

**REPORT TO THE CABINET
19 FEBRUARY 2013**

Cabinet Member: Councillor W. Gareth Roberts
Subject: Dog Control Order
Contact Officer: Aled Davies, Head of Regulatory Department

The decision sought / purpose of the report

1. That the Council adopts a Dog Control Order for Gwynedd on grounds of the draft submitted in Appendix 4. This is deemed to be a necessary and proportionate step in response to the problems caused by dogs and to address the wishes of Gwynedd residents for the Council to lead on responding to this issue.
2. That the penalty levels for the offences included in the Order are set at £100 for every offence committed for the first two years to be discounted to £60 if the penalty is paid within 10 days.
3. To delegate the right to make minor amendments to the boundaries of the dog exclusion zones and to the wording of the associated documents of the Dog Control Order, to the Head of Regulatory Department in consultation with the Head of Democracy and Legal Department and the Cabinet Member for Environment in order to facilitate the process of establishing the order.

Local member's views

Not a local matter.

1. BACKGROUND

- 1.1 The existing dog control bylaws in force in Gwynedd are designated under the Dog (Fouling of Land) Act 1996. This act has already been abolished and although the local legislation which is based on it continues to be in force, its scope and penalty levels have been set under the former legislation; therefore, the Council cannot change them without preparing and adopting new orders.
- 1.2 The powers that involve excluding dogs from beaches in Gwynedd are inconsistent and need to be reviewed so that the operating officers have effective powers to police the entire area with a consistent approach. The weaknesses of this aspect are regularly expressed as a concern by town and community councils and by local residents.
- 1.3 There are no existing powers in Gwynedd to exclude dogs from entering land where there are Council owned children's facilities, such as the 129 playing fields, the 26 recreational sites and all school land. In addition, the community/town councils, Cartrefi Cymunedol Gwynedd and other external bodies own a large number of children's facilities and recreational land and concerns are expressed regularly in relation to policing these areas in respect of dog control.

Suggested Direction

- 1.4 Following the information gathering work on the nature of the problems faced in Gwynedd and the work of analysing the response received to the public consultation; it is recommended that the Council adopts the Dog Control Order for Gwynedd on the grounds of it being a necessary and proportionate step in response to the problems caused by dogs and to address the wishes of Gwynedd residents for the Council to lead on responding to this issue.
- 1.5 The Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 provide for five offences which may be prescribed in a dog control order:
 - a) failing to remove dog faeces;
 - b) not keeping a dog on a lead;
 - c) not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
 - ch) permitting a dog to enter land from which dogs are excluded;
 - d) taking more than a specified number of dogs onto land.
- 1.6 It is recommended that Gwynedd Council adopts an order that deals with offences a), c) and ch) from the above list.
- 1.7 That the prospective Order would provide for excluding dogs from recreational lands, children's playing fields and the lands of the County's schools.
- 1.8 The Order would provide for excluding dogs from zones on specific beaches for the period 1 April – 30 September every year.
- 1.9 The Council will not establish new dog exclusion zones on Penllech beach or on Borth y Gest beach.
- 1.10 It is recommended that the dog exclusion zone boundaries on Aberdaron beach are revised and are based on the area where dogs have been excluded over recent years for practical reasons.
- 1.11 It is recommended that the penalty levels for the first two years be fixed at £100 for every offence committed, which is to be discounted to £60 provided the penalty is paid within 10 days.
- 1.12 To facilitate the process of establishing the order, it is recommended to delegate the right to make minor amendments to the boundaries of the dog exclusion zones and to the wording of the associated documents of the Dog Control Order, to the Head of Regulatory Department in consultation with the Head of Democracy and Legal Department and the Cabinet Member for Environment.
- 1.13 With their introduction, these dog control orders will supersede the former dog control bylaws system and the Dogs (Fouling of Land) Act 1996. An order responding to a) and c) would apply to all lands that lie within the Council's administrative area and which are open to the air and to which the public is entitled to have access. An order that applies to ch) would be in respect of specific land identified in the formal order.

