

The Clean Neighbourhoods and Environment Act 2005

Dog Control Orders - Consultation

The vast majority of dog owners are caring and responsible. Not only for their pet's well being but also considerate as to the effect their dog has on other residents and visitors to Tamworth.

However, complaints regarding the behaviour of some dog owners and regarding the problem of dog fouling are still regularly received by the Local Authority. Reports and letters in the local newspapers also highlight the frequency and extent of the problem.

Over the years, various Bye Laws have been made to control dogs. Currently Tamworth Borough Council only has powers to issue fixed penalty for dog fouling. Other byelaws in place have proved cumbersome and difficult to enforce, with no power of fixed penalty.

To address the concerns and complaints of residents and visitors to the borough, Tamworth Borough Council intends to make a number of Dog Control orders under Section 55 of the Clean Neighbourhoods and Environment Act 2005.

The orders intended are:

Dog Exclusion Order - The effect of the Order is to make it an offence for a person in charge of a dog to permit the dog to enter or remain on any land to which this Order applies.

Fouling of Land By Dogs Order - The effect of this Order is to make it an offence for a person in charge of a dog to fail to remove faeces forthwith from any land to which the Order applies.

Dogs on Leads Order - The effect of the Order is to make it an offence for a person in charge of a dog to fail to ensure that a dog is kept on a lead on any land to which the Order applies.

Dogs on Leads by Direction Order - The effect of the Order is to make it an offence for a person in charge of a dog to fail to put that dog on a lead under the direction of an authorised officer on any land to which the Order applies.

Proposed areas for Dog Exclusion Order

The 'exclusion of dogs order' is designed to create dog free areas that can be enforced. This is being introduced to combat the problem of dog fouling within play areas. The order will only include any enclosed or marked areas in which children play.

Please select whether you agree or disagree with the 'exclusion of dogs order' being introduced in the following areas:

	Agree	Disagree	No opinion
Wigginton Park Play Area	216 (86.1%)	15 (6.0%)	20 (8.0%)
Lakenheath Play Area Castle	213 (84.9%)	13 (5.2%)	25 (10.0%)
Pleasure Grounds Play Area	225 (88.6%)	13 (5.1%)	16 (6.3%)
Castle Pleasure Grounds	33 (89.2%)	2 (5.4%)	2 (5.4%)
Activity Centre			
St George's Way/Rosemary road Play Area	207 (82.8%)	13 (5.2%)	30 (12.0%)
Dosthill Park Play Area	213 (84.2%)	15 (5.9%)	25 (9.9%)
Lothersdale Play Area	208 (82.9%)	14 (5.6%)	29 (11.6%)
Brendon / Ealingham Play Area	208 (83.2%)	13 (5.2%)	29 (11.6%)
Crowden Road Play Area	207 (82.8%)	14 (5.6%)	29 (11.6%)
Hawksworth Play Area	205 (82.3%)	14 (5.6%)	30 (12.0%)
Lakeside Park Play Area	209 (83.3%)	14 (5.6%)	28 (11.2%)
Park Farm Road Play Area	208 (83.6%)	13 (5.2%)	28 (11.2%)
Beauchamp Road Play Area	208 (83.5%)	12 (4.8%)	29 (11.6%)
Allensmead Play Area Hamble	208 (83.2%)	13 (5.2%)	29 (11.6%)

Recreation Play Area Parkfield	205 (82.0%)	16 (6.4%)	29 (11.6%)
Crescent Play Area	206 (82.4%)	14 (5.6%)	30 (12.0%)
Linthouse Walk Play Area	207 (82.8%)	13 (5.2%)	30 (12.0%)
Rainscar Play Area	206 (82.4%)	14 (5.6%)	30 (12.0%)
Irwell Play Area	206 (82.7%)	14 (5.6%)	29 (11.6%)
Reedmace Play Area	205 (82.7%)	14 (5.6%)	29 (11.7%)

Please use the space below for any general comments you have in relation to the Dog Exclusion Order. If your comment relates to a specific area please tell us which area this is.

119 (100.0%)

Proposed areas for Fouling of Land By Dogs Order

The dog fouling order is broadly similar to the current provisions for dog fouling.

