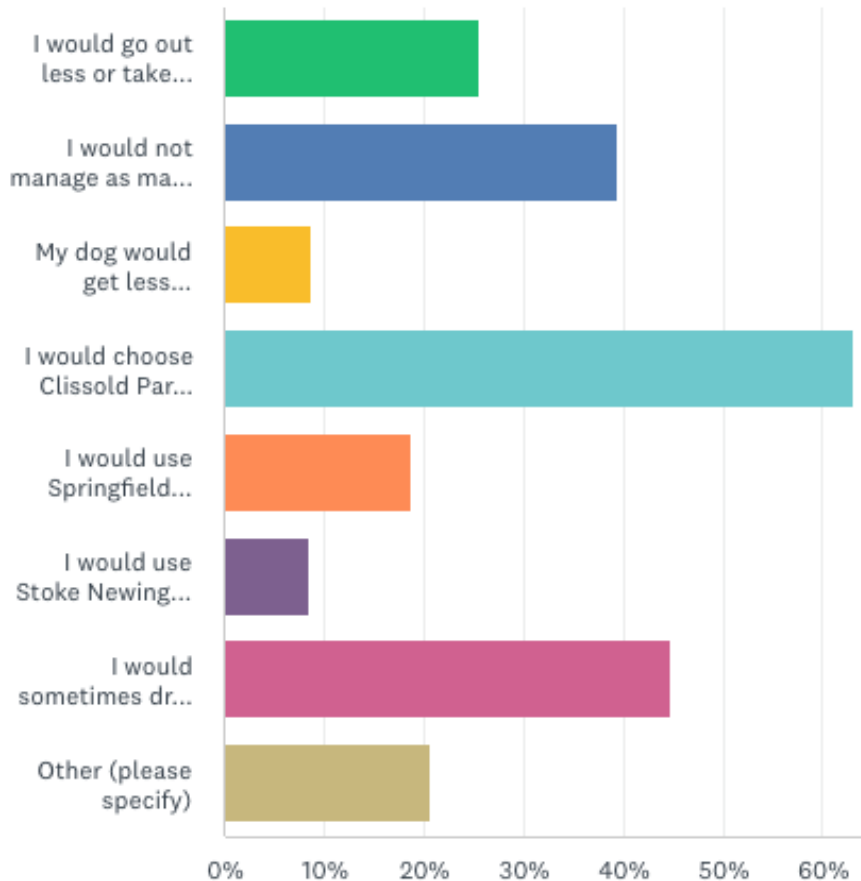
- In our survey, over **90% of dog owners and friends would use Abney less if the off-lead ban were introduced**, needing to take their dog elsewhere for off-lead exercise more often.
- **72%** would use **Clissold Park** more often.
- **24%** would increase their visits to **Springfield Park**.
- **56%** would increase the occasions on which they chose to **drive farther** afield (eg Epping or Highgate) to replicate what they had lost at Abney.
- These results are shown in tabular and graphic form below:

¹⁴ DEFRA Code of Practice for the welfare of dogs introduced pursuant to the Animal Welfare Act 2006 – a guide for dog owners
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697953/pb13333-cop-dogs-091204.pdf

¹⁵ <https://www.thekennelclub.org.uk/media/3760/kc-dog-report-out-of-order-the-impact-of-access-restrictions-on-dogs-and-their-owners.pdf>

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▼ I would go out less or take shorter walks as the walks would be lower quality	28.37%	59
▼ I would not manage as many off lead walks as I could not often walk to another suitable park in the time I have available	43.75%	91
▼ My dog would get less exercise as my mobility issues force me to continue to use Abney but they could not be off lead	9.62%	20
▼ I would choose Clissold Park more frequently for off-lead exercise of my dog	72.12%	150
▼ I would use Springfield Park more frequently for off-lead exercise of my dog	24.04%	50
▼ I would use Stoke Newington Common more frequently for off-lead exercise of my dog	10.10%	21
▼ I would sometimes drive to e.g. Epping or Highgate to replicate the off-lead experience I have lost	56.25%	117



104. The next key question is to consider the wider **effects of that displacement upon other local spaces**:

- **Clissold Park** is a wonderful, family-oriented space, but it is already overcrowded, particularly at weekends when it is full of people playing sports, and even more so in in summer months when it becomes crowded with families, sunbathers and picnickers. It is also very busy in peak times of the day throughout the year, when there are many runners and cyclists on the paths; this causes problems with dogs which tend to get in the way of them (and vice versa) because neither can anticipate the speeds of the other.
- **Hackney Downs** is some distance from Abney Park and will not be a walkable distance for many. It is also not a viable option for many people to

From the Abney Park Dogs Users Group

exercise dogs because it is open to roads; it is also perceived to be unsafe because of the prevalence of criminal and anti-social behaviour there.

- The indicated displacement of dogs to **Springfield Park** is likely to be unwelcome as it is principally used as a family green space by those local to it.
- Spaces farther afield (such as **Hampstead Heath, Epping Forrest**) would involve at least some people driving from their homes rather than using crowded public transport, which would have a detrimental effect on traffic congestion and air pollution. Moreover, it should not be necessary to leave the Borough of Hackney to find good open space for dogs to exercise.

105. Equally important, if not even more important, is the question of the wider **effects of displacement upon other groups, and on Abney Park itself.**

- **Abney is not an open park** like Clissold, Springfield or Hackney Downs, and in fact cannot really be described as a 'park' in the usual sense. It is a **sheltered, densely wooded and often very empty place, with limited visibility, many quiet corners and narrow, isolated paths.** There are only two entrances, and once inside, visitors frequently have difficulty locating the exits.
- Our survey data confirms the likely effect of the off-lead ban will be a decrease in the steady, civilising population of dog walkers on Abney Park's pathways. The percentages we have obtained show it is very likely that **both absolute usage of Abney Park, and walk duration, would drop.**
- In the absence of people walking dogs, our data indicates that Abney Park will become almost deserted for much of the time. This will have safety implications for solo walkers and runners in Abney Park, **particularly for women.**
- **These are significant issues of safety for lone women in particular.** Our gate watch data shows that lone women visiting with pre-schoolers, jogging, or walking dogs, can be over 50% of Abney Park's users at times.¹⁶

Survey Snapshot: Example sentiment of one of our respondents:

"It would make Abney less safe due to reduction in human traffic. Drug and homeless activity would increase".

¹⁶ We note that In the Council's own 2018 survey, 26.7 of respondents said they felt unsafe in Abney Park.

From the Abney Park Dogs Users Group

- Concern over safety is something that has been **repeatedly** commented upon to us, including by female runners who do not have dogs. We would describe this as **the number one concern about the wider impact of the ban**. Even a small reduction in the number of people walking dogs will quickly impact the density of people in Abney Park, and reduce the ‘dog walker round every corner’ factor which is so crucial for perceptions of safety.
- Not so long ago, Abney Park was considered by many people to be a ‘no go’ area, well known for drug-taking and other illegal and anti-social activities, including several extremely serious sexual assaults. We believe that an unintended consequence of the ban would, over a period of time, be a reversion to that, and that Abney Park will no longer be considered a safe place to visit, particularly for women.