Reasons for recommending the decision

- 1.14 The results of the Gwynedd Citizens' Panel environment survey show that dog fouling is the greatest concern of all environmental issues in the communities of Gwynedd. There was very strong support of penalising people who allow their dogs to foul in public areas. There is further evidence from the consultation on Dog Control Orders to endorse the public health arguments and in relation to antisocial behaviour. All in all, it is considered that there is sufficient evidence to justify adopting the Dog Control Order in Gwynedd.
- 1.15 In relation to failing to remove dog faeces, adopting a new Order would enable the Council to enforce the offence on all open land within the Council's administrative area to which the public is entitled to have access. The advantage of this would be to enable the Council to target problematic areas that are currently beyond the scope of existing powers. However, it must be borne in mind that the majority of problems continue to occur in populated areas and that enforcement resources would have to be targeted proportionately.
- 1.16 The consultation also confirms that the public's opinion tallies with the evidence the Council has obtained regarding the need to exclude dogs from children's play areas, from education establishment land and from recreational land in the Gwynedd Dog Control Order.
- 1.17 Recent experience confirms that a number of irresponsible owners use children's playing fields, school land and recreational land as "dog toilets" on a daily basis. A new Order would facilitate the Council's attempts to enforce its powers more effectively and to attempt to reduce risks to public health, and in the long run to seek to achieve the aim of changing the behaviour of the small percentage of dog owners who contribute to creating the problem in the first place.
- 1.18 A new order would also create opportunities to delegate or to devolve enforcement powers to external bodies, town/community councils so that they can make a direct contribution to dealing with the problem where appropriate. In addition, the new powers would enable authorities to make use of volunteers to assist with the work.
- 1.19 The benefits that derive from implementing dog control orders across Gwynedd are as follows:
- a) An opportunity to transform current bylaws relating to dog control issues across Gwynedd and to introduce new regulations under the provision of the Clean Neighbourhoods and Environment Act 2005.
 - b) An opportunity to extend a number of the areas where dog control legislation can be applied.
 - c) The publicity generated by introducing the dog control orders should send a clear message to dog owners regarding what behaviour can and cannot be permitted.
 - ch) Safer and cleaner bathing areas on some beaches
 - d) Clean streets

- dd) Promote responsible behaviour amongst dog owners
- e) An opportunity to exclude dogs from children's facilities such as playing and recreational fields.
- f) The flexibility to review penalty levels that are currently fixed under bylaws.

1.20 Adopting the Dog Control Order and enforcing it would be intertwined with attempts to educate and raise awareness by seeking to change the attitudes of dog owners who behave irresponsibly. Gwynedd Council considers that striking a balance between these elements is key if attempts to deliver the objective are to succeed. It is considered that modern communication techniques including social websites are key to delivering this effectively.

Relevant considerations

1.21 In the consultation, Gwynedd Council states clearly that it does not intend to designate areas where it would be required for dogs to be on leads. However, it is believed that there is justification to establish powers to instruct owners to keep their dog on a lead within the Dog Control Orders in Gwynedd. In the consultation, the majority of respondents support this proposal and the Kennel Club (Appendix 1) praises the Council for taking a practical approach to ensuring that dogs are controlled.

1.22 All of the dog exclusion zones are on beaches, apart from proposals for Penllech beach and Borth y Gest beach, which are based on the exclusion zones already in existence under the Dogs (Fouling of Land) Act 1996. Minor amendments have been made to some of the boundaries in order to facilitate practical management and effective enforcement especially in terms of clarifying the exclusions to the public; access to and from the beaches for dog owners and to ensure that the impact on Coastal Path users is not substantial.

1.23 It is believed that there is justification to establish dog exclusion zones on beaches, based on the exclusions that already exist. However, the consultation shows that there is no public support for establishing new dog exclusion zones on Penllech beach or on Borth y Gest beach. In the absence of this support, it is not considered that there is sufficient justification to establish new exclusion zones on Penllech beach or on Borth y Gest beach.

1.24 Another element that was addressed in the consultation was the Council's proposals to reconcile the dog exclusion periods on beaches across the entire county to a period between 1 April and 30 September every year. The majority of respondents support this. The tourism industry is very important to the Gwynedd economy with the main season between the Easter holidays and the end of September. It is believed that reconciling the period of the exclusion on beaches offers clarity for those visiting the area and coincides with the period that residents and visitors, families mostly, use the beaches for leisure purposes. Establishing a fixed period between 1 April and 30 September every year offers assurance to the beach users in terms of the exclusions and is a clear message that an effort is being made to ensure that those sections of the beach that are subject to an exclusion offer them a clean and healthy environment.

