

Waterhall Interim Report: Brighton Dogwatch

Brighton Council has decided to change how Waterhall has been used for over a quarter of a century. The council has stated that a thousand dogs a day are walked there every day but has agreed to make this area on-lead dog walking only. This will displace virtually all of these walkers and dogs and take people away from enjoying this wonderful resource and create many problems elsewhere.

The implications of this do not seem to have been considered. The areas of the city and groups who will be affected by this don't seem to have been notified or consulted and are probably unaware. The discussion at the ETS (Environment, Transport & Sustainability) committee was very one-sided. As there had been no consultation with users in advance the officers and councillors seemed to be unaware of any negative consequences from their decision. One of the aims of this document/activity is to help do this - to let people know what the council has decided and to raise any issues.

The council states that there are too many off-lead dogs at Waterhall. We submit that a key reason for this is Brighton council's decision to introduce parking charges at Stanmer Park. People have displaced as predicted. This happened at the same time as dog ownership nationally increased from the pandemic. These changes at Waterhall (if implemented) will cause a double displacement and lead to lots of consequences and problems.

Dogs do need to have time off lead. That is part of responsible dog ownership. Allowing dogs to express their natural behaviours is a requirement under the Animal Welfare Act 2006. Clearly off-lead time needs to be under control and safe for the dog and others. No one wants to see livestock and wildlife harmed.

We are aware that the council isn't in listening mode. It has decided not to consult walkers even though this is a large change affecting thousands of residents every week. Walking routes where people have been able to exercise their dogs off-lead for decades are to be closed for this use (indeed to be criminalised). From the documents published, the safety implications of displacing a thousand off lead dogs a day to other areas doesn't seem to have been considered – or the likely costs and issues this will bring to the council.

We have several recommendations and proposals (summarised on page 14). We ask that the council pauses implementation and reconsiders based on the input here and (we hope) from other groups/individuals that we are encouraging to comment.

These are meant in a positive and constructive way. We hope that the land can be shared and enjoyed whilst also improving the wildlife and area there. The current council decision is very aggressive; most current visitors are to be stopped walking there as they do now (mainly with dogs and mainly off-lead). The council aims to change behaviour by "education" and fines. This will lead to conflict and, even if the council is successful in doing this at Waterhall, more problems elsewhere. The council currently has created a lose-lose.

This could easily become a dog walking displacement issue just like the controlled parking zones are. Indeed, it looks like this has already started with Waterhall seeing displacement from Stanmer Park. In many cases, the displacement is to less suitable areas, increasing the risk of injuries to dogs, children and adults when the move is to more urban park areas. When displaced to more rural areas, then stock, wildlife and other eco-systems are at risk.

Hopefully a pause and input can help create a win-win and a sharing of this space. Why do we think this is possible? It is that this is already done across many other areas in Brighton and Hove. Grazing is done in fenced compartments with signposting allowing different routes to be taken. This, along with social media such as the excellent Stockwatch, help share the land and keep stock safe whilst keeping access.

This method is currently used at Waterhall too. Animals are grazed and people can still enjoy the area. Dogs can divert where needed. It works very well. Despite over a thousand off-lead dogs using the area daily there seem to have been no recent reports of stock attacks or harm. The council's current (and agreed) plans are to rip this up and to stop sharing the area. We feel that the aims of increasing biodiversity and rewilding can, by using techniques applied elsewhere such as zoning, be met while still allowing dogs off-lead in rotating areas. A win-win.

This is the initial report on Waterhall from Brighton Dogwatch. We are looking for comments and ideas from other groups and individuals in the areas listed below. Contact details are at the end of this document. When we receive these, we will issue an updated version of this report.

Thank you to everyone who has contributed so far and in advance for your further help.

Background

Brighton Dogwatch is a local group who primarily run a Facebook page helping reunite lost and stolen dogs in Brighton/Hove and around Sussex. We currently have over twelve thousand followers who help us. With their help and shares, our posts for lost dogs often reach fifty to a hundred thousand people and sometimes many more. We also find ways to help local dogs and their humans. This includes giving local information/advice, promoting responsible dog ownership and promoting donations to support the less fortunate dogs in our community.

This document is in response to the council report taken to the ETS committee in March 2022. It's right at the end of the document, pages 697 onwards

<https://democracy.brighton-hove.gov.uk/documents/g10379/Public%20reports%20pack%2015th-Mar-2022%2016.00%20Environment%20Transport%20Sustainability%20Committee.pdf?T=10>

The committee discussion is recorded and available on link below (starts just after the 4 hour point)

<https://aisapps.sonicfoundry.com/AuditeIScheduler/Player/Index/?id=a2575e76-0f21-4932-9972-8a3a12027e4b&presID=29b5a5a7b0c84207ac9b22e0a0df73481d>

The council believes that the change of use from the golf course is the key reason why the area is more popular with dog walkers. We disagree. While we think it is a factor, the timing implies that the introduction of parking fees at Stanmer Park is a major reason.

Opening Stanmer Park back to regular dog walkers

Dogwatch warned the council about displacement in our submission on Stanmer (published in the ETS agenda papers). We pointed out that the regular local walkers would now pay £500 to over £1,000 a year to visit (depending on length or stay). We recognised that the council does need revenue to help fund the park and so made a proposal for an annual pass .

A similar pass is used by the Forestry Commission, National Trust, Ashford Forest and many others. Brighton Council is unusual in not offering one.

Councillors across all parties responding to our deputation agreed many hundreds of pounds a year was too much but didn't then vote for an annual pass.

We think that a Stanmer pass should be introduced urgently. This will effectively reopen Stanmer Park to regular local dog walkers and in doing so reduce the pressure on Waterhall (and indeed any further displacement from there).

Further details of this proposed pass (as presented to ETS committee in 2020) are given in Appendix A.

We believe that an annual pass for Stanmer Park will provide both an incremental positive revenue stream and reduce travelling by local regular dog walkers (who currently drive further to areas where you do not have to pay to park). A win-win.