106. In view of the above, the ban would have an unjustified, disproportionate effect on women, and is therefore indirectly discriminatory (a further legal concern). **The council should be standing up for women**, as it does in so many other facets of policy-making; it should not be introducing measures that will make women (but also, for example, the elderly) feel less safe in a valued public space. This is a **significant oversight in the Equality Impact Assessment (EIA) prepared for this consultation**, which asserts that the PSPO will have no detrimental effect on anyone with any protected characteristic including sex. That statement is wrong, and we consider, unlawfully wrong.

107. Whilst commenting on the EIA, we note that the Council has assessed the impact of the PSPO upon people suffering social and economic deprivation as “*unclear*”; it states that such people “*may have limited access to private transport [which] may restrict the ability to travel further to exercise a dog. It may be that this group may lack the ability to meet the needs of dogs...*”. The impact on the elderly is assessed as negative in relation to “*restraining a dog on its lead or having to travel further to exercise their dog or by vehicle*” (and positive in relation to other aspects).

108. It is not known what, if any, surveys or monitoring the Council have conducted to ascertain how many people in these and other categories will be adversely affected by the Abney Park ban. **The conclusions stated in relation to those other groups appear to be entirely suppositional and not evidence based**. However what **is** clear is that the **Council has quite simply misjudged the impact of the off-lead ban upon women**; the EIA is seriously deficient in its assessment of the gender-equality effects of the ban.

109. It is important to reiterate that among the Abney Park users we surveyed, the substantial majority of those without dogs were **still against the off-lead ban**. The Council needs to listen to those voices: people without dogs share our concerns **about the unintended consequences of the off-lead ban**:

From the Abney Park Dogs Users Group

- *Survey Snapshot: 58% of those who visit Abney without dogs are either against the ban or happy with the status quo*

We invite councillors to ask critically:

- has the Council considered the impact on other parks in Hackney and whether these are acceptable alternatives?
- does the Council's assessment of the impact of the Abney Park ban adequately address the likely effect if it upon all sectors of the community, particularly those who are disadvantaged?
- has the Council made any assessment of the safety implications of fewer people using Abney Park having regard to safety issues, specifically combatting violence against women and anti-social behaviour?

IN CONCLUSION

110. We restate here the central arguments which we have presented and justified:

- There is **no evidence at all of problems with anti-social behaviour by dogs in Abney Park**. This has been confirmed by FOI responses from the Council and the Met Police.
- There is **no evidence or justification** for banning dogs off-lead by reference to Abney's status as a **historical site**. It has been an established dog walking area for decades without problems. **Nothing has changed**.
- Similarly, there is no **evidence or justification** for banning dogs off-lead by reference to **ecological or conservation arguments**. Abney has been a nature reserve for decades. **Nothing has changed**.

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- **Abney Park Trust's response** to the consultation, which the Council largely adopted mid-way through the consultation period, is a **misleading and untenable document**. It is alarmist, irrelevant and has damaged local community relations. We will systematically explain its flaws in detail below.
- Because the proposed Abney measure within the PSPO has no basis or justification, **the Council would be acting unlawfully**, in excess of its powers, if it introduces the ban.
- Further, the use of anti-social behaviour legislation for the purported protection of wildlife or ecology would be a fundamental mistake and a **misapplication of the legislation**. **There is no legal precedent for it**.
- That issue is compounded by the **multiple failures of council officers** to follow, or even acknowledge, **applicable legal guidance** governing the process that should precede any potential PSPO.
- **Procedurally, the PSPO consultation has been defective**. Serious flaws include a shifting justification inadequate publicity; conflicting communications from councillors and officers; and an unfairly biased online consultation tool.
- Our survey evidence demonstrates that **the Abney ban would have harmful unintended consequences for Abney, for other local spaces, and for Hackney residents**, whilst achieving no benefits to weigh against this damage.
- Key harms would be (i) an influx of **additional dogs to Clissold Park**, which is already a crowded space; and (ii) **making Abney less safe, particularly for women**. **The effect of the Abney PSPO would be indirectly discriminatory**.

111. As we stated at the outset of this document, we accept that it is sometimes necessary to have measures in place to control dogs in public places. We welcome the proposal in the PSPO for the **borough-wide dog fouling prohibition**, and we hope that the Council puts in appropriate measures to enforce this.

112. We are also fully supportive of the proposed **borough-wide dogs on lead direction** where dogs appear to be out of control. In its response to Hackney's consultation, the Kennel Club states that it:

“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 control, whilst simultaneously giving the local authority powers to restrict dogs not under control.”

13th December 2023

From the Abney Park Dogs Users Group

113. We believe that these new powers (together with a proper enforcement of existing powers) will meet any perceived concerns about dog behaviour in Abney Park without the need for an off lead ban, and will prove a sensible compromise that all parties will find acceptable. This will be reassuring to those who have concerns about dog behaviour in Abney Park, whether or not this is justified, and will allow the law-abiding majority of responsible dog owners to continue to use Abney Park, and help preserve it for future generations to enjoy.

The Abney Park Dogs Users Group

13th December 2023

**ABNEY PARK
USERS PSPO
QUESTIONNAIRE**

Summary of Findings

30 November 2023



Executive Summary

The overwhelming response to Hackney's PSPO proposal that dogs must be on leads in Abney is negative. The total respondents and 96% of dog owners oppose the ban.

58% of those who visit Abney without dogs are either against the ban or happy with the status quo.

The reasons why the ban is opposed are clear – it is a disproportionate response with a lack of evidence, irresponsible dog owners are the issue (not dogs off leads) and people are worried about the impact on

72% of dog owners would go to Clissold Park instead, 24 % to Springfield, and 56% would use their cars further afield like Epping if the ban is approved.

95% had heard about the PSPO but importantly, word-of-mouth is 3 x greater than any Hackney publicist

Dog fouling on the streets is the single overwhelming issue (38% of all respondents have personally witnessed it). Abney is notable for having the least anti-social behaviors by dogs on all counts (versus the streets of parks).

Of the 12 respondents with relatives buried in AP over 70% also oppose the ban of dogs off leads.

Most worrying, those who have been persuaded have been done so by ill-informed or lack of evidenced arguments

Objectives of the Survey

- To establish a better understanding of Abney Park's user profile, user patterns, attitudes and opinions of the park.
- To assess opinions regarding the proposed PSPO by user groups.
- To gather data on witnessed anti-social behaviour by dogs or dog owners in Abney, Clissold, Springfield and Hackney streets.
- To evaluate the likely impact of the dogs on leads ban on Abney and other green spaces.

