

CABINET

DATE OF COMMITTEE
30th May 2012

REPORT OF THE PORTFOLIO HOLDER ENVIRONMENT & WASTE MANAGEMENT

TITLE OF REPORT Proposed Implementation of Dog Control Orders

EXEMPT INFORMATION

None

PURPOSE

To endorse the outcomes of initial consultation and seek approval to commence introduction of dog control orders in Tamworth, subject to acceptance by full Council

RECOMMENDATIONS

Members are asked to:

- **Endorse the report and results of the consultation of the Dog Control Orders identified**
- **Approve the areas proposed to be included in the Dog Control Orders with the amendments arising from the consultation.**
- **Approve statutory 28 day consultation to begin on 1st June 2012.**
- **Subject to comments received from the statutory consultation, endorse formal presentation of Dog Control Orders implementation to Full Council for adoption of the orders in July 2012.**

RESOURCE IMPLICATIONS

There are no additional financial implications to those already identified in the report to Cabinet of 14 December 2011

LEGAL/RISK IMPLICATIONS BACKGROUND

All legal implication is covered by the report

SUSTAINABILITY IMPLICATIONS

None

CONCLUSIONS

Consultation

The initial consultation regarding proposals for the introduction of Dog Control Orders ended on 28 February 2012. The Council received 257 responses. The results of this consultation has provided the following outcomes on the proposed orders:-

- **Fouling of Land by Dogs Order – the whole of the Borough**

The survey showed that 93% of the respondents were in favour of the introduction of this order

- **Dogs on Lead by Direction Order – the whole of the Borough**

The survey showed that 89.8% of respondents were in favour of the introduction of this order

- **Dogs On Lead at ALL times Order - designated land Tamworth Borough Council cemeteries, pedestrian area of the town centre, top lawn Castle Grounds, all public footways or grass verges adjacent to a road in Tamworth (as defined by the RTA 1988) and Anker Valley Sports Pitches**

The survey showed that 89.9% of respondents were in favour of the introduction of this order

- **Dog Exclusion Order – designated children’s’ play areas only**

The survey showed that 83.8% of respondents were in favour of the introduction of this order

Stakeholder/Landowner feedback

Feedback was received from:-

- The Kennel Club
- The Dogs Trust
- Staffordshire Wildlife Trust
- Dunroamin (the Council’s stray dog collection service)
- Waterloo Housing
- Tamworth Dog Walkers

No further comments were received from the other stakeholders invited.

The responses received contained no major objections to the proposals, although the Kennel Club advised the need to allow dogs to roam free with children in parks and advised against a total banning of dogs from parks or open space or for dogs to be on the lead at all time.

In designating only formal play areas and specific locations where dogs must be on a lead has meant that Tamworth Borough Council continues to support responsible dog ownership in public spaces, but acknowledges the fact that dogs need to roam free under the control of their owners.

Overall the initial consultation indicates there is support from residents for the control of dogs, as detailed in the bullet points above.

The proposed orders for implementation are attached as Enc 7 and, in accordance with legislation, must be approved by Full Council and implemented within 10 days following with all signage in place.

Education

Street Wardens have commenced the “Saxon Hound” Mucky Pup Clean it Up campaign and will continue to educate and inform residents on Dog Control.

Leaflets on dog fouling and the implication of dog control orders are also widely available, and the instantly recognisable “Saxon Hound” will be used for all branding associated with the education campaign.

Many comments in the initial consultation referred to enforcement. It is not proposed to increase the level of enforcement the Council currently delivers, but it is proposed that all enforcement staff will receive delegated authority to operate the new powers and the Mucky Pup Clean it Up campaign will encourage residents to report irresponsible dog owners. This should enable the council to more effectively allocate resources to enforce the orders.

Additional Areas

The consultation did not include strong proposals for additional areas to be included, but after consideration some additional areas are proposed for a dog exclusion area as they are designated play areas:-

Tennis Courts – Tamworth Castle Pleasure Grounds
Skate Park – Tamworth Castle Pleasure Grounds

BACKGROUND INFORMATION

The initial consultation process and nominated areas for the introduction of Dog Control Orders in Tamworth was approved by Cabinet on 21 November 2011.

The consultation sought public opinion for the introduction of 4 orders:-

- fouling of land by dogs and removal of dog faeces (“the dog fouling order”);
- the keeping of dogs on leads (the “dogs on lead order”);
- not putting, and keeping, a dog on the lead when directed to so by an authorised officer (“the dogs on lead by direction order”) and;
- the exclusion of dogs from land (“the exclusion of dogs order”);

The areas consulted on and full mapping is attached as Encs 1-4

The results of the consultation and comments made are attached as Encs 5-6.

Landowners and stakeholders were also consulted.

The Clean Neighbourhoods and Environment Act 2005 requires a **statutory** public notice and display of agreed areas for dog control for a period of 28 days prior to full implementation agreed by Full Council. The sample advert is attached as Enc 8 and would go live on 1st June 2012.

Following statutory consultation and approval by Full Council a further public notice will be required to give notice of implementation within 10 days of the meeting. Sample attached as Enc 9.

REPORT AUTHOR

Jo Sands

LIST OF BACKGROUND PAPERS

APPENDICES

- Enc 01 – Mapped area for dogs fouling and dogs on lead by direction**
- Enc 02 – Mapped areas for Dogs On Lead at All Times order**
- Enc 03 - Mapped areas for Dog Exclusion Order Part 1**
- Enc 04 – Mapped areas for Dog Exclusion Order Part 2**
- Enc 05 – Consultation results summary**
- Enc 06 – Public consultation feedback and comments**
- Enc 07 – Sample Tamworth Borough Council Dog Control Order**
- Enc 08 – Sample statutory consultation advert**
- Enc 09 – Sample statutory advert after approval**