Displacement

The thousand dogs a day walked off-lead at Waterhall won't disappear - so where will they go? Currently we have 1000 dogs spread over 222 acres and this is causing issues for the council to act. The suggested areas to move to are just a fraction of the Waterhall area and they already have their own populations of people, dogs and wildlife. If this does happen, how will they cope with the pressure?

Wherever these displaced dogs do eventually walk there are likely to be costs/issues for their families. These 1000 dogs a day won't all be the same ones. Over a week, dogs from several thousand families will be walked at Waterhall. These changes will be noticed and remembered. Dogs can't vote – but they have human/s that can! Around a third of households have dogs.

The council's report states *"There is still plenty of opportunities to walk dogs off lead in the area less than a mile from Waterhall. Three Cornered Copse, Coney Hill Woodland and Waterhall and Braypool Recreation Grounds are unrestricted and Green Ridge only has restrictions when it is being grazed"*

We will look at these proposed areas as well as others further away that individual and professional dog walkers may displace to.

Displacement to more urban park areas

These parks are already busy and tend to have more dogs, children, cyclists and nearby traffic than Waterhall. There are obviously more risks to all groups by increasing the number of off-lead dogs.

Sports fields. Most councils are trying to encourage/prevent dogs from exercising on sports fields and to go to open fields instead. Bizarrely, Brighton Council is suggesting and requesting the opposite. We're not sure that the users of these sports fields would agree. And how will they be shared when people want to play sport? The council hasn't asked these residents. We are hoping they will tell us and their representatives.

By their very nature, these urban parks are much smaller in size than Waterhall. So, while dogs may be able to run around, their humans won't get the same level of exercise. These are also busier so less chance for the mindful walking and the mental health benefits this can bring.

Displacement into more rural areas

We think that many dog owners will seek to walk their own dogs in rural areas using the public footpath network and other land areas with wider access (for example National Trust land at Devil's Dyke).

This will see an increase in miles travelled from the city (with the impact of this on the planet and costs for dog owners). There is also an increased risk to farmed livestock in these areas and any wildlife there. A key question is whether the ecological value of that area is higher than Waterhall and would more damage be done walking there than at Waterhall? We don't know, this hasn't been analysed. But with the thousand dogs likely to disperse across many sites, it's very easy to see that harms elsewhere could vastly exceed any potential (and unproven) benefits at Waterhall.

To put a scale on the extra mileage/CO2 emissions from this if half of the dogs are walked in more rural areas and these are just a five-mile return distance away with 300 vehicles across the 1000 daily dogs, this gives an extra 273 thousand miles per year.

That's **74 tonnes of CO2** based on an average diesel car. This figure is an estimate but shows that emissions from this change will be far from trivial. They should have been included in the council's case and it is frustrating that they were not.

One suggestion raised in response to a previous Dogwatch deputation to ETS was to take the bus. We were disappointed that council officers and senior councillors seem to be unaware of the bus company rules on dogs. These are practically applied as one household of dogs per deck. The bus drivers will allow a second per deck sometimes, but if there is a reaction/barking will not.

Realistically only a small fraction of dog transport in the city can be done by bus. Probably three households per deck is a maximum and, as responsible dog owners, we are always aware of the impact on others. While many welcome seeing dogs and like to interact with them, there is a minority of both adults and children who have a phobia of dogs. We should not prevent them using public transport.

Another question that could be raised is "Why do dogs need to be transported to walk, why can't they just be given a few loops around the block?". Perhaps a useful analogy for non-dog people is children's parks. We don't expect children to exercise only from walking around the block. Councils provide children's play areas and parks for them to explore, play and exercise. It's similar for dogs. They too are sentient, social creatures. While there are some breeds that will be happy with just a walk around the block, many particularly the more popular lively, smart and energetic breeds require more, and a responsible owner has a legal duty to provide this. Off-lead areas such as Waterhall help provide the kind of environment that dogs need to thrive. If Waterhall is closed for off-lead dog activities, then many responsible owners will travel further to the next available site.

Professional dog walkers (PDW)

"Dog walking has increased massively especially by dog walking companies. This can lead to large intimidating packs. As the site is not subject to bylaws there is a major issue with dog mess, often not cleaned up this constitutes a health hazard and could also be causing nutrification of the soils and resultant loss of biodiversity", B&H Council.

This quote sounds like the recent comments to the press from the council. It's not. It actually comes from the Waterhall Management Plan (2011-6) which is the most recent one available and is on the council's website ([https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/downloads/countryside/Waterhall Conservation Area Management Plan 2011-2016.pdf](https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/downloads/countryside/Waterhall_Consevation_Area_Management_Plan_2011-2016.pdf))

It's clear from this that the issues raised with large groups of dogs are longstanding. The area has been able to survive and thrive for over a decade since this report, despite dogs being walked off-lead. It shows that the land can be successfully shared.

It also shows that the issue of dog poo causing nutrification has been known for over a decade too. But simple actions haven't been taken. Dog poo bins haven't been added.

Some areas don't require dog poo to be collected (the Forestry Commission for example advise "stick and flick" to move away from paths) so a clear communication on why this helps, particularly in this area, along with more poo bins (rather than the removals we have seen).

Brighton Dogwatch has campaigned for years on responsible dog ownership, including responsibly disposing of dog poo. More bins undoubtedly help this, as too does enforcement of the small minority who do not pick up. After all, dog walkers are the main group in the area and we don't want to stand in dog poo either!

If the Waterhall area can be shared successfully for over a decade with large groups of dogs, stock and wildlife then why change this successful method? We agree that the number of dogs has increased more recently (from spring 2021 when parking charges began at Stanmer Park but also from a higher level of dog ownership generally with the pandemic). However, the area that is available to walk on at Waterhall has more than quadrupled (from 16 to 90 hectares) so the density of dogs per hectare has probably decreased over the last couple of years.