Sample & Methodology

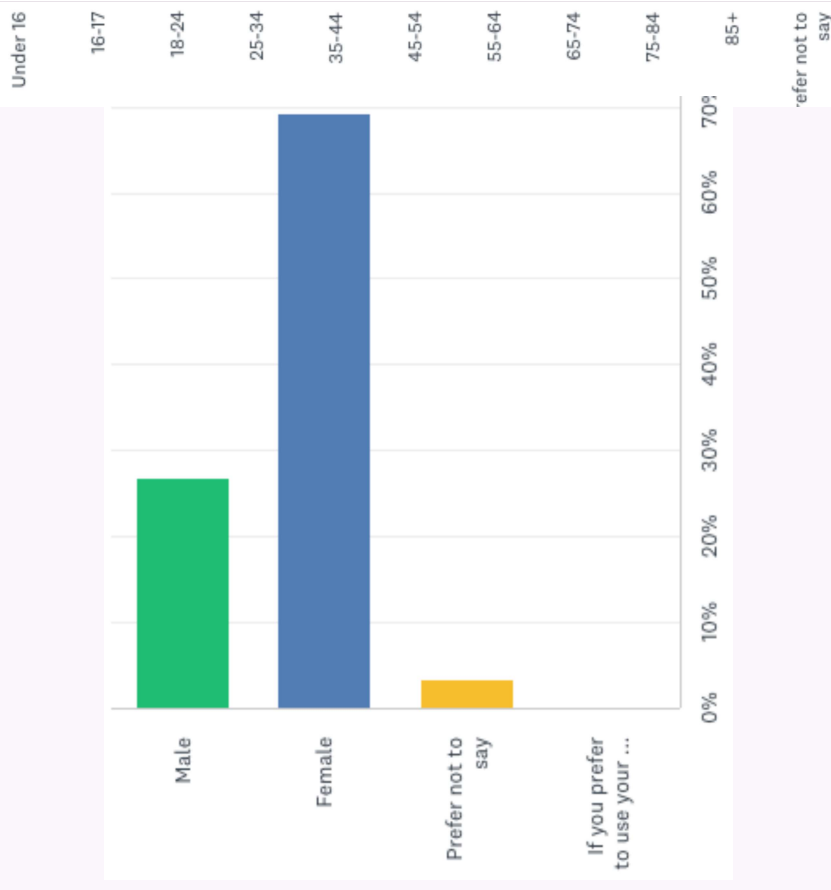
This was an on-line quantitative research study conducted with Survey Monkey

Fieldwork was conducted between 9 October & end November 2023

Total sample: 429 completed responses

- 80% were residents of N16
- 9% were residents of another part of Hackney
- 7% were residents of Islington
- 49% were dog owners
- 12% were parents of primary or pre-school kids
- 2.5% were relatives of someone buried in Abney
- 4.5% were visitors to the area
- Under 0.5% were Abney Trust members

NB. This sample would appear to be very representative of Abney's users. (Our Gate Watching data indicated 53% were walking dogs on average)



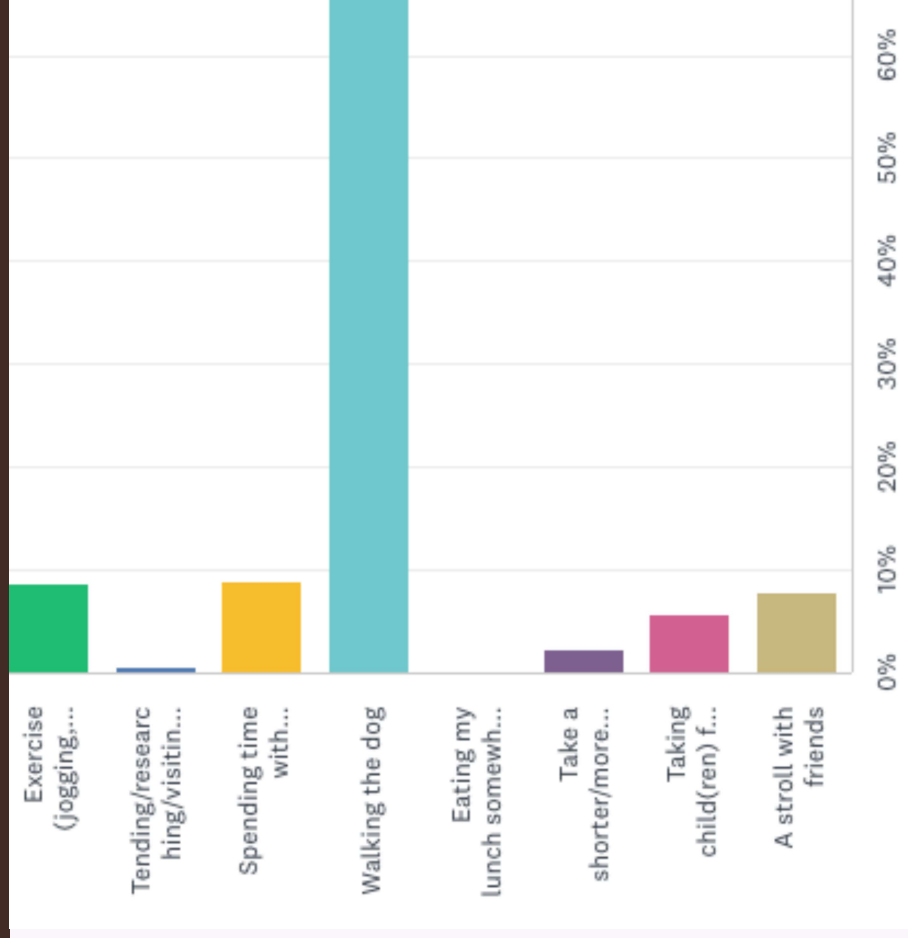
KEY FINDINGS

Analysis approach

We have reported on the total sample (429 respondents) but also compared the data by 2 key cohorts:

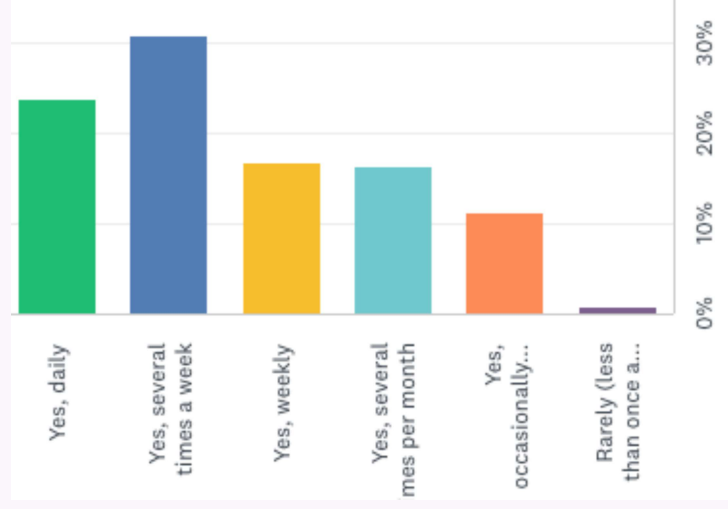
- The 49% of dog owners plus those who claim they walk in APV a dog bringing the total to 66% of respondents (thus likely to pre-disposed to be anti the proposed ban)
- Those who neither own a dog, nor walk with a dog.

66% of respondents go to AP to walk the dog – 17% more than just dog owners suggesting an important community wellness issue

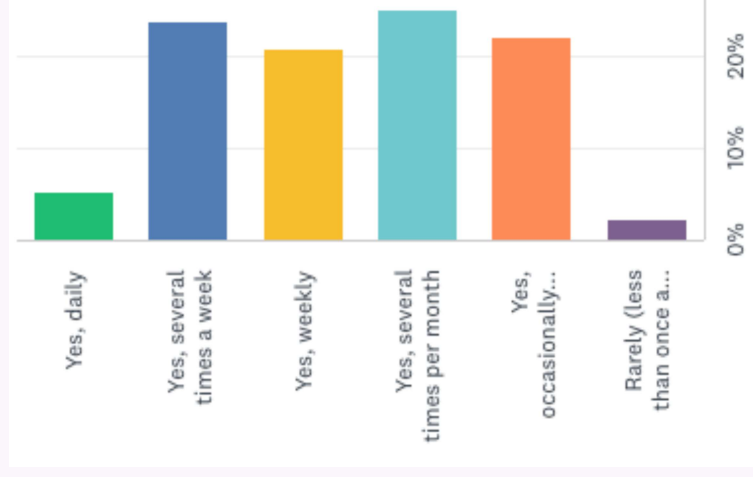


Question: What is your MAIN reason for visiting Abney Park?

