

## Equality Impact Assessment

See the leaflet *How to make an Equality Impact Assessment* for help to complete this form. You are also welcome to contact Delyth Williams, Policy and Equality Officer on ext. 32708 or [DelythGadlysWilliams@gwynedd.llyw.cymru](mailto:DelythGadlysWilliams@gwynedd.llyw.cymru), for further assistance.

The Council is required (under the Equality Act 2010) to consider the impact any changes in any policy or procedures (or the creation of a new policy or procedure) will have on people with protected equality characteristics. The Council also has additional general duties to ensure fairness and to foster good relationships. Therefore, a timely Equality Impact Assessment should be made before any decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

### I Details

#### I.1. What is the name of the policy / service in question?

Public Spaces Protection Order (PSPO) in relation to dog control throughout the County.

#### I.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The legal basis for the Council's original Dog Control Orders has been superseded by newer legislation which means that it is necessary to replace these with new Public Spaces Protection Order for Dog Control.

The 2013 Dog Control Orders related to the prevention of dog fouling, exclusion of dogs from certain sensitive areas such as playing fields, sports facilities with seasonal restrictions on certain bathing beaches and the requirement for dogs on leads under the direction of an authorised officer.

#### I.3 Who is responsible for this assessment?

Steffan Jones, Head of Highways and Municipal

#### I.4 When did you commence the assessment? Which version is this?

1 - 01/04/2021 – first version.  
2 - 07/07/2021 – updated version

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### 2) Action

#### 2.1 Who are the partners it will be necessary to work with to undertake this assessment?

People of Gwynedd  
Council Staff  
The Police  
Keep Wales Tidy (Blue Flag)  
North Wales Society for the Blind  
Assistance Dogs UK  
Dogs Trust  
Kennel Club  
Access Forum

#### 2.2 What steps have you taken to engage with people with protected characteristics?

The Authority must carry out a public consultation on the Proposed Order, which will need to be in place for 28 days following the Welsh Parliamentary election on 6 May 2021.

#### 2.3 What was the result of the engagement?

A total of 1,324 responses were received to the questionnaire. In addition, a total of 7 separate emails or messages were received expressing views on the consultation.

Overall, a clear majority of the responses received through the questionnaire were supportive of the content of the Proposed Order as it stands. There was no consensus in favor of expanding the scope of the GDMC to include additional rules.

A detailed report of the consultation response received is included in Appendix 2.

#### 2.4 On the basis of what other evidence do you operate?

- The number of complaints about the impact of dog fouling has been increasing locally and such concerns are being reflected in the national media.
- The impact of the current pandemic has contributed to a worsening of the current situation. More dogs are being walked more often and a significant increase in dog ownership has been widely reported.
- Some groups, such as children, the visually impaired and wheelchair users may be more susceptible to accidental contact with dog fouling and the pathogens it may contain (e.g. Toxocariasis) .

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### 2.5 Are there any gaps in the evidence that needs to be collected?

A detailed report of the consultation response received is included in Appendix 2.

### 3) Identifying the Impact

**3.1 The Council must give due attention to the impact any changes will have on people with the following equality characteristics. What impact will the new policy/service or the changes in the policy or service have on people with equality characteristics? You are welcome to add other characteristics if you wish.**

<b>Characteristics</b>	<b>What type of impact? *</b>	<b>In what way? What is the evidence?</b>
<b>Race (including ethnicity)</b>	-	No impact identified from the consultation or otherwise.
<b>The Welsh language</b>	-	No impact identified from the consultation or otherwise.
<b>Disability</b>	Positive	<p>Concerns were raised in respect of disability. The consultation responses to the question on protected characteristics suggest that the order would affect disabled people (37 responses).</p> <p>Specifically, concerns were raised about disabled peoples' access to places without restrictions on beaches or being unable to take the dog for a walk if more places were excluded. Some noted the mental health needs of disabled people to be able to go out with their dogs and the need to ensure that further restrictions did not affect that. "I have a disability and the dog nudging me to take her for a walk forces me to go out, so yes i feel that it would effect us unfairly". It was noted that this affects carers. Problems for those who cannot drive for any reason, including disability, were also noted.</p> <p>Pathogens (e.g. toxocarasis) from dog faeces can have a worse effect on some people with certain conditions.</p> <p>Others stated that the PSPO would be positive for disabled people in order to tackle dog faeces and safety</p>

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		<p>problems.</p> <p>The dog exclusion rule includes a special dispensation for any person –</p> <ul style="list-style-type: none"> <li>(a) who is registered as a blind person;</li> <li>(b) who is deaf, in respect of a dog trained by Hearing Dogs for Deaf People and upon which that person relies for assistance; or</li> <li>(c) has a disability which affects that person’s mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a charity specified in the Order and upon which that person relies for assistance.</li> </ul> <p>In addition the rule on requiring clearing up dog faeces includes a special dispensation for any person –</p> <ul style="list-style-type: none"> <li>(a) who is registered as a blind person; or</li> <li>(b) has a disability which affects that person’s mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a charity specified in the Order and upon which that person relies for assistance.</li> </ul> <p>In the circumstances, there is adequate provision to ensure that disabled people would not be placed at a disadvantage as a result of the PSPO. The risk to disabled people of being prevented from accessing beaches or a specific location as a result of the PSPO has been minimised. However, the Council would be willing to look into any specific accessibility problems and rectify these where practicable. It should be emphasised that there is no intention to extend the area of historic exclusion zones or increase their number.</p>
<p><b>Gender</b></p>	<p>Negative</p>	<p>In the question about specific characteristics 2 women have stated that there is a need to ensure that the exclusions do not mean that women have to walk their dogs in isolated areas.</p> <p>The order is not intended to prevent dogs and their owners from access to any public rights of way.</p> <p>4 comments related to lone parent families and the</p>