A lot of the concerns from the council quoted in the press are about the increase in professional dog walkers (PDW) at Waterhall. Many used to walk in the woods/fields at the edges of Stanmer Park something which nearly stopped when parking charges were brought in (we were told at the time that this was one of the aims by council staff)

We do not speak for PDW. We have many members who use dog walkers and some who are PDW. The main report author has a dog who can fear large groups of dogs (although training is reducing this). So, we do understand and sympathise with all views here.

However, we appreciate that dog walking companies do provide an important service to working families (including keyworkers), disabled and injured people whose dogs need exercising and others. We can see the demand for this across the city.

Dogs need to be able to "express their natural behaviours" – which means time off lead. The dog walking companies provide this.

Without dog walking companies, animals would stay at home for hours alone, causing stress and possible damage/noise. Neighbour noise issues (council involvement). When dogs lives are not enriched, they will be more stressed and so potentially reactive. This increases the chances of issues with other dogs and people (causing issues which may require council dog warden involvement). For those with limited time or mobility dog walking companies are vital.

The cost of these dog walking services is also important. If these companies are forced to travel further to suitable walking sites, they are likely to have to increase their prices. There will also be an environmental harm from increased distances travelled. The costs of dog walkers soon adds up, but is vital to so many.

The council report says, *“Many groups of large numbers of dogs discourages individual dog walkers from using the site as they feel their individual dogs are threatened by “pack mentality” of the groups of dogs”*. Yes, we agree that this is an issue. Most PDWs have the skills to control large groups of dogs well (just as most teachers can manage large groups of children). Dogwatch gets reports and requests for help following dog on dog attacks. Our experience is that most happen between two individual dog owners. That isn't to say that large groups of dogs are not an issue, but we see them as necessary for dog welfare. Yes, smaller groups would be nicer just as smaller classroom sizes with more teachers per pupil would be better in schools. But there is a large cost for each of these. If prices for dog walking rise, then some owners won't be able to afford this. That means dogs stressed at home, rehomed or abandoned.

If professional dog walkers are displaced from Waterhall then these large groups won't disappear. They are still needed. They will have to walk at other, less suitable, sites. Many of these sites don't have the range of parking options and wide-open spaces that Waterhall offers which help to reduce stress/conflict. We also suspect that many of these alternative areas, with residential access to dog walking areas, will not be happy with dozens of van loads of dogs arriving every day. This will lead to issues for various council departments.

There will be fewer places near the city free from large groups of dogs, so the individual owners who need this will be forced to drive away from the city to get it. Increasing their costs, hurting the environment, and turning these quieter areas into more popular dog walking routes (with possible ecological harms). The decisions made about Waterhall, particularly with 1000 dogs a day, are not without significant knock-on effects and consequences.

Access to Open Spaces

The council's report to the ETS committee lists many benefits for people visiting open spaces and walking in nature. *“There is a growing body of evidence to show that time spent in open green spaces provides significant benefits to physical, mental, and social health, and disease prevention”*. We agree and are delighted to see the council saying this.

We also know that dog walking encourages additional time – we estimated a million hours of extra walking in Brighton and Hove each year due to dogs (Dogwatch report to ETS, April 2020). This is probably the main form of exercise in the city yet currently receives no dedicated funding. Dog walking is also very inclusive across ages, gender etc.

The council claims that members of the public only walked on three footpaths while the golf course was active. This is incorrect. We have statements from people talking about shared access with golfers for over 30 years. Of friendly shared use, golfers bringing dog treats and dog walkers using club house toilets. With this length of access, it is clear that additional footpaths over the site could be adopted if people choose to go this route (as 20 years is required time of access for this measure).

Our main concern is that most people visiting the area now have dogs which are off lead. If this is banned (and even criminalised as the council plans), then access will dramatically fall. The vision

talked about early on by the council of a rewilded area with people and dogs visiting won't be there. How many families without dogs will visit a cow field? Yes, it will have lower intensity grazing than other areas so may get some but, if the council's plans are realised, we need to be realistic that visitor numbers will plummet.

Perhaps that's the council's aim. But that differs from the council's words about encouraging access to nature and open spaces. And what about the problems caused elsewhere?

Minimising ecological harm from dog visitors

Dog owners are animal lovers and most care deeply about the environment. To classify this as a battle of dogs vs nature is an unfair view. But any visit, human or animal, does have an impact and it is how to minimise this and make it sustainable that surely is the question?

The addition of nitrogen (N) and phosphorus (P) from dogs toileting in the area is a concern. The report quoted by the council (Nutrient fertilization by dogs in peri-urban ecosystems) is interesting reading. <https://besjournals.onlinelibrary.wiley.com/doi/10.1002/2688-8319.12128>

This report recommends:

1. Stimulate visitors to take away solid faecal waste
2. Enforce leash use more stringently
3. Establish more off-leash dog parks

4th recommendation doesn't apply to this environment (applies to caves etc)

The council is only proposing to follow the second recommendation. The report notes that this leads to even more harm around the paths than off-lead where issues are spread.

There seems to be no work or funding for more fenced dog parks or for even more poo bins/education.

Dog poo needs to be removed from land as the report states. Why then, have poo bins been removed which help people do this? Even if all the measures and PSPO is implemented, there will still be some dog visitors to the area, even if they are just transiting through on the public footpath network. It makes sense to increase poo bins whatever the outcome. This is not in the plans now and is an obvious omission.

There is also a claim in the council's report that dogs have disturbed wildlife in the area and reduced it.