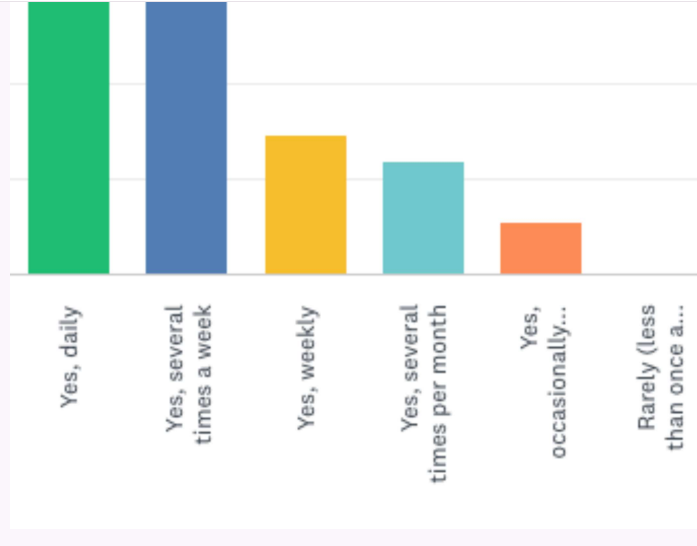
Unsurprisingly, dog owners & their accompanied friends come to AP significantly more often (67% daily and several times a week)



Total Sample



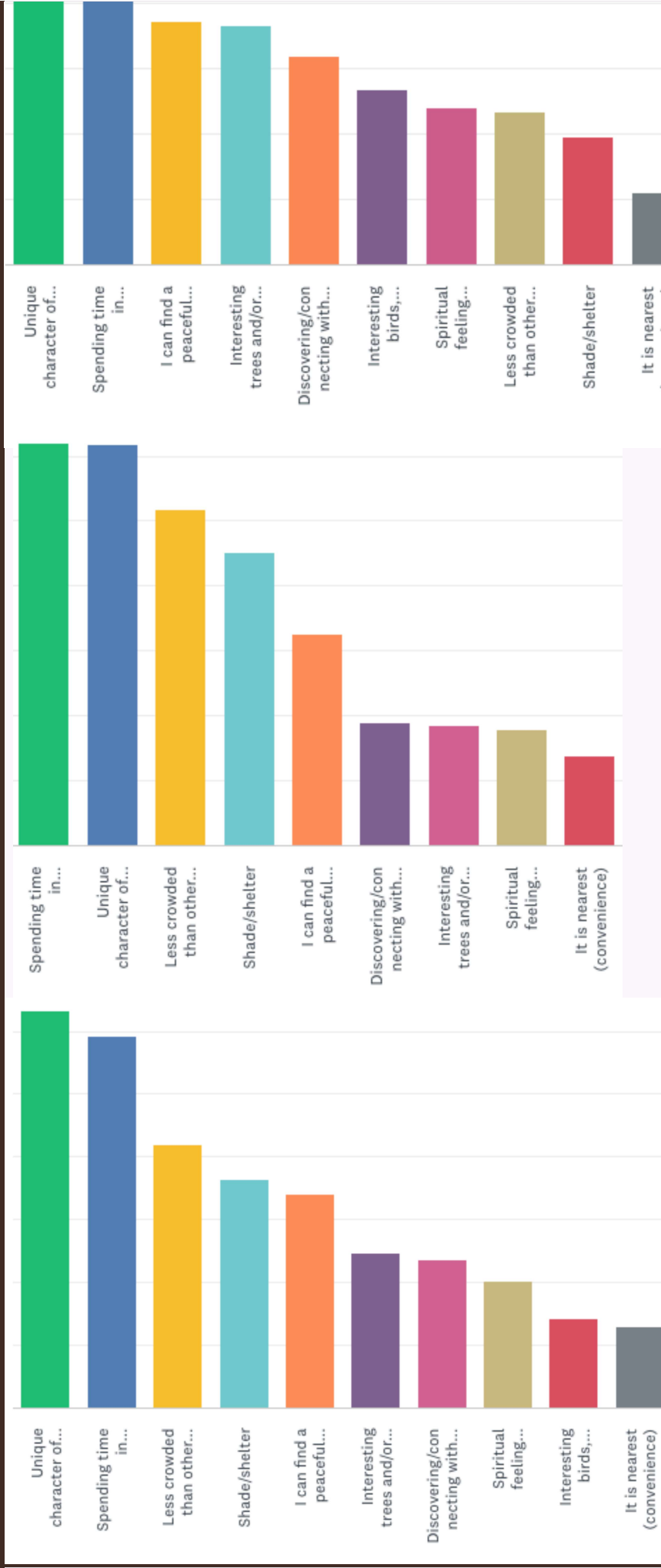
Visitors without dogs



Dog owners & friends

Question: Are you a regular user of Abney Park?

Marginal differences in what the users value (non are statistically significant). They all really love AP for its unique, natural character