- 1.25 A few responses were received from Tywyn noting the wish to extend the enforcement period of the dog exclusion zone on a permanent all-year basis as opposed to the 1 April – 30 September period each year. No response was received in support of the permanent exclusion of any other area.
- 1.26 Having a different approach at Tywyn would mean losing consistency across the county, however it is deemed that this would be an opportunity to learn from an alternative option and also to support the wish that was expressed locally. The observations of the Kennel Club (Appendix 1) refer in particular to the length of the exclusion period. They pose the fundamental question whether the Council's proposals for the 1 April to 30 September period are necessary and proportionate, let alone permanent exclusions.
- 1.27 One specific issue that was raised during the consultation was the proposed boundaries of the dog exclusion zone on Aberdaron beach. At the second consultation, a number of observations were received in support of setting the exclusion zone boundaries on Aberdaron beach in accordance with what Gwynedd has been enforcing over recent years, as opposed to the boundaries that were set in the original order. It is believed that there is a strong basis for formalising this amendment in the new Order.
- 1.28 One of the reasons as to why the extended consultation was held in respect of beaches was because strong response had been received in relation to the dog exclusion zones in the Abersoch area. It was noted that specific information was received from many of those who had responded negatively to the original proposals for the Abersoch areas, which stated that they were now satisfied with the amended proposals of extended consultation.

A Necessary and Proportionate Response

- 1.29 The guidelines note that an authority which is considering adopting a Dog Control Order must demonstrate that this is a necessary and proportionate response to the problems caused by dogs and by those who are in charge of them.
- 1.30 The authority needs to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs and to recognise the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under control and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions.
- 1.31 Additionally, authorities must consider how effectively a Dog Control Order could be enforced as failure to properly enforce the Order could undermine its effect. This is particularly the case for orders that exclude dogs completely from specific lands. It will be easier to enforce these in enclosed lands. However, orders should not be ruled out for unenclosed land where a special case for them can be made, for example to provide dog-free sections on beaches.
- 1.32 It is believed that the specific observations of the "Kennel Club" (Appendix 1) have been prepared within the context of the guidance criteria. These

observations are brought to the attention of the members when considering whether or not the Council's response is necessary and proportionate.

- 1.33 Based on the responses to the consultation along with the broader information available to the Council, including public health arguments and antisocial behaviour issues, it is believed that there is sufficient evidence and justification to establish a Dog Control Order in Gwynedd and that what the Council proposes is a necessary and proportionate response to these issues in Gwynedd.

PENALTIES

- 1.34 The Council's current penalty levels under the Dogs (Fouling of Land) Act 1996 are fixed on the maximum in Wales, namely £75 and should a case proceed to court, there is a maximum penalty of £1,000.
- 1.35 Under the Clean Neighbourhoods and Environment Act 2005, the penalty can be fixed between £75 and £150. The regulations permit a 'discount' if the lesser of the amounts is paid before the end of the prescribed time set by the authority e.g. 10 days. The minimum penalty that can be charged with a discount is £50. Should a case proceed to Court, the maximum penalty charge would remain at £1,000.
- 1.36 The guidelines of the Act allow for a number of options available to the Council. It must be borne in mind that not all people pay their penalties and that this percentage could increase should the penalty be very high. The penalty must provide sufficient encouragement to behave responsibly.
- 1.37 Based on the information to hand, and in order to strike a balance between a penalty that encourages responsible behaviour and also to get people to pay any penalties, it is recommended that the penalties for the first two years are fixed at £100 and £60 with a discount should the penalty be paid within 10 days. The maximum court penalty will remain at £1,000.

GENERAL

- 1.38 There will be a need to delegate the right to make minor amendments to the boundaries of the dog exclusion zones and to the wording of the associated documents of the Dog Control Order, to the Head of Regulatory Department in consultation with the Head of Democracy and Legal Department and the Cabinet Member for Environment in order to facilitate the process of establishing the order.

Next steps and timetable

- 1.39 Should the Cabinet resolve to act in accordance with the recommendation, the relevant departments will collaborate for the order to be in place for 1 April 2013 and will act/enforce in accordance with the Order from then on. There will be an agreed timetable for the gradual implementation of the work and an emphasis on using traditional communication methods and social websites to raise awareness of the timetable.