"Monitoring of the adjacent land at Waterhall has shown a decline in target species (dormice and adders) with increasing dog numbers since the golf course ceased operation"

They key word for us here is **adjacent**. We would like to see more details on this. Specific questions arise as the data isn't about the Waterhall land itself. What areas were monitored, how far away and could there be other contributing factors? How certain are the scientists about the claims? As amateurs, the obvious question is why wasn't Waterhall itself monitored? And, if wildlife is being disturbed from Waterhall wouldn't it move to adjacent land and populations increase rather than decrease? Couldn't we also infer from the council's statement that target species are decreasing in

land adjacent to Waterhall as they move to Waterhall? So Waterhall is becoming more attractive to wildlife rather than less? We don't know, but welcome more understanding and detail. We should have a data-driven approach surely?

Another source of data will be how wildlife has changed at Stanmer Park. Off-lead dog walking has significantly decreased there. So, we should be able to see an increase in target species there. Has that happened?

We appreciate that if this data is gathered and analysed this may show a correlation. We support a full and scientific view, and this data will be important for future steps. If a change is shown, then this also implies that the Waterhall changes will cause a displacement and harm other ecosystems. This should be analysed and made part of the decision-making process. The environmental impact caused by displacement doesn't seem to have been considered as part of the council's approach.

At the moment the evidence for such a major change in land use doesn't seem to be there. It may exist, but the council report doesn't quote it. As can be seen throughout this document, there will be many ecological, environmental and financial costs from excluding off-lead dogs from Waterhall. We don't think that there is sufficient evidence currently to make such a change. Can the council provide it?

We are not experts in land design and management. However, we know other areas have an area at the start of walks to help dogs poo/pee (with a significant number of bins). This is a small area which is sacrificed so that the majority is better protected. A fraction of an acre of the 220 seems like a good investment?

Zoning

The original 16-hectare (40 acres) de facto public open space site at Waterhall used fenced compartments to manage stock grazing. This permitted safe access elsewhere and this method of zoning has worked well on the site for many years.

The council has decided not to use the proven method of fencing over the larger site (ex-golf course area) at Waterhall but to use the Nofence GPS system instead (<https://www.nofence.no/en-gb/what-is-nofence>)

Nofence trains the animals to turn around on audio. When the animal crosses the Nofence boundary, the collar starts playing an audio warning. The audio warning is a scale of tones, which starts at a low pitch and rises gradually as the animal moves through the boundary zone. If the whole scale has been played, a mild, but effective electric pulse will be given. The animal then learns to recognise the audio warning and turns around to avoid the electric pulse

There is no physical fence for the cows/sheep to see. Instead, a boundary is drawn on a phone app and if the stock gets near this they hear a sound followed by an "electric pulse" if they don't move away. As the area to be grazed changes, then this invisible boundary is moved.

Brighton Dogwatch does not have expertise in stock management, but we do care about animal welfare. The words used in the company's marketing are compelling, but let's be clear these collars deliver an electric shock to animals. If it was really "mild" as claimed, then the stock would ignore it.

They don't. They must be able to feel it and to act to avoid it happening again, that's how the collar functions.

Brighton Dogwatch knows more about dogs than livestock and electric shock collars for dogs are banned in many countries. The local MP, Caroline Lucas, wrote the following to the government in 2014: <https://www.carolinelucas.com/caroline/parliament/letter/letter-to-the-rt-hon-george-eustice-mp-parliamentary-under-secretary-of>

I have been in touch with Lord Henley previously about the use of pinch collars and electronic training devices, which are widely considered as an unnecessarily cruel method of dog training. A number of my constituents advocate banning the use of such devices and I agree.

Such devices are worn around a dog's neck and work either to deliver an electric shock or pinch to the neck of a dog automatically when a dog barks or when triggered by a remote device. They train a dog to respond out of fear of further punishment, rather than from a natural willingness to obey. Electric training devices or pinch collars are also not very effective as they generally fail to address underlying behavioural problems or can cause further behavioural complications.

I am sure you are aware of DEFRA funded studies published in 2013 (AW1402 and AW1402a) which concluded there were significant negative welfare consequences for some of the dogs that were trained with electric shock collars. There is also a wealth of other evidence that highlights the detrimental impact electric shock collars may have on dog welfare.

Electric shock collars are already banned in Denmark, Norway, Sweden, Australia (in most states), Austria, Germany, Switzerland and Slovenia. The Welsh government also banned electric shock collars in 2010.

There are many, positive, training tools and methods that can train dogs just as (if not more) quickly and reliably, with absolutely no fear, pain, or potential damage to the relationship between dog and handler. Moreover, guidance on how to best use electric shock and pinch collars is not sufficient to fully protect the welfare of all dogs, because it relies on dog owners.

With positive alternative methods and tools available to the public, there is no need for electric shock or pinch collar training devices and I would join my constituents in urging you to bring forward a ban as soon as possible.

The government has now changed its stance and supports a ban on electric shock dog collars, however this has not yet been implemented in England.

Views and academic evidence for the use of collars on stock is limited as the technology is new. Much of the research has been done in Australia and their RSPCA state: "The RSPCA is opposed to the use of electronically activated devices that deliver an electric shock to animals, as these are aversive. RSPCA supports the use of humane husbandry and management practices that do not cause pain, injury, suffering or distress" <https://kb.rspca.org.au/knowledge-base/what-is-virtual-fencing-or-virtual-herding-and-does-it-impact-animal-welfare/>

Again, we are not experts in stock management (indeed we have very little knowledge on the subject!). However, we know that the system used at Waterhall (and countless other sites) using

fencing works. Importantly for Brighton Dogwatch, it has been shown to work at Waterhall to permit access for both stock and off-lead dogs.

Our question is why adopt a new technology with practical and ethical questions around it, when fencing has been proven to work for years?

We hope that the issue of stock welfare and whether this is a good option for the animals, will be taken on by other local groups better qualified to help with this. We are animal lovers, so the electric shock nature of this method of zoning makes us very uneasy.

The council report states that there is an issue with *“Conflict between grazing livestock and dogs. The presence of dogs causes stress to livestock as dogs are perceived as predators. The potential for dog attacks on the livestock increases with the number of dogs being walk “off lead” on the site”*. We think this doesn't fairly report the way that the site is well-managed now. Over the last few months, a flock of sheep have been moved between signed compartments to graze them. This was well-communicated and there seem to have been no issues or harm to the stock. As usual.