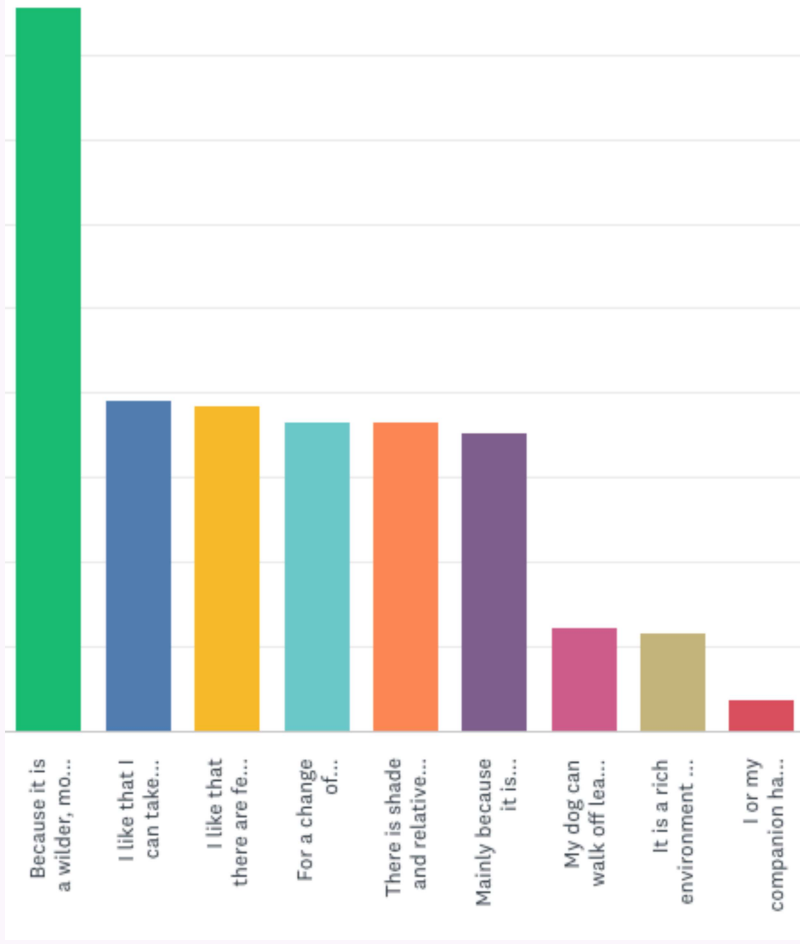
Total Sample

Visitors without dogs

Dog owners & friends

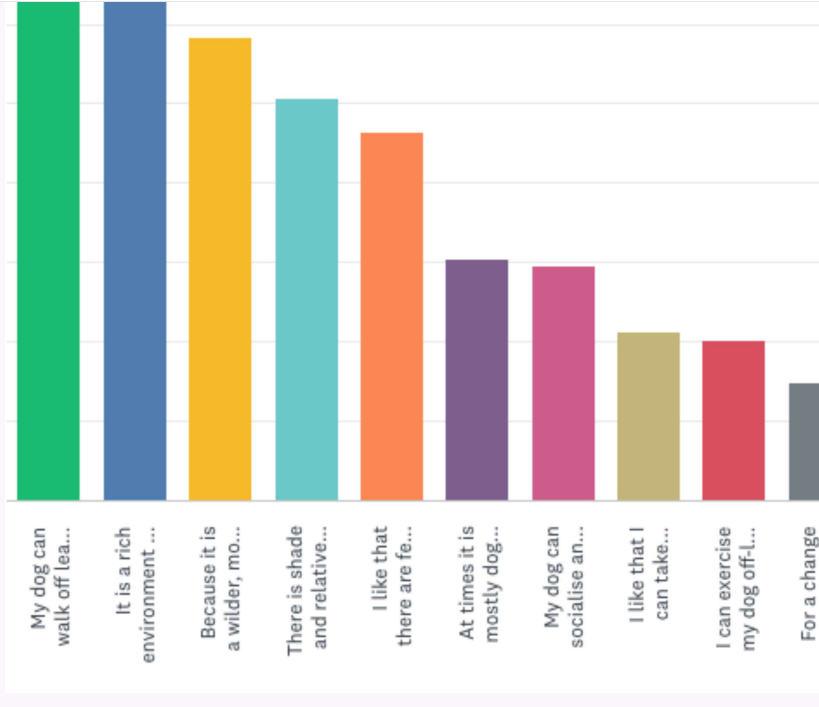
Question: Setting aside the dogs on/off lead question for now, what do you particularly value about Abney Park? (please tick up to 4)

Compared to other spaces, it is clear that all respondents are unique in seeing AP as unique. Marginal differences, as expected, in dog owners prioritizing their love of AP for their dogs.



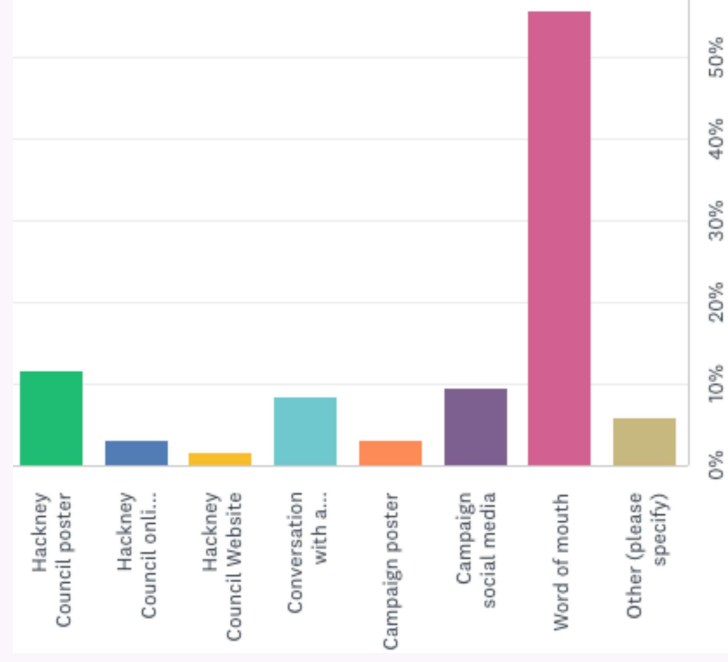
Visitors without dogs

Question: Can you tell us more about why do you choose to visit Abney on a given day, rather than another local space? Select up to five that are the most important.



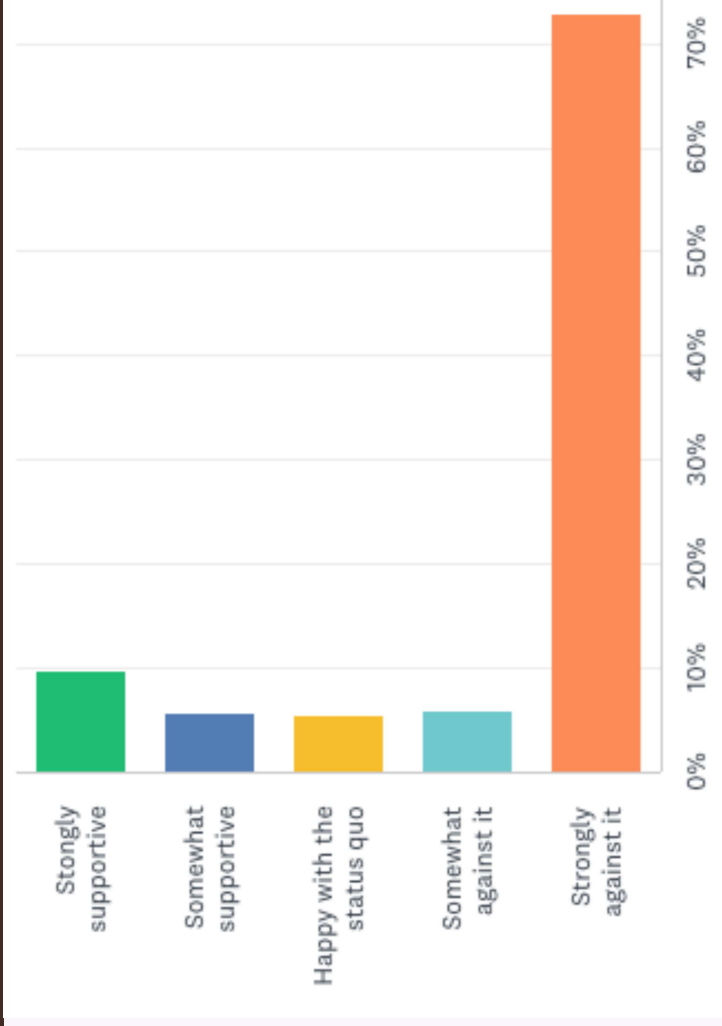
Dog owners & friends

95% had heard about the PSPO but this goes down to 87% of those who visit AP for dog walking reasons. But importantly, word-of-mouth publicity is greater than any Hackney publicity.