- 1.40 In terms of practicality of the order, it is envisaged that the dog fouling and dog exclusion zones on beaches elements will be implemented from 1 April 2013, with other elements such as exclusions from school land, playing fields and recreational land to be implemented step by step during the subsequent six months.

Views of the Statutory Officers

Chief Executive: *I have nothing to add to the report*

Monitoring Officer: *"This report follows a thorough process of consultation and discussion and I'm satisfied with the propriety of what is recommended."*

Head of Finance Department: *I confirm the Cabinet's decision 24/07/12 to allocate £57,000 a year from the permanent revenue budget of the Three Year Plan (now known as the Strategic Plan) in order to achieve the aim of adopting the Dog Control Order.*

Appendices

- APPENDIX 1** Kennel Club Observations
APPENDIX 2 Summary of the Response to the Public Consultation
APPENDIX 3 List of the Beaches Subject to a Dog Exclusion Zone
APPENDIX 4 Draft document of the Dog Control Order

APPENDIX 1

Gwynedd Council Dog Control Orders Consultation
Council Offices
Cibyn Industrial Estate
Caernarfon
Gwynedd
LL55 2BF

18 December 2012

Dear Sir/Madam,

Re: Dog Control Order Consultation on Beaches in Gwynedd

The Kennel Club has concerns regarding the proposed dog control orders on the beaches in Gwynedd and I would like to outline the reasons for our concern below.

As I wrote in our last dog control order consultation response, I want to stress the intention of the Clean Neighbourhoods and Environment Act 2005 which gives local authorities the powers to implement Orders only that are necessary and proportionate responses to problems caused by dogs. Defra's guidance on the Act states that: "It is important for any authority considering a dog control order to be able to show that this is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them and; Any authority needs to balance the interest of those in charge of dogs against the interests of those affected by the activities of dogs and that a failure to give consideration to these factors could make any subsequent dog control order vulnerable in the Courts."

We find the proposed extension of the exclusion zone from 1 April to 30 September as a means of ensuring consistency across the country very concerning. There is no indication that the extension is due to dog related issues. Instead the justification provided for extending the exclusion zone is for consistency which raises the issue of its validity and whether it is an appropriate response.

Under the Countryside and Rights of Way Act 2000 (CROW), access for walkers with dogs is conditional on dogs being kept on a short fixed lead for 5 months of the year, irrespective of whether the specific access land has ground nesting birds or other wildlife that could be harmed by off-lead dogs. The more balanced and proportionate approach adopted for the coastal margin means that coastal access will become even more vital for walkers with dogs, as it provides alternative areas for off-lead exercise at sensitive times for ground-nesting birds and livestock further inland. However, it is recognised that on some coastal areas there will also be ground nesting birds and other sensitive times, and the Kennel Club will support related restrictions where these are proportionate and evidence-based. If this was the case for certain beaches in Gwynedd, then the extension could be justified. However, an extension of the exclusion zone in order to ensure consistency would not be deemed as a "necessary and proportionate" response.

When considering introducing or extending exclusion zone areas, it is important to be mindful that if it is not done in a coordinated way, and based on sound evidence, it can often displace dog owners (eg from the coastal trail and spreading room) onto more sensitive areas for wildlife, farmers, etc. According to the Kennel Club's survey research into dog walking and coastal access, it was evident that if restrictions are increased, dog walking will be moved to other areas of land. Therefore, needless additional restrictions/extensions on the coast need to be resisted as this is very likely to displace walkers with dogs onto other sensitive areas. If additional restrictions/extensions are needed, to avoid increasing conflict elsewhere, the potential for displacement must be assessed and managed, with alternative access provided on a different section of equally accessible and attractive coastal land.

It is better to take a pragmatic approach to develop exclusions that are credible and well-managed, as they are far more likely to foster compliance, rather than promote what may be seen as the ideal (for some), most restrictive approach. A 'least restrictive approach' is preferred and restrictions should be determined on a case by case basis from an impartial and balanced examination of the facts and consideration of a variety of management options. In order to ensure compliance with any restrictions imposed, they need to always be proportionate and credible. It is also important to reinforce the importance of off-lead access on the coast which will help to prevent problems on other land.

Ultimately, any proposal to restrict or exclude access for dogs to public spaces should simultaneously establish dog friendly areas of open land within the same location; the accessibility of alternative routes already available and potential negative effects on government targets for health and reducing congestion.

