Kennel Club Response to
Natural England’s Coastal Access to Kent (Ramsgate to Folkestone) Consultation
Submitted on 9 November 2012 by: The Kennel Club, 1-5 Clarges Street, Piccadilly, London W1J 8AB, tel: 020 7518 1020, email denisa.delic@thekennelclub.org.uk

1.0 Introduction

The Kennel Club is the governing body of dog activity in the UK, among whose objectives is to promote in every way the general improvement of dogs and encourage responsible dog ownership.

Numerous research papers have shown that dog ownership produces considerable health, social and environmental benefits. Thus, work to improve and protect opportunities for responsible dog walking will have many benefits for dogs, their owners, the public and for society in general.

The Kennel Club commends Natural England for its work and is supportive of the proposals being recommended in the draft coastal access proposals for Kent. The Kennel Club hopes to see an increase in benefits for dogs and their owners from increased access to land to walk and exercise their dogs, whilst having their needs considered alongside those of other land users.

While specific comments on this stretch of coast are included in the latter part of this response, in order to put this in context the Kennel Club will firstly summarise why it is important to protect and enhance access for responsible walkers with dogs.

We also ask that reference is made to Natural England’s internal Position Guidance Note: “Walking with Dogs”, which reinforces both the benefits of dog ownership and its relevance to Coastal Access and indeed almost all areas of Natural England’s work.

2.0 Benefits of dog ownership

There are numerous studies that have identified clear benefits to both the public and society from dog ownership. These have been categorised and outlined below:

- **Environmental benefits:** England-wide research funded by the Kennel Club, Natural England and Hampshire County Council demonstrates that the largest factor influencing where dog owners exercise their pets is whether they can exercise their dog off-lead\(^2\) \(^3\). If this is not a possibility in their local area, then over 40% have said they would drive elsewhere. Thus increasing and protecting access to the coast for dog walkers is also likely to encourage owners to take more walks close to home as an alternative to driving. This in turn would help reduce dog owners’ carbon footprints.

Furthermore, due to increasing restrictions on dog owners, a pattern has emerged which shows that when dog owners cannot walk their dogs off-lead in their local area, they will travel to do so elsewhere, which may create even greater potential for conflict with livestock or wildlife.

- **Health benefits:** There is a growing body of evidence showing that the presence of companion animals and interaction with pets can have a significant influence on improving physical, mental and emotional health\(^1\). Pet owners have been reported to have lower blood cholesterol levels, lower systolic blood pressure and better survival rates after a heart attack. The previous NE supported research\(^3\) indicated that 75% of dog owners strongly agreed that they walk with their dog(s) for at least 30 minutes, five or more times per week. This was Sport England’s target under the previous government for a sufficient degree of exercise to have health benefits. Furthermore, pet owners have also been reported to have lower feelings of loneliness and depression, lower levels of mental stress and higher self-esteem.

There also can be particular health benefits from companion animals for specific different groups in society, for example children and elderly people. The World Health Organisation states that ‘companions animals that are properly cared for bring immense benefits to their owners and to society and are a danger to no-one.’

- **Social benefits:** A study commissioned by the former English Nature\(^4\) identified and summarised a wide range of physical, mental and social benefits associated with dog ownership including:

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\(^3\) Sport Industry Research Centre (2008) *Assessment of perceptions, behaviours and understanding of walkers with dogs in the countryside*. SIRC, Sheffield

• making people, in particular women, feel safer in the countryside;
• making men feel less self-conscious or a perceived threat to others when out for a walk alone;
• dog owners make fewer visits to the doctor's and recover more quickly from illness;
• reducing suicide rates and improving mental health;
• facilitating social contact, thus reducing risk of social isolation;
• favourable changes in blood pressure and immune levels;
• pain relief from generating feelings of well-being;
• developing a sense of community amongst dog owners;
• enhancing empathy, learning and responsibility in children.

While these benefits will vary in relevance and extent, the sustained level of ownership illustrates that pet dogs must offer very tangible benefits to a large segment of the population on this stretch of coastline.

• **Economic benefits:** Based on the results obtained from national representative samples, there were savings reported in national health expenditures as a result from the improved health of pet owners. For example, it is estimated that in Australia, the presence of pets saves between $790 million (£517 million) and $1.5 billion (£982 million) Australian Dollars. In nursing home facilities in New York, Missouri and Texas that have integrated animals as part of their environment, medication costs dropped from an average of $3.80 (£2.30) per patient per day to $1.18 (70p) per patient per day. While comparable figures are not available, it is submitted that the relative benefits for health care in England are the same, if not better.

3.0 Why coastal access is important for dog owners:

Research commissioned by Natural England shows that one or more dogs accompany people on 51% of all visits to green space and the countryside. This reveals the importance of the nation’s 8 million dogs to the estimated 15 million who care for them. Additionally, there are over 5,000 registered assistance dogs who help their human partners take a more active and integrated role in society.

