

Appendix 1

Public Spaces Protection Orders.

Activity at Burnham Beeches for the period 1 April 2015 to 31 January 2023

At the September 2020 meeting of the Epping Forest and Commons Committee, following all necessary public consultation, members resolved to extend the effect of the existing Public Spaces Protection Orders (PSPOs) at Burnham Beeches, for a further three years from 1 December 2020 and to authorise the Comptroller and City Solicitor to make replacement orders.

Public consultation responses in 2020 were as follows:

Order 1 – 100% support to extend the PSPO for a further three years

Order 2 – 94% support to extend the PSPO for a further three years

Order 3 – 100% support to extend the PSPO for a further three years

Order 4 – 100% support to extend the PSPO for a further three years

Order 5 – 100% support to extend the PSPO for a further three years

The PSPOs currently operating at Burnham Beeches are as follows. **Map 1 (within Appendix 3).**

Order 1. Failing to remove dog faeces. Applies to 100% of the site.

Order 2. Not keeping a dog on a lead (max length of lead 5m). Applies to the area **marked 2** on the map.

Order 3. Not putting and keeping a dog on a lead when directed (told) to do so by an authorised officer. Applies in the area **marked 3** on the map.

Order 4. Permitting a dog to enter land from which dogs are excluded. This applies to the area **marked 4** on the map; i.e. the immediate vicinity of the Burnham Beeches café.

Order 5. Taking more than the specified (allowed) number of dogs (which a person may take) onto the land. The specified number of dogs previously approved by this committee is a maximum of four and applies to 100% of the site.

At the Epping Forest and Commons Committee on 11 September 2017, Members requested that annualised Public Spaces Protection Orders (PSPOs) figures are presented to the Committee each year.

The information contained in this appendix is an amalgamation of those annual reports and summarises the enforcement activity undertaken at Burnham Beeches in relation to PSPOs in the eight-year period 01/04/2015 to 31/01/2023

During that period the number of recorded offences has declined by 55% since records commenced in 2015/16 (total for whole year 22/23 pro-rata estimate of 230*). Changes vary across the individual PSPOs.

Current Position

Table 1 below shows annualised PSPO (and previous Dog Control Order) incidents dealt with at Burnham Beeches since April 2015 – January 31, 2023.

Table 1

Incidents detail	15/ 16	16/ 17	17/ 18	18/ 19	19/ 20	20/ 21	21/ 22	2022/23 To (31/01/23)
Order 1 - Fouling	11	11	7	7	3	7	7	3
Order 2 - Dogs off lead in the on-lead area	453	329	285	264	213	524	286	165
Order 3 - Dogs not under effective control in the off-lead area	46	30	27	16	19	27	16	22
Order 4 - Dogs taken into the dog free area	4	16	15	1	7	1	9	2
Order 5 - More than 4 dogs/person	3	0	0	2	1	1	0	0
Total DCO/PSPO incidents	517	386	334	290	243	560	318	192 (230*)
Number of incidents resulting in a formal report/investigation	8	15	15	16	14	16	8	12
Number of formal written warnings issued	2	8	9	10	10	7	3	3
Number of FPN issued	0	0	0	4	0	1	1	0
Number of prosecutions	0	0*	1*	0	1**	0	0	0

Incident occurred in 16/17 – prosecution through magistrate court 2017/18

** Incident occurred in 18/19 prosecution through magistrate court 2019/20

2019/20 visitor numbers estimate - approximately 488000 people visits/annum

2021/22 visitor numbers estimate – approximately 625000 (just 10 months)

1. The figures in Table 1 indicate that the overall number of incidents dealt with is reducing year on year – but this is not consistently the case for all areas covered by the PSPOs. In addition, figures undoubtedly reflect the unusual visitor numbers in 2020/21 as a result of the covid pandemic. At times visitors were not able to access the Beeches and at other times numbers were significantly higher than normal.
2. Following these high visitor levels in 2020/21, visitor numbers began to return to more normal levels from the end of April 2021 as covid restrictions were progressively eased. Though it should be noted they were still higher than average at times early in 2021/22.

3. Until 2020/21 there had been a steady decrease in the total number of PSPO incidents dealt with, year on year. In 2021/22 and 2022/23 that general pattern of decline has returned in most areas.
4. The exceptions in 2021/22 were that the number of incidents of dogs being walked off lead in the on-lead area and those taken into the small dog free area at the cafe were higher than pre-pandemic levels – though in the latter numbers were still small.
5. This higher level of dogs off lead in 2020/21 and the early part of 2021/22 was undoubtedly caused higher levels of new visitors not familiar with the National Nature Reserve.
6. The number of incidents requiring a more formal report/investigation has remained relatively low throughout the entire period – with 52 written warnings, six fixed penalty notices (FPN) issued and two prosecutions to date.
7. The approved PSPO and preceding DCO enforcement protocols made it clear that when enforcing the Orders, the City of London Corporation will not take a zero-tolerance approach to DCO/PSPO breaches. This means that in the majority of incidents the person concerned is asked to put the matter right, clean up after their dog, put it on lead, remove it from the dog free area and if they comply no further action is taken beyond logging of the incident detail. As a result, the vast majority of incidents dealt with require no more than visitors being given information and or guidance by the Ranger team. However, where a breach is by someone who is well aware of the rules, a repeat offender, or where the person is unable or unwilling to put the matter right these will result in more formal investigation and action including final written warning and or FPN/ prosecution.
8. The figures reflect that the majority of breaches of the PSPO were not deliberate or repeat offences and were simply dealt with by explanation and information by the Ranger team.
9. In addition to this PSPO action monitoring other dog related monitoring has also continued.
10. Regular, quarterly, dog foul transects walked in the PSPO on and off lead areas show a reduction in fouling of 96.9% in on-lead area and 66.4% in the off-lead area from the 2014 pre DCO/PSO level recorded. These reductions indicate the positive impact of PSPOs on all fouling across the site, but in particular, the benefit of an on-lead area in reducing the levels of dog fouling at Burnham

Beeches.

Table 2 below summarises these figures for each transect.

Table 2

Area	Pre - December 2014 average	End of 2022 average	% Difference 2014 - 2022
On Lead	53	1.63	96.9%
Off Lead	56.6	19	66.4%