

**Report to the Cleaner Greener Safer  
Overview and Scrutiny Committee**

**24<sup>th</sup> March 2014**

**Dog Control Orders**



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### **Introduction**

Across the Borough there are an estimated 15,000 dogs. One in four households have a dog. Most dog owners act responsibly and their pets pose no problems for other residents. However, a minority are less considerate.

Typically the borough council's two dog wardens receive about 1,500 dog related complaints each year. Of those about 220 (15%) relate to dog fouling. Streetscene receive a similar number of requests for fouling removal.

Whilst dog wardens only receive a relatively small number of complaints relating to aggressive dogs, we are aware that there is an expectation that the authority will safeguard other users of its open spaces and especially young children using play facilities.

This report provides an update of our actions within the last 12 months in respect of Dog Control Orders. It then confirms the work we now plan to ensure that residents understand and comply with the controls.

### **Background**

The authority started work in 2012 to update a range of dog related provisions and, based on feedback from residents, created four Dog Control Orders which came into effect on 1<sup>st</sup> April 2013. Comprehensive information on Dog Control Orders is provided on the council's website at [www.newcastle-staffs.gov.uk/dogcontrols](http://www.newcastle-staffs.gov.uk/dogcontrols)

Our four controls now cover:

### **1. Dog Fouling**

***If a dog fouls in any public place it's owner should remove the fouling immediately and correctly dispose of it***

This control applies to **all public places** – including footpaths, pavements, verges and public open spaces such as parks.

### **2. Dogs on Leads**

***Dogs should be kept on a short lead when being walked in certain areas***

Where it applies:

- *Crematorium, church yards and cemeteries*
- *Formal Gardens*
- *Marked sports pitches*
- *Unfenced children's play areas*
- *School grounds & school sports pitches*
- *Specified parts of Apedale Country Park designated for wildlife*
- *Specified parts of Bathpool Park*
- *Open space owned by parish and town councils*

### **3. Dogs On Leads by direction**

***Requires dogs to be placed on a lead when requested to do so by an authorised officer***

An owner may be asked to place their dog on a lead if the officer has witnessed it acting aggressively, or believes that the owner would not otherwise be able to keep it under proper control. Owners may also be asked to place their dog on a lead when attending events where there are large numbers of people and other dogs.

This control applies to **all public places** – including footpaths, pavements, verges and public open spaces such as parks.

### **4. Dog Exclusions**

***Dog walkers must not take their dog into certain places - even if they have it on a lead***

Where it applies:

- *Enclosed children's play areas*
- *Fenced / enclosed games areas i.e. tennis and ball courts, multisport areas, skate parks,*
- *The grassed area of all bowling greens*
- *Specified school grounds & school sports pitches*
- *Specified parts of Apedale Country Park designated for wildlife*
- *Open space owned by parish and town councils*

### **Questions to be Addressed**

- What action has taken place in the last 12 months?
- What are the current priorities?
- What further action is planned to secure compliance?

## **Outcomes**

Dog Control Orders set clear practical rules for dog owners to follow, and provide penalties to promote compliance and positively influence behaviour. Their aim is to ensure our public places remain clean and safe.

Where dog owners choose to disregard the controls the authority can take enforcement action. Action ranges from a warning, to the issue of a Fixed Penalty Notice or following appropriate review cases can be escalated for prosecution.

## **Supporting Information**

### **1. What action has taken place in the last 12 months?**

Since the introduction of Dog Control Orders the dog wardens have taken all possible opportunities to ensure that dog owners understand the controls and the action they need to take. We have promoted the controls through the local media (newspaper and radio) via the council's Reporter, on our website as well as through face to face discussions with dog walkers and the distribution of leaflets. In the last 12 months the team has spoken with approximately 1,000 dog owners.

- It is important that we continue to promote dog controls so that dog owners understand their obligations

We have followed guidance issued by DEFRA and are now moving our focus from warnings and advice towards enforcement. Dog Wardens have been authorised to issue Fixed Penalty Notices where they observe offences first hand. In addition we are able to pursue enforcement where we have reliable third party evidence in a format which we could use in court proceedings.

- We continue to ask for residents help to ensure that we correctly focus our efforts

Signage is an important tool to remind dog owners of their obligations. To date we have added about 150 new signs to the 3,500 already displayed. .

### **2. What are the current priorities?**

We are now steadily changing our focus from providing advice and guidance towards enforcement.

Our enforcement action is resident led and we attend locations where problems have been reported, and deal with the offences we then witness.

In general terms we will offer a fixed penalty wherever an enforcement officer observes a fouling offence, or a dog being taken into an area where an exclusion

applies. Where a dog on leads control is breached we will either issued a fixed penalty notice or offer a warning for a first offence.

- Our priority areas for enforcement will be the hotspots our residents identify. Our focus will be on breaches which place residents at especial risk – for example taking a dog into a children’s play area, or failing to remove faeces from sports pitches.

### **3. What further action is planned to secure compliance?**

We appreciate that the presence of a warden is an effective deterrent, but that it has a limited lasting impact. We have the support of PCSOs, Aspire Housing and Staffs County Council to assist enforcing controls, but are looking how we can achieve more.

- We hope to increasingly work with other staff and partners to increase the enforcement team. We will continue to look at way we can work jointly with other agencies and community groups.

We recognise that it may not be practical for residents to assist directly supplying evidence for enforcement. They may not be able to obtain names and addresses of offenders, or have concerns of repercussions. We will therefore look at other ways residents can participate and support Dog Controls.

- We aim to develop materials which residents can display or circulate to promote awareness of Dog Controls and penalties.

### **Constraints**

There are obvious limits to the amount of enforcement which the authority can deliver based on its geographical size and available staff resources. It is therefore important that our efforts are targeted for maximum effect.

- We will review how we deliver our patrols.

Placing and maintaining signs has cost implications. The typical cost of purchasing and installing as sign is approximately £20. No provision has been made within dog warden service budget for further signs to be installed.

- We will establish if other fund holders such as LAPs, parish councils wish to fund extra signs, and obtain / install these if requested to do so.
- We have requested that dog control details feature prominently when park signs / notice boards are refreshed. This both increases the profile of dog controls and reduces the amount of separate signage needed in these areas.

## **Conclusions**

The process of creating and introducing Dog Control Orders is complex, but has now been completed. The authority now has robust controls, which continue to have significant community support, which can be used to enforce standards and safeguard residents.

Mindful of the constraints identified, we propose to continue to actively promote controls, and further explore options to increase enforcement.

## **Relevant Portfolio Holder(s)**

Cllr Ann Beech – Environment & Recycling

## **Background Materials**

Dog Control Orders – public information leaflet see:

[http://www.newcastle-staffs.gov.uk/documents/environment/dogs/control\\_orders/dog%20control%20a4%20folded.pdf](http://www.newcastle-staffs.gov.uk/documents/environment/dogs/control_orders/dog%20control%20a4%20folded.pdf)