

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

28th February 2018

Dog Control Orders



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Introduction

Across the Borough one in four households have one or more dog. Most dog owners act responsibly and their pets pose no problems for other residents. However, a minority are less considerate.

The council now receives 800 dog related complaints each year. Of those about 160 (20%) relate to dog fouling. Streetscene receive a similar number of requests for fouling removal. There are approximately 50 complaints about dogs behaving dangerously each year. Whilst the total number of complaints to the dog wardens are reducing, complaints about fouling are largely unchanged year on year.

Fouling bins, provided by Operational Services are well used with steady demand for additional bins. In some locations bagged dog waste, left by residents, is becoming a problem.

Cleaner Greener and Safer Communities Scrutiny Committee Chair explained on Wednesday, 27th September that she wished to review recent dog fouling initiatives to be included at the 28 February meeting.

This report details the dog controls currently in force and the action taken to publicise and enforce them.

Background

The authority has previously created four Dog Control Orders which came into effect on 1st April 2013. Legislative changes obliged the authority to review whether the controls remained fit for purpose. This review took place during summer 2017, and included a period of public consultation during August and September 2017. On 21st September 2017 Public Protection Committee agreed updated controls by adopting

a Public Spaces Protection Order (PSPO). The order applies across the whole of the borough for a period of three years, and on the whole simply continues the previous controls, without significant change.

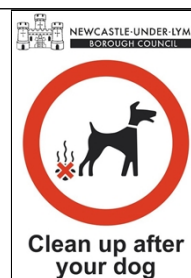
Controls currently in force

The following details the six controls currently in force and has been reproduced from the council's website: www.newcastle-staffs.gov.uk/dogcontrols

Dog Fouling

It is an offence for an owner to allow their dog to foul any public place and not immediately remove the waste. These controls apply to almost all public places such as grass verges, pavements, churchyards and public open spaces.

Dog owners should carry a poop-scoop or other means with which to pick up and dispose of their dog's waste. Fouling controls apply whether or not there are signs or dog bins in the area. The Council is committed to placing more fouling bins in areas regularly used by dog walkers, however, where no bins are present dog owners should dispose of fouling in their domestic refuse bin.



Dog Exclusions

What it means

Dog walkers cannot take their dog into certain places – even if they have it on a lead.

Where it applies

Dogs are excluded from the following areas:

- Fenced or enclosed **children's play areas** signed at its entrance(s) as a "dog exclusion area" which are designated and marked for children's play
- Fenced or enclosed games areas such as tennis and ball courts, multisport areas, skate parks
- The grassed portion of all **bowling greens**
- Fishing **pools managed by angling clubs** as per their signs
- Fenced or enclosed portions of **Apedale Country Park** - signed at its entrance(s) as a "dog exclusion area" which are designated for wildlife conservation
- Open space owned by parish and town councils signed at its entrance(s) as a "dog exclusion area".

These areas have been chosen because the presence of a dog, however well behaved, could cause problems and, on balance, we feel it would be better that the dog was not there.

The sites we have selected are all relatively small and have a fence around them. They have a limited number of entrances where appropriate signs can be displayed.



Dogs on Leads



Requires dogs to be on a lead in specific places

What it means

Dog walkers must keep their dog/s on a short lead (no longer than two metres) when they walk it in certain places

Where does it apply?

Dogs must be kept on a lead when being walked in the following areas:

- **Bradwell Crematorium, churchyards, cemeteries and closed churchyards**
- **Formal gardens**
- Marked out **sports pitches**
- **Unfenced children's play equipment** and a portion of the playing fields, extending 20 metres in all directions from it.
- Fenced/enclosed portions of **Apedale Country Park** signed at its entrance(s) as a "dogs on leads area" which are designated for wildlife conservation
- The northern section of **Bathpool Park**, from its entrance and car park at Boathorse Road, along the main access path which runs from the car park at Boathorse Road, adjacent to the children's play area - and - rugby pitches to its junction with footpath 146 which crosses the dam wall.
- Paths which adjoin Bathpool reservoir's main fishing pool and continue along the eastern side of the reservoir
- Public rights of way: Kidsgrove 130 to the reservoir embankment 144, 146 and 182.
- Fishing pools managed by angling clubs as per their signs
- Open space owned by parish and town councils as per their signs

Dogs on Leads by Direction

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

What does it mean?

Officers such as dog wardens, park rangers, police officers and PCSOs can tell dog walkers to put their dog on a lead if they feel it is necessary for the safety of the dog or to safeguard others. If you fail to follow their instructions, they can issue a fixed penalty notice.