The sheep seem very relaxed and comfortable protected behind fences. For example, when the field with the pond was grazed, many of the sheep chose to eat/sleep in the area right next to a path where hundreds of dogs are walked off-lead every day. They were relaxing and sleeping right up to the fence with large groups of dogs walking just a few feet away. Quite a sight to see. The sheep showed no signs of stress (to us anyway, again not experts but they were free to move very large distances away or out of sight, but they chose not to). The fencing method is proven, works and both stock and animals share well. Despite tens of thousands of off-lead dogs nearby, all seemed to work well over the weeks of grazing. The management of the area works well as it is done now and we should recognise that and thank the team.

In contrast, the new method has significant risks primarily as there is no fence. Dogs will be walked near stock with no fence but on lead. We think this will be harder for the dogs/owners (as there is no fence for the dog to see a separation) and there is likely to be more barking/lunging. For the stock, there is no fence protecting them from the “predators” so (we suggest) more stress for them. Also, if there is an issue with dog control (such as a lead or collar breaking as the dog lunges or a lead pulled from a hand), there is no fence to fall-back on to protect the sheep/cows. If the sheep run (as likely) they will then break through their invisible fence and get an “electric pulse”.

Our view is simple, it's not broken now. It works. Why try to fix it?

We are not experts in how to best manage land (indeed, once again we have very little knowledge on the subject!). However, different options don't seem to have been considered here. As amateurs, we wonder why a zone that is “Fully rewilded” hasn't been considered. Perhaps 10 or 20 acres which is fully wild. No dogs, no people. Fenced with a locked gate. Monitored remotely. Providing educational inspiration and teaching using remote cameras and trap cameras. Somewhere allowing ground nesting birds to really feel safe and start to nest in the area. Other species to thrive. Occasional grazing to manage. Again, we're not experts. Some of these comments may read as strangely to land experts as some of the comments in the report about dogs read to us! However, we do think there is a debate to be had on ways to use zoning to permit a large real high value area, alongside public access/leisure and (for us) some areas with off-lead dogs.

We are also concerned that the open access land classification also bans other groups from the area. They will be best placed to speak for themselves, but individuals and family groups have been seen

cycling on the ex-golf course areas. This will now be banned. Banning cyclists is surprising move from the council.

We seem to have a single use for the land (all 222 acres). All open access, dogs off-lead now banned from this whole area. Surely some areas need more protection – why not close these off completely (humans and dogs)? Why not have rotating access for off-lead dogs to others (as is effectively done now)? With such a large area, more inventive management is surely possible?

PSPO (Public space protection order)

At the ETS committee meeting in March 2022 it was agreed “That the Committee delegates authority to the Executive Director Economy, Environment & Culture to take the steps necessary to include the Wilding Waterhall Project Area within the council’s dog control zone”.

This is not an insignificant step. It will require a new PSPO which means consultation, evidence of an issue (which we believe can’t be shown) and, if approved, signposting and on-going enforcement costs (and enforcement across 222 acres isn’t going to be easy!).

We are surprised and concerned that the committee appears to have delegated the decision and costs of creating a PSPO.

Brighton Dogwatch has been involved with a PSPO in another council area that tried to obtain an all dogs on lead order. This had arguably a much stronger case than Brighton’s but was still defeated. We know the significant time, costs and resources required from the council on this.

Details on PSPO process are given in this guidance:

https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

Few relevant sections from this document:

Where councils have identified that a PSPO may be a suitable response to a particular local issue, they will then need to consider how to ensure they meet the statutory criteria. This will include determining: • the appropriate scope of the Order • the area covered by the restrictions • the potential impact of the proposals • how each of the restrictions meets the legal test. Councils will also need to consider how best the Order should be worded and establish an evidence base to support the proposals, incorporating a consultation process. Other issues, such as the practical implications around implementation and what is possible to enforce, will also need to be borne in mind. Early engagement with partners and stakeholders can be useful in understanding the nature of the issue, how best to respond – and, if an Order is proposed, how it might be drafted. This is likely to require involvement, and pooling of information, from a variety of sources, including councillors and officers from across council departments (including, for example, community safety, environmental health, parks, equalities, legal), police colleagues and external agencies.

*When drafting an Order placing restrictions on dogs for instance, it should be considered that **owners have a duty under the Animal Welfare Act 2006, to provide for their animal’s welfare, which includes exercising them.** In determining the area covered by restrictions, councils should therefore consider how to accommodate the need for owners to exercise their animals. The area which the PSPO will cover must be clearly defined. Mapping out areas*

where certain behaviours are permitted may also be helpful; for instance identifying specific park areas where dogs can be let off a lead without breaching the PSPO.

The Home Office guidance encourages councils to publish a list of alternative sites which dog walkers can use to exercise their dogs without restrictions. Councils should also consult dog law and welfare experts, for example, vets or animal welfare officers and organisations affected by restrictions before seeking to a PSPO. It may be useful to consult the Kennel Club on these issues.

Displacing behaviour. Notwithstanding the requirements outlined above, when defining the area restrictions should cover, consideration should be given as to whether prohibitions in one area will displace the problem behaviour elsewhere, or into a neighbouring authority.

We urge B&H Council to look at The Kennel Club's guidance:

<https://www.thekennelclub.org.uk/about-us/campaigns/access-for-owners-and-dogs/advice-for-local-authorities/>

Currently dogs are permitted off lead (but under control) on virtually all footpaths and bridleways across the country. This proposes criminalising it here. The evidence of harm would need to be high for this – and as changes to the wider area are new we can't see any. We think many groups will oppose limits on public rights of way.