Regulation for offences relating to dog fouling in Tamworth currently fall under Section 3 of the Dog Fouling of Land Act 1996 and it is an offence not to clean up after a dog on designated land. For the purpose of the 1996 Act, all land in Tamworth is designated with the co-operation of landowners and includes canal tow paths. The current penalty is £50, however formalisation of the dog fouling order under the Clean Neighbourhoods and Environment Act 2005 will bring this legislation up to date and in line with littering offence penalties of £80. The new proposal will also include all land open to the air, whereas the current provisions have certain land exemptions e.g. common land and land used for agriculture.

Please select whether you agree or disagree with the 'fouling of land by dogs order' being introduced in the following area:

	Agree	Disagree	No opinion
The whole of the Borough of Tamworth	239 (93.0%)	12 (4.7%)	6 (2.3%)

Please use the space below for any general comments you have in relation to the Fouling of Land By Dogs Order. If your comment relates to a specific area please tell us which area this is.

78 (100.0%)

Proposed Areas for Dogs on Leads Order

The keeping of dogs on leads order is designed to keep dogs under closer control in specific areas and to discourage persons allowing dogs to stray and foul in those locations. Under the Road Traffic Act 1988, it is already an offence for a person to cause or permit a dog to be on public footway or grass verge adjacent to a road without its being on a lead.

Please select whether you agree or disagree with the 'dogs on leads order' being introduced in the following areas:

	Agree	Disagree	No opinion
Castle Grounds (bandstand area/lower lawn)	237 (91.5%)	12 (4.6%)	10 (3.9%)
Anker valley football pitches	219 (84.6%)	17 (6.6%)	23 (8.9%)
Pedestrian area of the town centre (George St, Market St, Middle Entry, Church St, St Edithas Square, Lower Gungate, Colehill)	253 (97.7%)	4 (1.5%)	2 (0.8%)
Wigginton Cemetery	230 (89.1%)	9 (3.5%)	19 (7.4%)
Amington Cemetery	229 (89.1%)	8 (3.1%)	20 (7.8%)

old)			
Glascote Cemetery	230 (89.1%)	8 (3.1%)	20 (7.8%)
All public footways or grass verges adjacent to a road in Tamworth (as per the current Road Traffic Act 1988)	228 (88.4%)	16 (6.2%)	14 (5.4%)

Please use the space below for any general comments you have in relation to the Dogs on Leads Order. If your comment relates to a specific area please tell us which area this is.

58 (100.0%)

Proposed Areas for Dogs on Lead by Direction Order

The keeping of dogs under control when directed to do so order is designed for those circumstances when a dog is considered to be out of control or causing concern and an instruction by an authorised officer will help to rectify the situation.

Please select whether you agree or disagree with the 'dogs on leads by direction order' being introduced in the following area:

	Agree	Disagree	No opinion
The whole of the Borough of Tamworth	230 (89.8%)	22 (8.6%)	4 (1.6%)

Please use the space below for any general comments you have in relation to the Dogs on Leads by Direction Order. If your comment relates to a specific area please tell us which area this is.

66 (100.0%)

Are you a dog owner?

74 (29.4%)	Yes	173 (68.7%)	No	5 (2.0%)	Prefer not to say
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Age

6 (2.4%)	18-24	74 (29.4%)	55-64
15 (6.0%)	25-34	54 (21.4%)	65-74
24 (9.5%)	35-44	15 (6.0%)	75+
61 (24.2%)	45-54	3 (1.2%)	Prefer not to say

Gender

148 (59.0%)	Male	101 (40.2%)	Female	2 (0.8%)	Prefer not to say
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Do you consider yourself to have a disability or long term health condition

84 (33.5%)	Yes	160 (63.7%)	No	7 (2.8%)	Prefer not to say
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What is your ethnic origin?

0 (0.0%)	Asian or Asian British - Indian	0 (0.0%)	Mixed Heritage - White and Black Caribbean
0 (0.0%)	Asian or Asian British - Pakistani	0 (0.0%)	Other Mixed
0 (0.0%)	Asian or Asian British - Bangladeshi	77 (30.7%)	White - British
0 (0.0%)	Other Asian	153 (61.0%)	White - English

0 (0.0%)	Caribbean	1 (0.4%)	White - Scottish
0 (0.0%)	Black or Black British - Black African	4 (1.6%)	White - Welsh
0 (0.0%)	Other Black	3 (1.2%)	Other White background
0 (0.0%)	Chinese	9 (3.6%)	Prefer not to say
0 (0.0%)	Mixed Heritage - White and Asian		
0 (0.0%)	Mixed Heritage - White and Black African		