The Kennel Club believes that coastal access for dogs and their owners is vitally important, especially given the large number of people who are legally obligated to exercise their dogs, combined with the numerous health, environmental, economic and social benefits that dog ownership brings to the public and society. Therefore, by taking a mutually respectful and considerate partnership approach to increasing coastal access, numerous deficiencies of current management and provision can be addressed through enhancing coastal access in this way, and then used as principles of good practice for access management elsewhere.

I hope you take these points into consideration and that you find the enclosed briefing of use. Please do not hesitate to contact me if you have any further questions.

Yours sincerely,



Denisa Delic
Public Affairs Officer

Peter J Simpson
Waste Management and Streetscene Service
Gwynedd Council
Cibyn Industrial Estate
Caernarfon
Gwynedd LL55 28F

27 September 2012

Dear Mr. Simpson,

Re: Dog Control Order Consultation in Gwynedd

Thank you for contacting us and making us aware of your dog control order consultation. As you may already know, the Kennel Club is the governing body of dogs in the United Kingdom amongst whose main objective is to promote in every way the general improvement of all dogs and encourage responsible dog ownership.

As part of its External Affairs activities the Kennel Club runs a dog owners group KC Dog, which was established to monitor and keep dog owners up to date about dog related issues, including dog control orders being introduced across the country.

We have some concerns regarding your three dog control order proposals, which include (1) Dog Fouling, (2) Dogs on Leads by Direction and (4) the Exclusion of Dogs. I have enclosed our briefing on Dog Control Orders for information; however, I would like to outline the reasons for our concern below.

Firstly, I would like to remind you of the intention of the Clean Neighbourhoods and Environment Act 2005 to give local authorities the powers to implement Orders only that are necessary and proportionate responses to problems caused by dogs. Defra's guidance on the Act states that: "It is important for any authority considering a dog control order to be able to show that this is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them and; Any authority needs to balance the interest of those in charge of dogs against the interests of those affected by the activities of dogs and that a failure to give consideration to these factors could make any subsequent dog control order vulnerable in the Courts."

To turn to your specific proposals the Kennel Club does not normally oppose orders to exclude dogs from playgrounds, bowling greens or recreational facilities, as long as alternative provisions are made for dog walkers in the vicinity. Also, we would point out that children and dogs should be able to socialise together quite safely under adult supervision. However, in respect to sport pitches, we would ask that you consider whether or not these restrictions are absolutely necessary and whether, in the latter case, time-limited restrictions could be introduced to cover use of pitches for sporting purposes.

With regard to the 'Dogs on Lead by Direction' order proposed, we commend Gwynedd Council's proposal of implementing this order as this allows responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst allowing the local authority powers to restrict dogs not under control. Furthermore,

in order to help Gwynedd Council and your authorised officers with defining what an out of control dog is, we have provided our definition below:

“Given that a dog under control is one that will obey its owner on command, whether on the lead or off the lead, KC Dog considers an out of control dog to be one behaving in such a way that would cause personnel trained in dog behaviour to reasonably believe that there was a significant possibility that through the actions of the owner in not controlling the dog, it would cause damage, distress, or physical harm (accidental or otherwise) to people or other dogs”.

We would also like to stress that the authorised officer enforcing the order must be properly trained in dog behaviour in order to determine whether restraint is necessary. We would also recommend that the authorised officer only be able to direct a person to put their dog on a lead if the dog is not under proper control. There is a danger that, through no fault of its own, a dog could be a ‘nuisance’ or ‘annoyance’ to another person who simply does not like dogs.

Ultimately, any proposal to restrict or exclude access for dogs to public spaces should simultaneously establish dog friendly areas of open land within the same location; the accessibility of alternative routes already available and potential negative effects on government targets for health and reducing congestion.

With regards to the dog fouling control order, the Kennel Club does not necessarily oppose the introduction of these orders, as this measure can help by sensibly ensuring that dog owners act responsibly. However, we would encourage Gwynedd Council to adopt more proactive measures which tend to help more when promoting responsible dog ownership throughout local area.

Based on our previous work and funded research on this issue, there are numerous reasons why dog fouling may be occurring in the first place. These include;

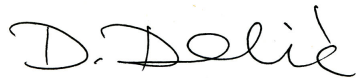
- There may be a lack of signs and/or understanding amongst the dog owners in the area regarding the legal requirements which can differ depending on the needs of the land owner or of the type of land;
- Dog bins may not be conveniently located or sighted for dog owners and are therefore undiscovered or disregarded;
- Existing bins may not be regularly emptied and cleaned;
- There may be a small number of persistent offenders.