Safety and Dogs around Cows

The NFU states: *"If you are threatened by cattle release your dog so you can both get to safety separately"*. Many farms have signs also with that advice. *"If you feel threatened by cattle then let go of your dog's lead and let it run free rather than try to protect it and endanger yourself. The dog will outrun the cows and it will also outrun you"* (BMC).

The PSPO proposal from Brighton council seems to try to outlaw doing this! So would need careful phrasing (and signing) to allow dogs off lead if they are threatened by cattle to prevent injury.

SDNPA – Take the Lead

The South Downs National Park Authority (SDPNA) have a campaign, "Take the Lead".

<https://www.southdowns.gov.uk/take-the-lead/>

This is a positive website encouraging people to visit the SDNP with their dogs "Lots of you visit the South Downs National Park because it is a great place to walk your dog. There's lots for them to explore including heathlands, forests, farmland and historical sites. Responsible dog walkers are very welcome in the South Downs National Park. Taking responsibility for your dog is especially important in spring when young livestock are particularly vulnerable. The South Downs is also home to many ground-nesting birds, and any disturbance can stop a successful brood. If you see signs asking you to keep your dog on the lead, please do so"

This allows dogs to be off-lead when appropriate and is a very different approach to Brighton Council's which aims to fine everyone with dogs off lead in an entire, 222 acre, area throughout the year.

Brighton Council has recently put up signs at Waterhall (signed as Cityparks/Waterhall ranger). Part is below

Public access is key to the project and there are no plans to exclude people from visiting Waterhall, however the issue of unprecedented off-lead dog walking has become unsustainable. We will be working in line with the SDNPA's "Take The Lead" campaign, which is looking at ways to reduce conflicts between dogs, livestock and wildlife. The project team will be looking to recruit volunteer "Dog Ambassadors" from the local community to promote responsible ownership and help us to balance the needs of the community, livestock and nature, so do get in touch if you'd like to be involved.

We don't believe that the council's agreed direction, of fining all off-lead dogs, fits with the SDNPA "Take the Lead" campaign as the council claims.

We are not sure that the SDNPA wants to put limits on dogs on footpaths. Indeed, the SDNPA seems to understand how many visitors come to the area and spend money because of their 4-legged friends.

As there hasn't been a consultation to date on these changes, we'll be asking the SDNPA about their views. Specifically:

1. Does the SDNPA support off-lead dog fines for open areas and also for public rights of way?
2. Does the SDNPA agree with the way that B&H council are communicating "Take the Lead?"
3. Is the SDNPA looking to extend fines for dogs to other areas of the SDNP? If so which areas?
4. What does the SDNPA think the financial impact will be for reducing dog walking and visitors across the SDNPA?

Responsible dog ownership

Brighton Dogwatch has been promoting responsible dog ownership for years both on-line and at events.

This part of the council seems to have a view that responsible dog ownership is keeping dogs on a short lead at all times. This is not correct. Indeed, allowing dogs to express their natural behaviour is important and a legal requirement. Yes, this needs to be done safely so that the dog, other animals and people are not harmed and this is already covered by numerous items of legislation.

A useful guide is available here:

<https://www.dogstrust.org.uk/help-advice/dog-care/responsible-dog-ownership>

We wonder how well council staff trying to explain responsible dog ownership to dog owners who are being responsible by exercising their dogs will work while the council is placing electric shock collars on their own animals?

Recommendations

1. Pause implementation to review issues/feedback. The lack of discussion and consultation before the council report was presented/agreed really necessitates this. The implementation seems to need enforcement, and this won't be available until a PSPO is introduced. This is a complex and lengthy process.
2. Look at zoning Waterhall and how the 222 acres and footpaths can be shared, including with dogs off-lead. With traditional fencing, signposting, and social media the land can be shared with dogs off lead in parts as it is now. This has worked well for many years. We believe that there are the skills and knowledge across the council and other organisations to deliver a win-win rather than the current lose-lose plan. We think the plan as stands will have on-going conflict, have issues around stock welfare and dangers/issues of dog displacement to other, less suitable, areas. We have proposed some ideas with "full rewilding", rotating compartments for stock/grazing (as now) and off-lead dog areas.
3. Re-introduce local regular dog walkers to Stanmer Park. Most regulars have been displaced with the pay as you go parking charges. An annual fee (at a reasonable level of £32-£80 using the Forestry Commission, National Trust and Ashford Forest as benchmarks) will help bring people/dogs back and take pressure off other areas. This will also provide an incremental revenue stream for the council and reduce local driving. Without regular dog walking at Stanmer Park, we think the council is starting a "whack-a-mole" dog walking displacement game like the controlled parking zones but without any revenue. That is not good for anyone!
4. Install more dog poo bins at Waterhall (as recommended in the report that the council quoted). Consider a small area at the walk start to encourage dog toileting. Signs explaining/educating why. The issue of dog poo was reported by the council as far back as 2011 and possibly earlier. We don't understand why more poo bins haven't been installed at some point in the last decade!
5. Look at the ecological, environmental and safety impacts from displacing dog walking. There should be conclusions that can be drawn from the change from Stanmer Park to Waterhall which can inform this debate. Along with likely extra travel to other sites (and the tonnes of extra CO2 from this). These impacts and consequences should be part of the decision-making process. If the council squeezes dogs from one area then, like a balloon, they will increase in another area. Many of these areas are far less suitable with more roads, children's play areas, sport fields etc. This risks injuries to dogs, children and lots of community issues.
6. Develop a strategy for dogs across the city. Currently the council's approach has only been negative, banning or taxing (by parking charges) dog walking. With the benefits to human physical and mental health, the million extra hours locally of exercise that it brings and the around a third of households who own a dog, there needs to be a strategy. There was initial interest for one in 2020 from the council, but it was abandoned.

Again, these recommendations and the report overall are meant in a positive and constructive way. We hope we can find a way forward where the land can be shared and enjoyed whilst also improving the wildlife and area that Waterhall offers.