Despite the long-standing relevance and significance of dog ownership, previous efforts to engage with dog owners in access management have been disproportionately low, although this has improved significantly in recent times due to the support of Natural England, the Forestry Commission and other bodies. As enhanced coastal access is rolled out, it is vitally important to include and engage with dog owners as one of the

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5 *Monitor of Engagement with the Natural Environment: The national survey on people and the natural environment Annual Report from the 2010-11 survey.* Natural England Commissioned Report NECR083
largest year-round groups of visitors to the coast; we are very pleased to see this occurring and again offer our assistance to support this work.

Furthermore, there are certain legislative implications that dog owners are faced with, which make them an important consideration for coastal access. These are listed below:

- **Under the Animal Welfare Act 2006**, dog owners have an obligatory duty of care for their dogs, not only to ensure their dogs are healthy, but also to allow them to exhibit natural behaviour patterns. In most cases this means that dogs need to get their daily off-lead exercise, as an essential responsibility that dog owners not only enjoy but have a legal duty to provide.

- **The Clean Neighbourhoods and Environment Act 2005** allows local authorities to introduce dog control orders, providing they are ‘reasonable and proportionate’ (Defra guidelines). Unfortunately, many recent dog control orders have significantly reduced opportunities for dog owners to properly exercise their pets close to home. As a consequence, more dog owners than ever are being forced onto other land, including beaches and the coastal margin.

- **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.

### 4.0 Natural England Report: Kent

The Kennel Club welcomes the Kent (Ramsgate to Folkestone) draft report.

Furthermore, the Kennel Club particularly commends Natural England for the general lack of specific dog-related restrictions and the application of least-restrictive as well as evidence-based approaches. The Kennel Club also agrees that national requirements for dog control as well as ‘effective control’ will be sufficient in most situations. Ultimately, this organisation will support proportionate evidence-based restrictions where needed and praises the report in its attempt to accommodate the various needs of the different access users and land management interests.

However, there are a few areas where the Kennel Club wishes to suggest improvements to the proposals, or express concerns about certain points:

- **Spreading room**: Legally-protected spreading room is vital to dog owners as it allows them to regularly exercise with their pets without being constrained to a
potentially fenced-in narrow route. Additionally, this also helps to reduce any potential conflicts with other path users by providing choice for all.

- **Stiles:** Although the proposed incremental approach to replacement at renewal is a pragmatic approach in the current financial climate, the Kennel Club would like to see any stiles replaced with gates or gaps as soon as possible, as stiles present difficulties for people with mobility impairments as well as people with dogs.

- **Modifications to Access:** The Kennel Club is concerned with the point made regarding changes required in the future to the route of the trail or the landward boundary of the coastal margin. Whilst the Kennel Club commends Natural England for ensuring that a majority of changes would be subject to the same procedures for a consultation, representation and objection, we are mindful that some changes could be made without a variation report. If such changes would enable Natural England to impose new, or modify existing, restrictions or exclusions on coastal access routes, dog owners must be proactively consulted both for openness and to aid compliance. While we do not have concerns about the current approach by Natural England, we are concerned that changes in personnel or Government policy could lead to unnecessary restrictions being placed on dog owners in the future, without the public or relevant bodies being consulted and being able to present their case. This would not ensure a fair and balanced procedure for dog owners and other coastal access users.

- **Need for an Integrated Approach:** Lastly, whilst the Kennel Club is supportive of Natural England’s overall approach to access on the coast, we still very much have concerns in relation to local councils imposing dog control orders (i.e. dogs on leads, etc) which, if not done in a coordinated way, and based on sound evidence, can often displace dog owners (eg from the coastal trail and spreading room) onto more sensitive areas for wildlife, farmers, etc. Therefore, the Kennel Club would encourage Natural England to promote the concept of an integrated approach to access management by all local councils, partners and landowners, so that the thorough, balanced and informed work of Natural England thus far is not undone by unduly restrictive or ill-conceived dog control orders. It is important to reinforce the importance of off-lead access on the coast which will help to prevent problems on other land.

**4.1 The Stour Estuary – section 13**

In terms of the roll out of coastal access, this is the first significant area where restrictions specifically on walkers with dogs have been proposed. The Kennel Club feels that this is a great achievement in itself, and congratulates all those involved at Natural England for being able to progress this far in such a pragmatic and balanced way.

