

REGULATORY AND LICENSING COMMITTEE

Date: 6th February 2014

Agenda Item: 10

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**JOINT REPORT OF JOHN SMITH – GREENS & OPEN SPACES STRATEGIC MANAGER
AND TIM MATTHEWS - ENVIRONMENTAL HEALTH MANAGER**

THE CONTROL OF DOGS IN PARKS

1. Purpose of Report

- 1.1 To consideration further the issues associated with introducing further measures to control dogs which are being exercised within the Council's public parks.

2. Recommendation

- 2.1 That the Committee note the recommendations of the Operational Services Leisure Tourism and Communications (Overview and Scrutiny) Committee at their meeting on the 9th January relating to the Control of Dogs in Parks.

3. Summary of Background Information

- 3.1 At previous meetings of this Committee Members considered relevant matters concerning the control of dogs in parks.
- 3.2 Further to the previous report to your Committee on the 16th May 2013 and at the request of this Committee a further report has now been considered by the Operational Services Leisure Tourism and Communications (Overview and Scrutiny) Committee on the 9th January 2014.
- 3.3 At this meeting the following recommendations were approved:
- notes the contents of the report;
 - endorses the proposal to establish and implement a consultation programme that would help identify where Control Orders are most needed;
 - asks of the Cabinet Member for Leisure and Parks to report back to the Committee at the conclusion of the consultation exercise with the findings and proposals;
- 3.4 A copy of this report is available on the council website or on request.

4. Current Situation

4.1 Subsequent to the previous reports submitted to your Committee and at your request this matter has now been considered by the appropriate Overview and Scrutiny Committee.

4.2 Members are reminded that in order to introduce further Dog Control Orders relating to dog control in addition to the existing controls for dog fouling, the District Council would need to consider the following matters:

- Determine if there is a demonstrable need to introduce additional dog controls. When considering this, the Council should be able to show that this is a necessary and proportionate response to problems caused by dogs and those in charge of them.
- Engage with the public and in particular parks users and dog walkers. (A recent engagement by the Open Spaces Manager with several dog walkers when asking them about their opinion on these issues indicated that all were totally against such a proposal).
- If a disproportionate number of controls (except dog fouling) on dogs are applied to land in their area then the Council may be subject to a challenge in court.
- Identify the resources required to actively enforce the controls and erect adequate signage as failure to do so may result in ineffective enforcement and high numbers of offences.
- Consult publically on the proposals and publish in local papers.
- Identify all land where the order will apply.
- State the period in which representations are to be made by at least 28 days.
- Make the Order through Council.
- Place notice in local newspapers notifying the public of Council intension to implement new powers
- Erect prominent signs on all land to which order applies including all access points. (This would prove to be a significant undertaking both in their erection but also ongoing maintenance due to vandalism as has been found with the current Dog Fouling order signage with over 1000 signs being maintained last year)

5. Financial Implications

5.1 Potential costs to the Council would be significant for both for the initial public consultation process and order making process. Ongoing resources would then be required for ongoing enforcement year on year that would then be required

5.2 There is no budget for making further Dog Control Orders in Parks and as such would require formal approval by Cabinet as a new growth item.

6. Strategic Plan Implications

6.1 The activities undertaken by Leisure Services and Environmental Health contribute to the delivery of "A Clean and Healthy Environment".

7. Crime and Community Safety Issues

7.1 Attacks by dogs on others dogs and or their owners does have Crime and Community Safety implications but as previously stated the Police have adequate existing powers in respect of these.

8. Risk Management Issues

Risk	Likelihood/ Impact	Risk Category	Countermeasure	Responsibility
Increased risk of aggression to staff from customers	Medium	Managerial/Professional Partnership/Contractual	Adopt revised measures	Service Manager
Backlash from regular and responsible dog walkers	Medium	Reputational	Not introduce control order – alternative means of control	All

Background Documents:

Report to Operational Services Leisure Tourism and Communications (Overview and Scrutiny) Committee 9th January 2014 - Item 7
DEFRA - Guidance on Dog Control Orders
Keep Britain Tidy Group - Guidance on Dog Control Orders