We live in an area where many households have dogs. We've seen just how important these dogs are for physical and mental health. We also have a large community that supports environmental progress and rewilding projects. These communities are not separate they overlap. We should find a way for all communities to go forward and create a win-win.

Appendix A – Proposal for Stanmer Parking Pass

taken from Dogwatch submission to ETS committee, April 2020

Regular park users

Previous proposals helped daily/regular park users. The current proposals remove an option to buy an annual pass. We have already seen concern that daily parking charges would cost individuals over £500 to over £900 a year (for up to 2 and up to 4 hours parking). One pensioner commented how could they afford an extra £50 per month for parking?

We would like to see the annual pass option be re-introduced. We can see that there is a risk that this could be abused by all day parkers, so we propose that it is targeted at legitimate park users. We think this could be done by making the pass valid for 4 hours (with no return within 4 hours).

We see the forestry commissions “Discovery Pass” as a good model for this. Their car parks have similar daily charges, but an annual pass covering 4 leisure sites is £32.

<https://www.forestryengland.uk/friston-forest/friston-forest-seven-sisters-country-park-and-abbots-wood-membership>

We think Brighton and Hove council could offer a similar scheme. Up to 4 hours parking at leisure sites (Stanmer Park but could also include Preston Park, East Brighton etc). This would help maintain residents’ physical and mental health and be a positive option rather than parking charges being seen as a health tax.

Appendix B – Groups included

Please forward onto anyone else who you think should see this and/or contribute. We're just a small group trying to help lost dogs and help local dogs. We've just identified some groups we think will be interested.

Over 12 thousand members of the Brighton Dogwatch facebook group

The council suggests that dog walkers displace to the following: Three Cornered Copse, Coney Hill Woodland and Waterhall and Braypool Recreation Grounds are unrestricted and Green Ridge only has restrictions when it is being grazed
- consult residents/groups here

Dog wardens

South Downs National Park (displacement and criminalising dogs on leads)

National Trust (displacement to them)

Caroline Lucas (local MP and quoted on dog shock collars)

All Brighton/Hove councillors in ETS committee

All Withdean councillors and Stanmer Councillors re displacement

Kennel Club

Please provide feedback to:

Brighton Dogwatch. We will collate and provide an updated report. You can contact via our facebook page/posts on Waterhall or by email to dogwatchbrighton@gmail.com

Brighton council contacts as you see best:

cityparks@brighton-hove.gov.uk

Your local councillors and those on ETS committee. Details can be found at:

<https://democracy.brighton-hove.gov.uk/mgFindMember.aspx>

ETS committee: <https://democracy.brighton-hove.gov.uk/mgCommitteeDetails.aspx?ID=823>

Please use the subject "Waterhall" for all emails for ease of finding them!

Thanks again for your help, Brighton Dogwatch

Appendix C: Comments received

From Dogwatch members (on Facebook and by email)

It's very sad that B&HCC are being so draconian. It is well evidenced that owning and walking a dog is funamental to many peoples' mental health (and thereby saves them a fortune). During lockdown many many people panic bought dogs and dog walkers have taken up the slack as they return to work. Without areas to walk dogs off lead dogs will develop more and more problems and ultimately might need rehoming. It's a shocking and naive response to a variety of problems which do include some irresponsible owners/dog walkers not doing what they should - i.e. clear up and control their dogs if need be which they would have FAR MORE CHANCE OF ENFORCING. There are so few accessible places to exercise dogs the problems will be shifted around. Bloody stupid.

sadly the councillor dealing with it says via email to me there would be a consultation but said to my friend there wouldn't be. 🤔 they got funding to re-wild this area & turn into a learning facility, (although what school would approval a health and safety visit with free roaming livestock) whilst saddlescombe farmer got a grant to farm it with free roaming livestock with gps collars. i'm so sad i've been walking my dogs there over 10 years....

Good idea to enable this important rewilding project to get established and work!

This is ridiculous, it's a safe area away from roads and children large enough to accommodate off lead dogs, I go here very often for off lead time , I am responsible and only let my boy off lead when there's no one near us and we stick to the main field, large enough to see anyone approaching

Not to mention it will now overwhelm the rspca field and the " puppy park " in Preston park

We walk our dog off lead there nearly every day. Only other dog walkers, so no one to disturb. There are lots of dog walkers using the area, and I am not sure where else they will be able to move to without affecting a lot of other people. There has been a huge rise in dog ownership over the last few years and this space is perfect, away from families and children's play areas

Have you created a petition? Create one and get 1250 sigs and it will force a debate. Coming from a responsible dog owner that refuses to has his dog on a lead as he is 'trained'.

It's a lovely safe area to walk dogs off lead and sadly these areas are getting less and less. We walk our rescue up there and he loves the freedom and we love the fact it's a

safe space for him to run and fly through the old bunkers. Gives him the space to work off a lot of energy!

There must be happy medium which can be achieved it's a large area.
It's another example of how underhand B&H council work!

I do sometimes walk in this area, and observe that it's main function seems to be as an area for others to do the same! So many people enjoy the land with their dogs and yet this happens with ease and largely without issue as it is such a vast area. Should all of these people be forced elsewhere, parking, access areas, and the places themselves will become so busy that people and dogs will suffer. It seems shortsighted of the council as this will essentially create more serious problems to solve in other rural places. Perhaps certain areas could be limited such as the wildlife pond etc and perhaps they could clamp down on problematic off lead dogs as clearly some people do use the area to walk dogs they can't control, but there are many types of compromises that should be discussed before an outright ban is introduced

My main concern is where this ends in terms of where we will be able to walk off lead...this will push more walkers onto recreation grounds, Stanmer and other areas that are less suitable so will these be targeted next? Surely with such a large area there could be a compromise? I also agree that some irresponsible owners who don't pick up and some of the dog walking companies who are walking in large groups really aren't helping.

What a great idea about time

The amount of irresponsible dog owners down at Waterhall not picking up the dog mess all over the rugby pitches where little kids play.