Similarly, the Kennel Club is keen that the approach here can act as a case study for good practice, both for the rollout of coastal access, and access management on the coast in general. Thus it is exceptionally encouraging for our organisations to be working together on the current project at Sandwich and Pegwell Bay; the comments herein thus complement that more detailed work.
4.1a Proposed exclusions areas 1, 2, 5 and 6
The Kennel Club supports the proposal for excluding access across all of the above areas (as shown on Map D). Irrespective of the potential for disturbance to ground nesting or overwintering birds, the uniqueness of seals breeding and hauling-out here and the opportunities it provides for people to see the mammals so close to urban areas, makes this a very special place; this also supports the local economy through trips to see the seals and we feel this should not be undermined.

While disturbance by people, with or without dogs, is unlikely to threaten common or grey seals at a population level, disturbance to the pleasure of people watching these mammals is enough in our view to justify the exclusion in these areas.

Given the practical limitations on access to these areas, the Kennel Club believes the measures proposed will be sufficient to ensure no adverse impact from the implementation of coastal access.

There are some concerns that the Stour Valley Walk permissive path goes to the very end of Shell Ness, and with the proposed provision of the linear route along the River Stour from Sandwich, we feel that the management and alignment of this route should be reviewed. While we understand there is a reluctance to do so by some parties, we feel it is difficult to justify restrictions elsewhere given the path’s presence and current level of management.

4.1b Proposed exclusions areas 3 and 4
The Kennel Club is pleased to note the report’s openness to additional evidence to guide exclusions in these areas.

The Kennel Club will support restrictions where these are balanced, proportionate and the least restrictive possible to achieve the desired management aims, based on good evidence.

The difficulty is that even with the recently published Draft Bird Disturbance Study, we do not have trend data or correlates that relate different access activities with reported changes in bird populations.

While the latter report points out that disturbance does arise from a range of activities, there is no evidence of causality with changes in bird numbers. Moreover, we are very mindful of the statements in the former English Nature’s report “Dogs and Nature Conservation” which states that:

"Disturbance is an effect that does not necessarily mean that long term impacts at population level will arise and it is important to recognise this distinction. However, very few studies have examined impacts at a population level" and "...research has rarely tried, or been able, to distinguish the specific effects of dogs on wildlife, as distinct from effects of humans and dogs generally..."

That said, given that this area has the highest levels of nature conservation designation at European and international levels, we do accept the need for a precautionary approach. However, a precautionary approach still needs to be proportionate to the
degree of risk and best available evidence; it must not be an excuse for disproportionate, worst-case scenarios to be applied to all areas. Equally, the Kennel Club believes a precautionary approach must include ongoing monitoring and review, so that restrictions can be relaxed if evidence eventually indicates that the restrictions are excessive; it could equally show that greater restrictions are needed.

The Kennel Club would ask Natural England to recognise that:

- Exclusion of areas from spreading room does not give any more powers to land managers or nature conservation bodies to remove people from those areas than currently exists already;
- While exclusions can prevent additional patterns of access taking being established, there are longstanding traditions of de facto access taking in areas 3 and 4 which will not be reduced simply by excluding them from spreading room in the report;
- The exclusions only apply to walkers, and thus will have no impact on many other types of activity taking place in these areas. It will be difficult to convince walkers (with or without dogs) of the need to comply with restrictions on them if, eg, kite surfers or bait diggers are in the areas they wish to walk to;
- 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;
- There is in most cases an absence of information currently on site stating with clarity, consistency and credibility where dog owners can go and what they can do;
- The only way disturbance by access takers is going to be effectively addressed in this area is through an integrated access management plan, derived from an up to date management plan for the area. The Kennel Club is keen to work with Natural England and all partners to develop such a plan as an example of good practice for other areas.

After seeing the Draft Bird Disturbance Study, the Kennel Club also suggests that the exclusions proposals for areas 3 and 4 may not be as necessary as first thought. For example, in area 3 (Pegwell Bay) 52% of walkers with dogs off-lead elicited no disturbance response. For only 3% of walkers with dogs off-lead in the area did birds “take flight and abandon the area” and where dogs were kept on leads, 88% of observations were of no reaction by the birds whatsoever.

The Kennel Club notes that in area 4 the reactions to dogs off-lead were more intense. Even then, 55% of incidents resulted in birds moving no more than 50m away from the walkers. No incidents were recorded of birds abandoning the area as a result of a dog being walked off-lead.

While figures relating to birds in general may mask the sensitivities of certain bird species with higher degrees of protection or vulnerability, we feel the data illustrates that disturbance by walkers with dogs is not as frequent or intense as may be assumed from generalisations about the perceived problems caused by walkers with dogs.
We also note the report identified that the highest levels of disturbance are caused by activities not affected by the proposed exclusions, namely motorcycling, motorboats, bait digging, yachts and kite surfing, rather than walkers with dogs. Indeed, disturbance by all other activities is far more frequent in total than that associated with dog walking, especially at the higher disturbance response levels. We have sent a copy of our comments on the Draft Bird Disturbance Study to Tom Lord, which further elaborate on our reservations about some of the conclusions of this report.