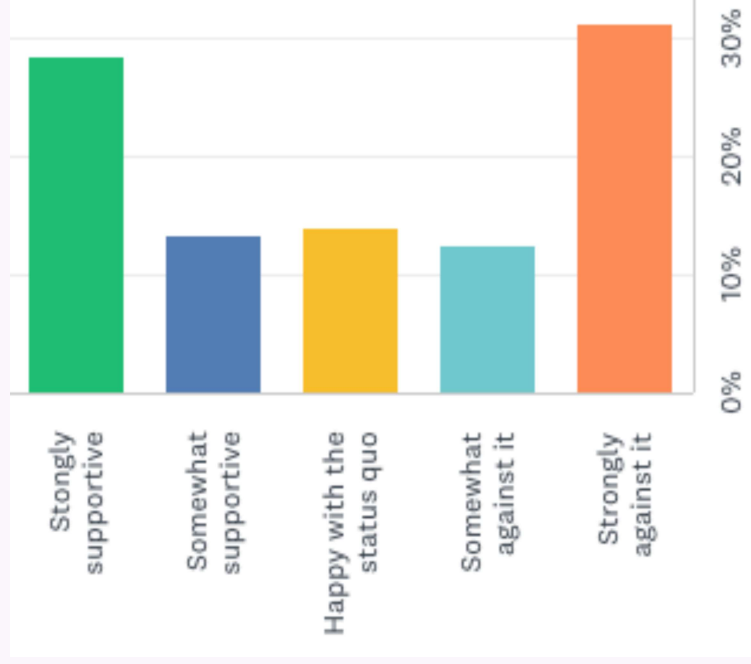
Question: Have you heard about Hackney Council's proposed Public Space Protection Order aiming to ban dogs off-lead in Abney from March 2024? If yes, how did you first hear about this?

The overwhelming response to Hackney's PSPO proposal that dogs must be on leads in Abney is negative. 79% of the total population and 96% of dog owners oppose the ban.



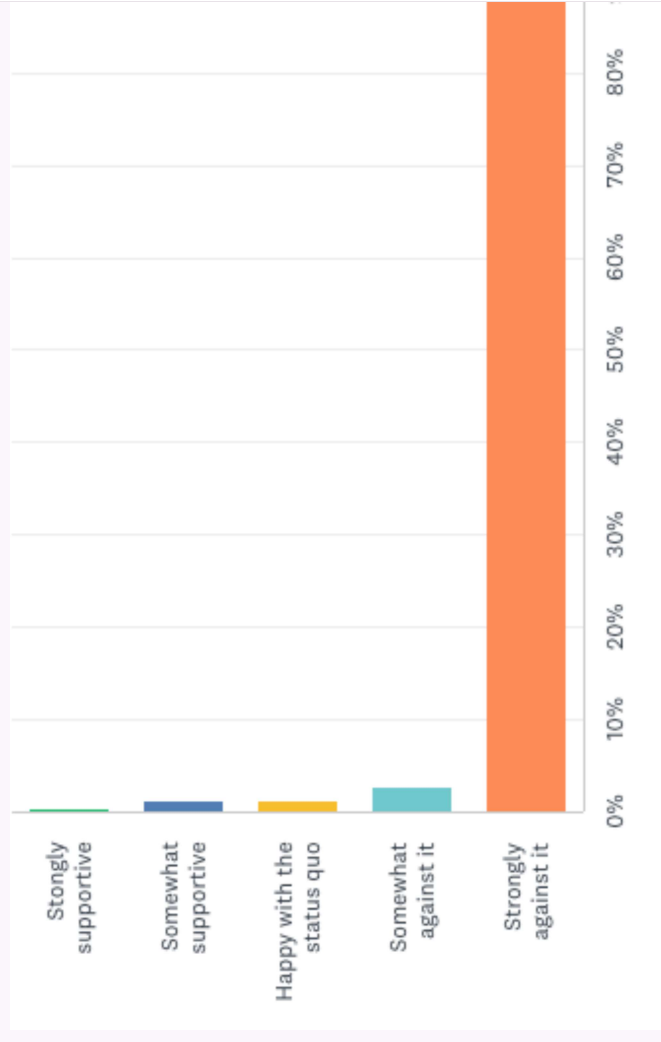
Question: Hackney's published reasoning is: "The proposal to keep dogs on leads in Abney aligns with the existing regulations for churchyards and is motivated by a desire to preserve both its historical significance and ecological importance." If the person in charge of a dog fails to comply with the requirements of an order, they will be issued with a £100 Fixed Penalty Notice and taken to court if the fine is not paid within the specified time period. **would you describe your feelings about the proposal that dogs must be on leads at all times in Abney?**

58% of those who visit Abney without dogs are either against the ban or happy with the status quo.



Visitors without dogs

Question: How would you describe your feelings about the proposal that dogs must be on leads at all times in Abney?



Dog owners & friends

Sentiments of the supporters of the ban (15 of respondents)

“Dogs are dangerous and unpleasant animals. They cause pollution and harm wildlife. There should be plenty of green spaces in Hackney where dogs are banned. The on leash proposal for Abney is a step in the right direction”.

“Sick of so many dogs _ barking, dog shit all over the place. I grew up with 3 dogs in the countryside now the locality is overrun with dogs. I have personally seen a dog terrify a song thrush. Anybody who knows anything about wildlife & birds, knows that dogs frighten birds & can disturb them from nest bringing up a vulnerable brood. It is not supposed to be a dog walk circuit. It is supposed to be a haven of peace for the departed & those who mourn them & one of the few woodland areas left in Hackney which can act as a protected area for rare fungi, trees, plants and birds”.

“I fully support the Council making dogs on lead rules and wish they would do it in every space and prioritize people over dogs”.

Sentiments of those against the ban (96% of dog owners, 79% of all respondents)

“The fact this is coinciding with the opening of the party venue in Abney makes me feel this proposed ban has other underlying motivations. The vast majority of people I see in Abney are dog owners and I have never seen any dog aggression etc”.

“This has come about very out of the blue and the reasons given are very weak. Protecting wildlife and caring for graves could be better managed in other ways - this seems like a lazy 'solution' that blames dogs with no evidence”.

“I am not a dog owner but believe it is not a problem for dogs to be off lead and they need the exercise and freedom. This is a non problem”.

“I am unclear why this has been introduced now and the explanations for the changes are unconvincing when there has been freedom for dogs to be off lead for so many years. The change if implemented would fundamentally change the nature of Abney, making it less welcoming and less safe”.

“It would make Abney less safe due to reduction in human traffic. Drug and homeless activity would increase”.

Most worrying, those who have been persuaded have been done so by ill-informed or lack of evidenced arguments

“I’ve spoken to a dog-trainer about this and they assured me that dogs needing to be on off leads for socialisation is a fallacy”.

“If Hackney Council has determined that dogs off lead are disrupting that nature respect that view. I'd certainly put the needs of our very precious creatures (bird small mammals) over the needs of dogs, of which there's an ecology-distorting overabundance”.

The reasons why the ban is opposed are clear – it is a disproportionate response with a lack of evidence, irresponsible dog owners are the issue (dogs off leads) and people are worried about the impact on Clissold.