Also dogs off leads regularly running through active training sessions and games and owners not caring.

Not saying it's all dog owners but some are spoiling it for the rest

Good luck with them implementing it. What are they going to do have dog wardens down there all day every day. Utter bollocks!

I'm fuming I've been training down there for 12 yrs to help pet owners have better control & do socialising as many have been rescued & come with issues not through their own fault or owners fault, I also use space to enjoy a walk with my dogs & clear stress from my head when life gets hectic watching my dogs enjoy a free run puts a smile on my face & to know my dogs are happy & healthy through diet & exercise & mental training I've taken on dogs with very bad behaviour & turned them around as so many dogs have high anxiety when on lead cause frightened, This is like a bullying tactic to have final say it's so bloody wrong

It beggars believe that a green council can ban all dog walkers.

So the justification is that songs scare away dormice and adders and their poo makes the soil too nutritious for a certain species of grass 🐛

The amount of dogs going missing over there, dogs mess left, dog fights and all that's gone on no wonder the council want to tighten up

I've been walking my dog (a small, nervous rescue) at Waterhall very regularly since it was closed as a golf course. Over 2 years now. It's her safe space. We have observed first hand how much use of Waterhall area has increased, especially with professional dog walkers. Probably as dog ownership has increased. I searched the B and H website a little while ago to look at the plans and see the consultation, as was keen to have an Input. But found nothing. I now feel quite angry at how they have chosen to avoid consultation with regular users. We will certainly miss the option of walking our dogs off lead in that area. Where will all the dog walkers go instead? And is it really necessary for the WHOLE of that vast area to become a 'lead only' area. And ALL of that area for grazing cattle? There are issues that need addressing too - I can see that the volume of dog poo that isn't picked up by dog walkers is a problem. But B and H council, in my view, should be engaging with the public. Both ordinary individuals like me and my friends, trying to allow our dogs good exercise in a quiet space. And also the needs of professional dog walkers. I'm sure a sensible shared use of the space could have been worked out if only BH had bothered to talk to those using this PUBLIC space. Happy to talk to anyone about this issue, IF B and H are prepared to listen. But I fear it is too late?

I'm devastated about this plan for Waterhall. I use it 2 or 3 times a week with my Cav and it's my happy place to switch off from the stresses of life and enjoy a country walk with my dog. There must be a compromise. I despair with this council, I really do.

My dog is extremely nervous, we walk at Waterhall twice a week as it is quiet enough she can be off the lead and play catch - walking up around the old golf course - i'd seen the fences go up this past few weeks so I was prepared for livestock coming in. Can't believe this will mean an 'on lead' rule. It's really upsetting.

I have been walking dogs there for a few years now. Why are the dogs losing their freedom. The area is big enough to still let the dogs have fun. My dog is anxious on a lead, being confined..her favourite thing to do is be off lead ,she is a different dog off lead and Waterhall gives her and many over anxious stressed dogs the chance to be off lead and happy.

What is the reason? I'm assuming bc people dont pick up after their dogs, or dog walkers walking off lead with up to 6 dogs in a group, irresponsible people letting their dogs chase livestock.. it is sad for those that do walk their dogs responsibly, it's all down to the influx of all the extra housing and people, which will have a knock in effect eventually of people living in a rat race, this is the wrong decision Council have made.

Looking at earlier comments they seem to be saying that dogs will need to be kept on a lead around wildlife (sheep?) and during nesting season. Will many people know when nesting season is? It's all very confusing and like an earlier commenter said. How are they going to police it? I would suggest everyone contact their local councillor to object. Can Brighton dog watch start an online petition?

Yes! Let's walk our off lead dogs near a road on the recreation ground. That's an Awesome idea. Not. Three Cornered Copse is also not the most secure with access to 2 roads from the copse itself to say nothing of Dyke Rd to the north. Coney Hill just leads us to Green Ridge which is also open to roads and sometimes has sheep on it 🐑

I also emailed the councillor and voiced my opinion, but got back a standard reply. It is ridiculous that this is even being proposed. Most of the beaches say no dogs from May, the parks are full, the greens on the seafront have proposals to be turned into a bike pump track, the downs have livestock roaming, Waterhall is one of very few places dogs can have a good run. It is however disappointing that so many do not clear up after their dogs, or worse still, hang full poo bags in trees (how? Why? Would that ever seem like a good idea?) .. I am up for fighting against this new ruling, there is no reason why rewilding & dog walking can't go together; leave the pitches free for the sports .. In Brighton and Hove space is such a commodity, with an ever growing population, more space is needed for exercise & general use. I suspect the new proposals have some income idea behind them, surprised the parking is still free at Waterhall, probably won't be for long...

The council proposes several alternative sites that are not safe for dogs to be taken off lead. Coney woods is adjacent to the Mill Road. Baypool recreational grounds is adjacent to the A23, water hall rec. grounds is adjacent to London road.

I understand that waterhall rewilding project will shortly be given over to grazing cattle and sheep (ie farming) . I am deeply disappointed in this and feel this is extremely short sighted. Like many , I rely on this place as a safe , quiet place to walk my dog. It is really the only place in Brighton where the dog can be off lead and safe to not bother other people. Particularly at this time of year, when children are playing football, people starting to have picnics, swimming etc on the beach, in parks, golfing etc., this is going to be a real problem. As you know there was a boom in dog ownership over lockdown and all of those dogs need somewhere to exercise or there will be more problems with dogs who are frustrated and with challenging behaviours as they have to stay on the lead all the time. Due to large increases in ownerships many more dog walkers use this area for walking - again it is a safe place where they don't bother anyone. There are literally hundreds of fields of farmland where cattle and sheep are grazing all around Brighton - including plenty around waterhall . why is more needed?! This is hardly in keeping with rewilding to turn it into farmland, so can't really be described as rewilding . I do not understand why this small sanctuary is going to be lost (except of course to make money) and as i say , im really upset and disappointed in this decision