The Kennel Club also has reservations about how enforceable the proposed exclusions on walkers will be in practice, or in terms of credibility, when other activities are still taking place.

Nonetheless, it is felt incumbent on all access takers to do their bit to reduce the overall levels of disturbance, even though we do not know the significance of these events, by activity type or cumulatively, on bird populations.

The Kennel Club welcomes the opportunity for further discussions with your team once the responses have been collated, but for now suggest the following:

a) Area 3. If the September to March exclusion of dogs is imposed, a year-round corridor for access by dog walkers on or off lead along the edge of the bay from Western Undercliff to the former hover port should be retained. This will aid credibility of the exclusion, enhance compliance and recognise the reality that access is already taken in this way, when the tide permits;

b) Areas 3 and 4. If any exclusions on walkers, with or without dogs, are implemented, they must be backed up by integrated access management measures to similarly address disturbance from other activities; otherwise they will lack credibility and be unlikely to be respected, especially for people who already walk in these places;

c) Areas 3 and 4. In light of the figures for the frequency of disturbance events and consequential responses by birds, consideration should be given to whether less restrictive exclusions, backed up by a more proactive approach to access management will be sufficient, for example, dogs on leads instead of being excluded completely.

5.0 Kent Coastal Survey Findings

In order to help Natural England with their implementation of coastal access, in Autumn 2011 the Kennel Club undertook an online survey of 159 dog owners in the locality. The survey focused on access on the coast and the respondents’ dog walking habits and preferences.

The findings provide a wealth of very relevant local data, which underlines both the importance of protecting and enhancing coastal access in this area, and underpins much of our advice thus far.

A summary of the responses is attached, along with details of the places respondents identified as the most friendly, and unfriendly, places on the coast for walkers with dogs.
Key points from these data for coastal access implementation are:

- 95% agreed that off-lead access is the most important factor when dog walking;
- 21% agreed that physical barriers prevented them from walking where they would like to go on this coast. This illustrates the need to ensure coastal access implementation secures removal of needless barriers (such as stiles), to ensure as many people (with or without dogs) as possible can benefit from this project;
- The need to increase accessibility is further reinforced by 29% of respondents indicating that it is not easy for people with disabilities to enjoy this section of coast. This is particularly relevant given the increasing demands of the Equality Act 2010;
- 55% felt that there are not enough places to walk their dogs off-lead on the coast;
- 57% of respondents felt that there is not enough clear signage about where they can walk their dogs;
- 73% indicated that they do not live close enough to the coast to walk there from home, which indicates that amenities such as car parks are important to encourage dog walkers to come and visit the coast;
- 53% feel that there are not enough dog bins on the coast, which may be reducing compliance with requests to pick up on the beach and trail;
- 79% would like to receive more information regarding where they can walk their dog, illustrating the opportunities to both raise awareness of enhanced coastal access whilst also promoting messages about responsible use and ‘effective control’.

These statistics illustrate the opportunities coastal access presents for both increasing accessibility and promoting greater understanding and awareness of responsible access taking along the coast by walkers with dogs.

Another section of the survey explored what dog owners would do if there were greater restrictions on their current access to this section of coast. In response:

- 55% would walk their dogs just as much as they currently do; they would just go elsewhere;
- If access was so restricted, respondents indicated that they would walk more on farmland (50%), woodland (67%), nature reserves (41%), heathland (34%) and drive further to walk their dogs (44%).

These statistics illustrate that if restrictions are increased, dog waking will be moved to other areas of land. Therefore, needless additional restrictions on the coast need to be resisted as this is very likely to displace walkers with dogs onto other sensitive areas. If additional restrictions 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.

In relation to which parts of the coast respondents felt were most friendly or unfriendly, the place most cited as dog friendly is Folkestone which was described as being dog friendly, quiet, large spaces and little to no restrictions.

The most unfriendly area in Kent is considered to be Broadstairs as it was described as being too busy with many dog restrictions and bans.

6.0 Conclusion

Apart from some proposals in section 13 “The Stour Estuary” the Kennel Club agrees with the overall report presented by Natural England, in particular with the recognition that the extensive bans on dogs or off-lead exercise (as was the case for access land under Part 1 of the CROW Act 2000) cannot be a legitimate part of enhanced coastal access for dog walkers. This is a laudable reflection of Defra’s principles for a ‘necessary and a proportionate response’ to restrictions. In addition, potential for conflict with other land users, farming or safety is also accordingly variable given the diversity in the coastal environment.

However, the Kennel Club does accept the need for restrictions at sensitive places and times on walkers with dogs. However, 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.

In the case of the Stour Estuary, we look forward to continued cooperation and joint working to better develop access management in the area for the benefit of all concerned.

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.