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		<p>problem of walking the children and dog and accessing play areas. Statistics show that the vast majority of single parent families have a female head of family so that is going to affect women the most.</p> <p>Statistics show that women also tend to have more caring responsibilities than men, both for adults and children, so any comments that appear in the section about young underage families and carers in general will be relevant here.</p> <p>The purpose of the prohibitions in play areas is to protect children and young people from harm. It is not only the unfortunate visual impact of dog fouling as a problem, but also the disease problems associated with it, e.g. toxocariasis which can lead to blindness.</p>
<p><b>Age</b></p>	<p>Positive and negative</p>	<p>Two groups are particularly affected here.</p> <p>Young families and children:</p> <p>Most of those who have responded to the specific equality question and have mentioned age have identified problems for families with young children who need to take the children out at the same time as their dog, especially to a park. One person says "Feels like I am restricted rather than the council taking enforcement action".</p> <p>Again, the purpose of the prohibitions in play areas is to protect children and young people from harm and disease.</p> <p>One respondent has stated that allowing a dog to be within 2 meters of a play area is not unreasonable and it would be advisable to have a designated place, away from the gate, to securely tie a dog. Another proposes that there should be a seat for parents outside the playground to watch the children. One person said "As a parent I find some exclusion zones exclude me from supporting my family in their sporting activities".</p> <p>The 2 meter restriction only applies to sports pitches (eg rugby and football pitches) and does not affect the vicinity of children's playing fields.</p> <p>Visits to the beach have also been covered.</p> <p>Comments also stated that the bans would be positive because of dog fouling problems, safety (dogs off leads) and that some children were scared of dogs, with two mentioning a child running into the lane to avoid a dog.</p>

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		<p>The Council intends to conduct a statutory Play Adequacy Survey where there will be an opportunity to consider the needs of children and parents.</p> <p>Older people:</p> <p>Older people are statistically more likely to have mobility difficulties etc. so some of the comments on disability will be relevant.</p> <p>Many of the responses to the question on equality characteristics mention that owning a dog has a positive impact on the mental and physical health of older people and how further restrictions would affect that. Some talk about the need to be able to walk a dog locally: “stopping people exercising their dog on local beaches that could discriminate elderly dog owners living near these beaches who cannot drive or access an alternative.</p> <p>One grandfather has noted that further exclusions would create problems in taking the grandchildren for a walk. Another has said that dog fouling is a problem and it would be easier to take the grandchildren for a walk.</p> <p>The comment that states the need to emphasize that there is no intention to extend the size of the historic zones, or to increase their number, is also applicable here.</p> <p>Some older people had concerns that dogs off a lead could be dangerous and the powers in the order to direct an owner to put an unruly dog on a lead is intended to help alleviate this situation.</p> <p>Toxicara</p> <p>Many dogs are infected with parasites that can cause harm to people, especially children and vulnerable people. Toxocariasis is a disease caused by eggs from the Toxicara worm which is transmitted from dogs to humans through dog waste or infected soil. The infection can lead to illness and even blindness.</p>
<b>Sexual orientation</b>	-	No impact identified
<b>Religion or belief (or non-belief)</b>	-	No impact identified
<b>Gender reassignment</b>	-	No impact identified

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<b>Pregnancy and maternity</b>	Positive	No additional comments have been made on the basis of pregnancy and maternity except for those who appear under children and young families in the Age category.  Toxocariasis is generally more common in young children and the elderly.
<b>Marriage and civil partnership</b>	-	No impact identified

\* Delete as required

**3.2 The Council has a duty under the Equalities Act 2010 to contribute positively to a fairer society through advancing equality and good relations in its activities in the fields of age, gender, sexual orientation, religion, race, transgender, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.**

<b>General Duties of the Equality Act</b>	<b>Does it have an impact?</b>	<b>In what way? What is the evidence?</b>
<b>Abolishing illegal discrimination, harassment and victimisation</b>	Yes	The issue of access, particularly to beaches, has been considered in 3.1
<b>Promoting equal opportunities</b>	Yes	Equal opportunities for children to have a suitable place to play, and for wheelchair users in a clean and safe environment
<b>Encouraging good relationships</b>	None	No impact identified
<b>Socio-Economic Duty</b>	Yes	A clean and safe environment benefits the economy.

\* Delete as required

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### 4) Analysing the results

#### 4.1 Is the policy therefore likely to have a significant, positive impact on any of the equality characteristics or the General Duty? What is the reason for this?

Positive health effects identified, especially for children, and a clean and safe environment for all.

#### 4.2 Is the policy therefore likely to have a significant, negative impact on any of the equality characteristics or the General Duty? What is the reason for this?

The consultation has not identified any significant negative impact.

#### 4.3 What should be done?

Select one of the following:

Continue with the policy / service as it is robust	<b>X</b>
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	
Proceed with the consultation to gather more information	

#### 4.4 If you continue with the plan, what steps will you take to reduce or mitigate any negative impacts?

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We will proceed with the consultation and assess what negative effects are identified.

### **4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.**

Not applicable.

## **5) Monitoring**

### **5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?**

Use of the Council's customer care systems (Ffos) where any complaints and queries regarding the policy are recorded, together with a record of any follow-up action and remedies.

Implementation - An action plan will ensure that the new operational arrangements are in place in a timely manner

The number of enforcement interventions for non-compliance with the policy will be recorded.