▼ The reduction in quality of life for responsible owners and their dogs is out of all proportion to any evidenced issue	72.
▼ The problem Hackney-wide is irresponsible dog owners not dogs off lead in Abney	50.
▼ A ban would force all off-lead activity to other parks e.g. Clissold where people who dislike dogs, and stressors for my dog, are more common	49.
▼ Clissold or Springfield are poor alternatives in summer due to lack of shade and overcrowding	41.
▼ A ban would reduce the quality/quantity of exercise I can give my dog and so affect animal welfare	33.
▼ Hackney Council could achieve what they say they want by policing powers they already have	25.
▼ Dogs on lead can find it hard to avoid stressful situations and this can increase conflict	15.
▼ Other (please specify)	Responses 4.5

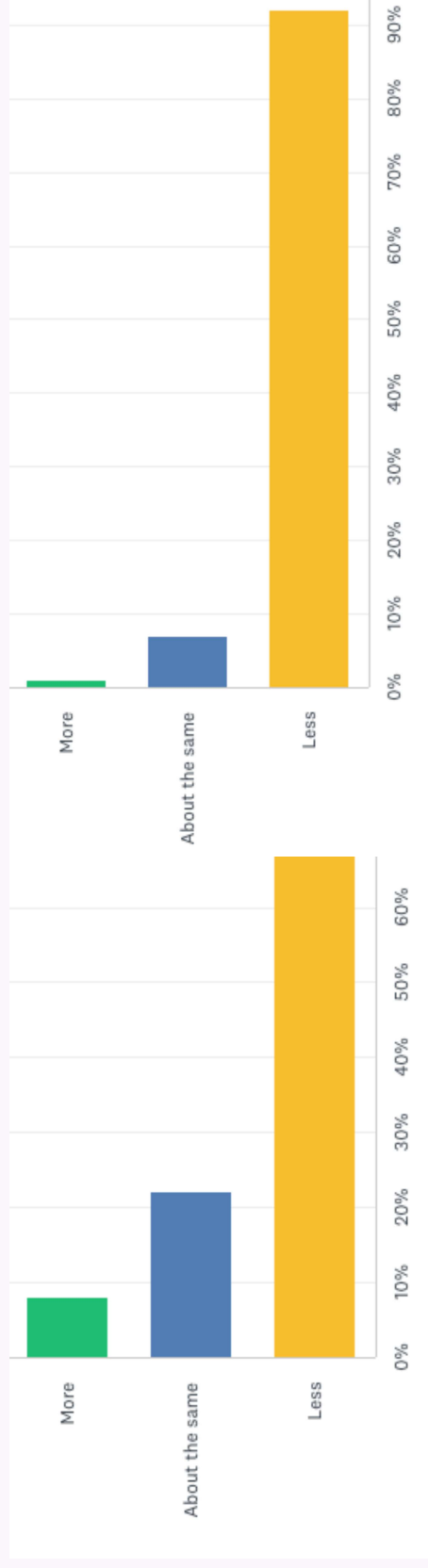
Question: Tell us more (tick all that apply)

Dog fouling on the streets is the single overwhelming issue (38% of all respondents have personally witnessed it). Abney is notable for having least anti-social behaviors by dogs on all counts.

	On Street	Abney	Other Parks
▶ Dog poo not picked up	38	8	23
▶ Dog on dog attack (leading to an injury)	0.3	0.9	0.9
▶ Dog on person attack (leading to an injury)	0.3	0	0.5
▶ Dogs causing actual physical damage to property (digging/chewing etc)	0.9	1.3	4.6
▶ Dogs causing actual damage or injury to wildlife (destroying plants/catching or killing)	1.5	1.3	1.4

Question: Finally, have you ever personally witnessed any of the following anti-social behavior by dogs or their owners?

The likely impact on visits to Abney of the ban is very significant (92% of dog owners & friends will visit less often)



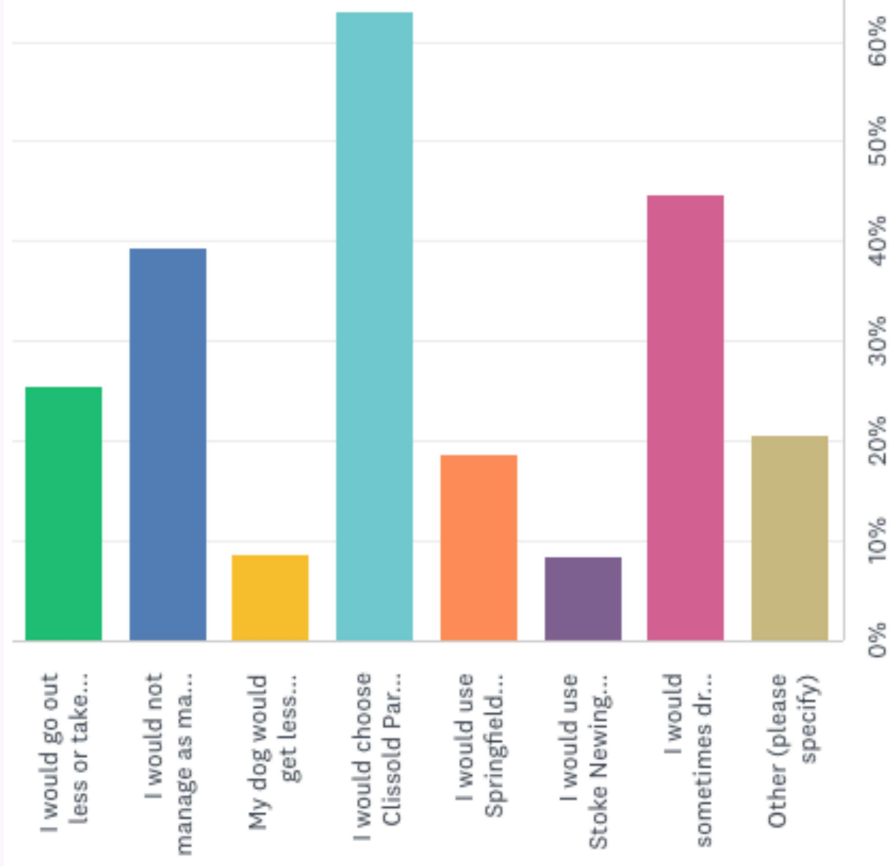
Total Sample

Dog owners & friends

Visitors with...

Question: If Hackney Council bans dogs off lead in Abney, will you personally use Abney Park more or less?

Clissold Park will be the key recipient of the dogs needing a new space to have dogs off leads



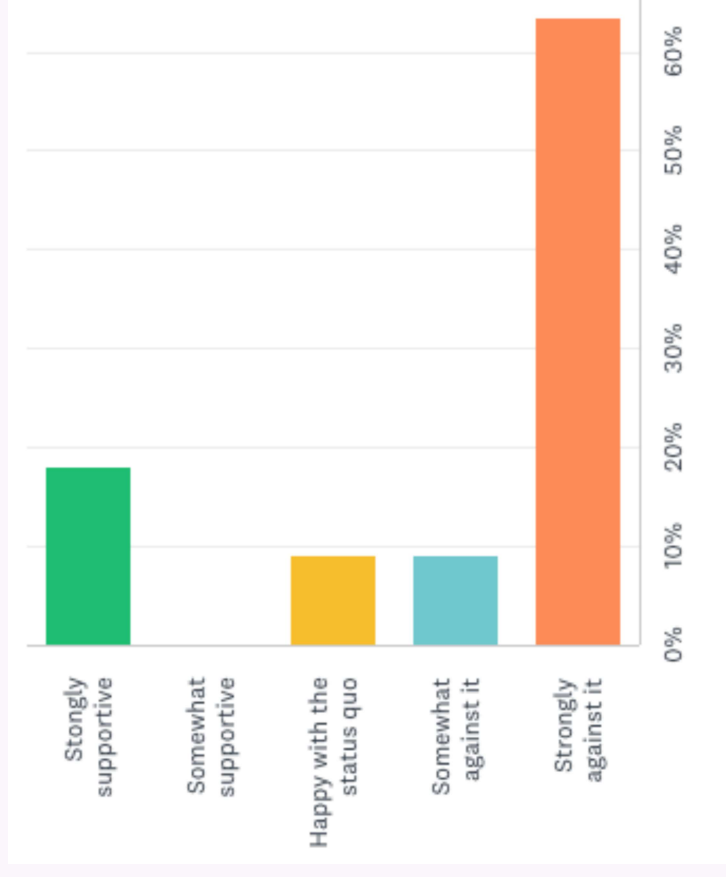
Question: Tell us more (tick all that apply)