Maximum of Six Dogs NEW

We consider that if a person walks more than six dogs they will not be able to keep them all under proper control. The risk that they will not notice, or be able to remove, fouling increases. It is more likely that larger groups of dogs will behave as a pack. Other park users - including walkers, family groups, runners and cyclists - often report feeling intimidated by groups of dogs.

Locations where this order applies -

- Apedale Country Park
- Bateswood Country Park



- Bathpool Park
- Clough Hall Park
- Silverdale Country Park
- Lyme Valley Parkway
- Birchenwood Country Park

Means to pick up dog fouling NEW

Anyone walking a dog in a public place is obliged to clean up after their dog. This control requires a dog's owner to prove, if asked, they have a bag with them so are able to pick up after their dog.



Publicising Controls

As part of the review and public consultation prior to October 2017 the council published detailed proposals and contacted a number of stakeholders including housing providers, parish councils, and Staffordshire Police. Notices were placed on park notice boards and laminated signs added to lampposts in areas heavily used by dog walkers. Some 2,000 leaflets were distributed encouraging residents to see the additional information published on our web pages and take part on our on-line consultation.

The council's communications team also promoted details of proposals using social media. Public Notices were also published in The Sentinel

Following committees approval in October, updated notices were placed and the council's web pages refreshed.

We have reviewed signage at a number of locations and where resources permit upgraded signs. We aim to ensure that where park information boards are renewed, as part of planned maintenance, that the new boards prominently display details of dog controls.

A new requirement, included in response to requests from a number of angling groups has been a requirement for dogs to be kept on leads, and out of the water at a number of lakes managed by angling clubs. Dogs running free around such pools were becoming entangled in fishing line and snared by hooks. We have provided resources to angling clubs to help them promote these new controls.

We are working to develop location-specific leaflets, covering areas extensively used by dog owners, helping them understand the controls in that locality. We've a leaflet in respect of Bathpool park and now plan others for locations such as Lyme Valley and Bateswood County Park.

We have provided signs for the parks where the new maximum of six dogs controls apply.

We will continue to make signage available to Members and community groups, and ensure there are also resources downloadable from our web pages for residents who wish to remind dog owners of their obligations.

Following a Member request we now advise dog owners that they can place dog waste into litterbins, if a dog waste bin is not available on their route, or must take bagged waste home for face action for littering if they leave bagged waste behind.

We will continue to take every opportunity to explain the controls in force across Newcastle and help dog owners understand what they are obliged to do and why.

Enforcing Controls

Anyone who breaches a Public Spaces Protection Order can be issued with a fixed penalty (£100) or fined up to £1,000 by the courts on conviction.

We will continue to ensure that we talk with dog owners whenever we can promoting controls and that where we witness controls being breached that we take appropriate action. We will ensure that we focus available time patrolling 'hot spot' areas and encourage residents and members to help us identify locations where officer time can be most effectively used.

Where others witness offences occurring we will encourage them to provide the necessary information to enable enforcement to follow. – especially if they witnessed the incident as part of their job – e.g. housing officer, country park ranger, Keele estates officer etc. We will help them confirm what they have seen in a statement which we can use if the dog owner opts for the matter to be heard at the Magistrate's court.

The number of occasions where officers have witnessed offences, and the number of others providing sufficient information to enable enforcement has reduced significantly in the last two years. As a result the number of penalties being issued is declining.

We will continue to ensure that we publish details of the penalties we have issued (or fines awarded), as we recognise residents want to see this information. Details are published at <https://www.newcastle-staffs.gov.uk/all-services/environment/dog-wardens/dog-control-order-penalties>



Related Matters

In response to resident's requests we will continue to look if certain areas, where dogs would ordinarily be banned can be made available to dog owners – who want a secure area to exercise or train their dog. Locations include former tennis courts and bowling greens, where the area is no longer maintained for its intended use, but remains in the council's ownership.

Operational Services will establish if these areas can be rented out for use by dog trainers, or can be used by residents. We aim to actively promote these areas and ensure that they are clearly signed.

Conclusions

We believe that the current Public Spaces Protection Order sets appropriate controls which on the whole are being complied with by our dog owners. We will continue to ensure we keep our residents informed and make best use of available enforcement resources.



Background Materials

Public Protection Report: Public Spaces Protection Order - Dog Controls, including responses to consultation

<http://sviam/documents/s24167/4%20PSPO%20Dog%20Controls%20Adoption%20Report.pdf>

Public Spaces Protection Order – Dog Controls

<https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/DogControlOrder2017.pdf>

Dog Controls Sign (available for residents to download / display at their property)

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/Dog_Control_web_sign.pdf

Dog fouling witness report

<https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Environment/DogWarden/FoulingWitnessQuestionnaire.pdf>