We have found that other local authorities which have similar problems have typically experienced a reduction in dog fouling by holding an event such as a ‘Responsible Dog Day,’ where officers can discuss the needs of dog owners in relation to the citing of bins or existing signs which advise the public on where to dispose of dog faeces. Such events can be run for a small incurred cost of £500 – which is often deemed to be cheaper than setting up public display notices, running a public consultation and acquiring signs displaying information about new orders in your council.

I would like to take this opportunity to invite Gywnedd Council to sign up to the Kennel Club's KC Dog campaign. There are no entry requirements, but consulting with KC Dog, or keeping KC Dog up to date with what your Council is doing is a good way to keep in touch with our dog-owning members. For more information visit www.thekennelclub.org.uk/kcdog and to join, email kcdog@thekennelclub.org.uk.

I hope you take these points into consideration and I hope that you find the enclosed briefing of use. Please do not hesitate to contact me if you have any questions.

Yours sincerely,

A handwritten signature in black ink that reads "D. Delic". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

Denisa Delic
Public Affairs Officer

APPENDIX 2

MAIN FINDINGS OF THE PUBLIC CONSULTATION

1. Initial Consultation: 17.09.12 – 05.11.12

- 1.1 A total of 1,805 responses were received with,
- 1,762 of the responses submitted online.
 - 36 of the responses submitted via the paper questionnaire.
 - 7 responses submitted on the phone.
- 1.2 The majority of respondents (95.1%) completed the questionnaire as individuals.
- 1.3 The majority of respondents, 55.7%, noted that dog fouling was not a problem in their area. While 37.7% stated that dog fouling does cause problems in their area.
- 1.4 These results do not coincide with the Gwynedd Citizens' Panel environmental survey held during the summer of 2012. In that consultation it was noted that dog fouling was the greatest of all environmental issues in Gwynedd communities with 55% noting that dog fouling was a problem. 91.6% of the respondents in that survey agreed that people who allow their dogs to foul in public areas should be penalised.
- 1.5 69.8% of the respondents were dog owners while 27% did not have dogs.
- 1.6 533 noted that the problems were on the streets and on the pavements with 486 noting problems on public footpaths.
- 1.7 There is clear support, (83.3%), to penalise any individuals who allow their dogs to foul in public areas. Only a small percentage (7.1%) objected to this proposal. 9.5% did not respond.
- 1.8 There is clear support (84%) to exclude dogs from children's playing areas. Only a small percentage (8%) objected to this proposal. 8% did not respond.
- 1.9 There is clear support to exclude dogs from lands within the boundaries of educational establishments with 3 in every 4 showing their support. Only a small percentage (13.8%) objected to this proposal. 11.6% did not respond.
- 1.10 The majority of the respondents (57.3%) supported excluding dogs from recreational land while 1 in every 3 (30.6%) object to this proposal.
- 1.11 In the first consultation, the majority of respondents (56.5%) were opposed to the proposal to exclude dogs from beaches, while 32.1% supported the proposal.
- 1.12 The majority of respondents (68.4%) supported the proposal relating to keeping dogs on leads while approximately 1 in every 5 (18.5%) objected to it.
- 1.13 In analysing the responses for all proposals, it can be seen that the majority of respondents support all proposals, apart from the proposal to exclude dogs from beaches.