**72% of dog owners would go to Clissold Park, 24 % to Springfield
56% would use their cars to go further like Epping**

- ▼ I would go out less or take shorter walks as the walks would be lower quality
- ▼ I would not manage as many off lead walks as I could not often walk to another suitable park in the time I have available
- ▼ My dog would get less exercise as my mobility issues force me to continue to use Abney but they could not be off lead
- ▼ I would choose Clissold Park more frequently for off-lead exercise of my dog
- ▼ I would use Springfield Park more frequently for off-lead exercise of my dog
- ▼ I would use Stoke Newington Common more frequently for off-lead exercise of my dog
- ▼ I would sometimes drive to e.g. Epping or Highgate to replicate the off-lead experience I have lost

Question: Tell us more (tick all that apply)

Over 70% of relatives of someone buried in AP also oppose the ban



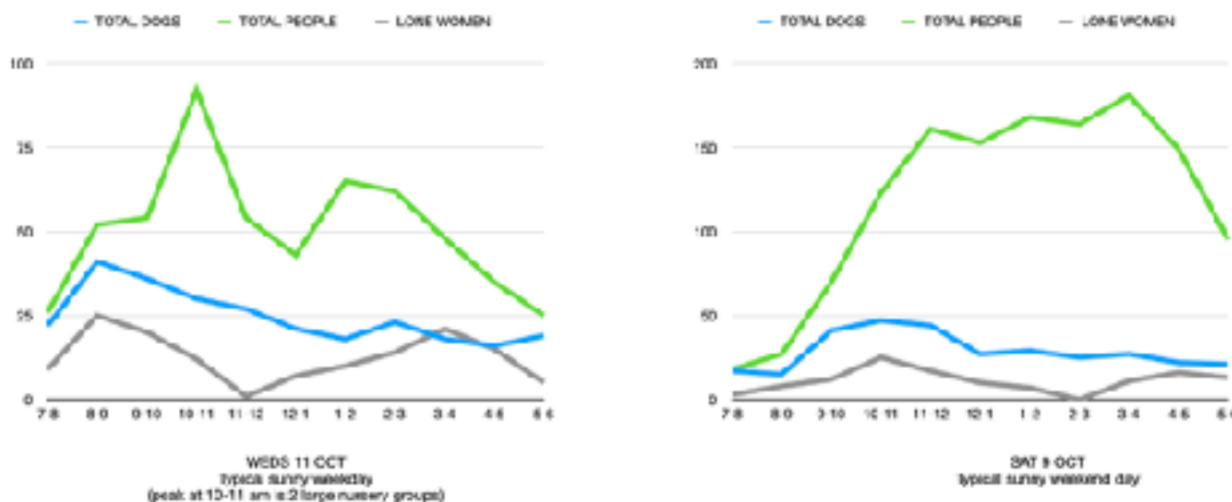
Question: How would you describe your feelings about the proposal that dogs must be on leads at all times in Abney?

We observed the Church Street Gate for two complete days to gauge usage, and to contrast a weekend day with a weekday. Saturday 7th October was sunny, warm and dry all day. Wednesday 11th was similar, growing more overcast, with drizzle from late afternoon. These days were typical of current usage with one gate open, in good weather - at the busier end of the spectrum.

Observers used a record sheet to note down the entry time of every group entering Abney. They recorded group size (no. of humans, dogs, young children), and whether the group had a buggy, bike/scooter, or constituted a jogger or a lone female. Distinctive dogs or clothing were noted so as to recognise a proportion of users on exit. About one third of exit times were captured, allowing us to estimate visit duration.

Date	Total groups	% groups with dog	Total dogs	Average Dog walk length (min)	Total humans	Average non-dog walk length	% lone females
Saturday	773	36.4	315	25.6	1309	19.6	15.8
Wednesday	428	53	271	24.2	556	19.7	32.5

DATA MAPPED BY HOUR



OBSERVATIONS

- People without dogs greatly outnumber dogs, by a factor of 3 at weekends. Dogs usually come with one person; people visit with friends or family in groups of, usually, 2-6 for a stroll or picnic (a noticeable proportion entering with coffee, ice cream or takeout bag). These visits start in earnest from around 10.30-11am*.
- Absolute dog numbers are fairly consistent between weekends and weekdays (approx 300, give or take). There is a morning peak (40-45 dogs per hour) and then the level settles at around 20-25 per hour for the rest of the day. Given lower numbers of visitors without dogs midweek, the proportion of groups entering with a dog rises from over one third at weekends to over half midweek.
- Average walk durations are very consistent between weekends and weekdays, with dog walkers visiting on average for almost 25 minutes, and those without dogs visiting on average for almost 20.**
- Lone females represent a significant proportion of park users, predominantly walking their dog, bringing pre-schoolers to visit, or as joggers. At one point we show there were more lone women in Abney than dogs, and they can be over half the park’s users in the mornings.†

CONCLUSIONS/ANALYSIS

- We note that the dog walking peak does not coincide with the leisure visitor peak. This suggests that dog walkers seek out quieter times and that the majority of dog usage is unlikely to generate conflict.
- Circumstantially, observations support dog walkers’ experience of ongoing human antisocial usage of Abney as a toilet or for sexual activity, with lone males visiting at times and for durations that seem consistent with these behaviours.
- Preliminary analysis of visits-per-hour combined with visit durations suggests that at peak dog times, there are about 20-23 dogs in Abney’s 31 acres. For most of the week, there are up to around 10-12 dogs in Abney at any one time, a

consistent low-level presence which contributes to the 'dog walker just around the corner' atmosphere commented on by numerous lone females as relevant to their feelings of safety in the space.

- A small reduction in average dog walk duration or number of dog walkers (if displaced to other parks) would evidently impact this atmosphere. Lone females (jogging/visiting with children) and nursery users represent significant groups using Abney who would likely be among the first to change their visit habits if their feelings of security were affected by a rise in human antisocial behaviour.
- On a sunny weekend afternoon there will be over 50 leisure visitors at any one time (170-180 per hour) resulting in a peak of litter bin usage that does not seemingly coincide with the council's servicing of Abney. This contributes to rat and fox populations with knock on predation risk for small birds, invertebrates and small mammals.

FOOTNOTES

* Visitation will change when the High St gate re-opens, likely to lead to significant usage as a cut-through between High St and Church St, and altered patterns for both dog and non-dog visits. The current single-gate scenario offers a 'control' dataset evidencing baseline dog usage and 'See you in Stokey' type leisure usage with a high level of confidence.

** Observers typically worked in one-hour shifts with a few longer shifts or overlaps. While a significant quantity (over 1/3) of exit times were captured, this pattern likely under-counted the small proportion of visits over one hour in length and so average durations may in reality be slightly longer.

✦ For two observation slots, lone females were not counted. This means that lone females were definitely UNDER counted in this analysis.



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