2. Consultation on Beaches 26.11.12 – 24.12.12:

- 2.1 A total of 318 responses were received to the consultation with,
- 295 of the responses submitted online.
 - 23 of the responses submitted via the paper questionnaire.
- 2.2 Once again, it was seen that the majority of respondents (93.1%) completed the questionnaire as individuals.
- 2.3 Nearly half of the respondents, (48.4%), noted that they participated in the first consultation.
- 2.4 65.1% of the respondents were dog owners while 32.1% did not have dogs.
- 2.5 The majority of the proposals are for dog exclusion zones on beaches, all apart from the Penllech and Borth y Gest beaches which are based on exclusion zones that already exist.
- 2.6 The respondents were asked whether or not they supported or objected to the changes to the dog control zones on beaches where exclusions already apply. It was seen that 42.5% were supportive while 34.6% objected. Nearly a quarter of the respondents (23%) did not respond to this question.
- 2.7 The majority of respondents (55.7%) supported reconciling the dog exclusion zone on beaches i.e. that the exclusion period from 1 April to 30 September every year should apply to all designated beaches, while 24.8% objected. It should be noted that 20% did not answer this question.
- 2.8 A few responses were received from Tywyn noting the wishes of a small number to extend the enforcement period of the dog exclusion zone on a permanent all-year basis rather than for the period 1 April – 30 September each year.
- 2.9 It is considered that there are some advantages to using a different approach in Tywyn and that this could be an opportunity to learn from an alternative method.
- 2.10 Of the 318 responses, 33 (10.4%) supported establishing a dog exclusion zone on Penllech beach and 101 (31.8%) objected the proposal. 184 (57.8%) did not provide an answer.
- 2.11 Of the 318 responses, 65 (20.4%) supported establishing a dog exclusion zone on Borth y Gest beach and 92 (28.9%) objected the proposal. 161 (57.6%) did not provide an answer.
- 2.12 One of the reasons as to why the extended consultation was held to deal with beaches was because strong responses had been received in relation to the dog exclusion zones in the Abersoch area. It was noted that specific information was received from many of those who responded negatively to the original proposals that they were now satisfied with the amended proposals submitted during the extended consultation in relation to the Abersoch area.

APPENDIX 3**Clean Neighbourhoods and Environment Act 2005
Dog Control Orders Public Consultation****SCHEDULE OF BEACHES - GWYNEDD** (revised February 2013)

All beaches including the seashore, foreshore and any slope or staircase leading onto the beaches between 1st April and 30th September, as described below:-

Map	Beach	Exclusion Area	Status
1	Aberdyfi	The area of seashore from a point situated at the boundary between the car park and the Fire Station in an easterly direction for a distance of approximately 195 metres to the slipway.	Existing
2	Tywyn	From the steps leading onto the beach from the northern boundary of Plas Edwards in a southerly direction to the beach access point opposite Warwick Place Road.	Existing amended
3	Y Friog / Fairbourne	The area of seashore from a point opposite the Golf House in a southerly direction to the main beach access ramp near the entrance to the Car Park	Existing
4	Barmouth	The area of seashore from a point opposite Beach Road in a southerly direction for a distance of 300 metres to Ynys y Brawd causeway.	Existing
5	Bennar (Morfa Dyffryn)	The area of seashore opposite the main beach access point (boardwalk) in a southerly direction to Afon Ysgethin	Existing amended
6	Llandanwg	The seashore from the main access point near the car park, in a southerly direction for a distance of 250 metres.	Existing
7	Harlech	The area of beach north of the beach access for a distance of approximately 500 metres.	Existing amended
8	Morfa Bychan (Black Rock Sands)	The area of beach between the Main Entrance and Black Rock headland.	Existing amended
9	Criccieth – Promenade Beach	The area of beach extending from the eastern edge of the slipway to the end of the promenade at Morannedd.	Existing
10	Criccieth West – Marine Beach	The area of beach from the Castle headland in a westerly direction to the beach access steps opposite Queen's Road.	Existing amended
11	Pwllheli - Glan Don	The area of beach to the south of the access point towards the headland near the harbour entrance.	Existing amended
12	Pwllheli - Marian-y-De	The beach area opposite the promenade to a point opposite the junction with West End Parade	Existing
13	Abersoch Beach	The beach area to the south of the access point opposite 'Abersoch Land and Sea' including the beach adjacent to Lon Pen Cei towards the headland and onwards to the public slipway by Golf Road.	Existing
14	Aberdaron	The area of beach extending in a Westerly direction from the entrance by Ty Newydd to the bank of the River Daron.	Revised
15	Porth Oer (Whistling Sands)	All of the bay / beach.	Existing
16	Porth Towyn	South-western section of the beach opposite the caravan park.	Existing
17	Morfa Nefyn	The area of beach to the east of the access point (bottom of Lon Bridin) towards the headland.	Existing
18	Dinas Dinlle	The area of beach between the rock armour groynes opposite the promenade at the southern section of the beach.	Existing
19	Nefyn	The beach area to the west of the beach entrance (end of Lon Gam) towards Porth Nefyn.	Existing

Note - Some of the existing exclusion zones include minor adjustments to boundaries