

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COMMUNITY SERVICES COMMITTEE

Agenda Item No.

meeting date: 21 MAY 2013
title: DOG CONTROL ORDERS
submitted by: JOHN HEAP, DIRECTOR OF COMMUNITY SERVICES
principal author: CHRIS HUGHES, HEAD OF CULTURAL & LEISURE SERVICES
JAMES RUSSELL, HEAD OF ENVIRONMENTAL HEALTH
MAIR HILL, SOLICITOR

1 PURPOSE

- 1.1 To ask Committee to consider the introduction of four Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005.
- 1.2 Relevance to the Council's ambitions and priorities:
 - **Council Ambitions** – to make people's lives safer and healthier, and to protect and enhance the existing environmental quality of the area.

2 BACKGROUND

- 2.1 In July 2011, members received a report outlining concerns of dog fouling on Council playing pitches.
- 2.2 During the meeting, members raised other issues they had come across on both Council-owned and Parish-owned land.
- 2.3 It was agreed that officers should pursue the introduction of a Dog Control Order to include a dog ban on Council Playing Fields, and that Parishes should be consulted to determine any changes they would like to see.
- 2.4 A report was submitted to Parish Council Liaison Committee in November 2012, asking Parishes to review their own areas and suggest any amendments.

3 CURRENT SITUATION

The current Ribble Valley Borough Council Dogs (Fouling of Land) Designation Order 1998:

- 3.1 only covers dog fouling in identified areas. This equates to over one hundred designated areas within the Ribble Valley, which can lead to confusion/complications for enforcement.
- 3.2 In 2005, The Dog (Fouling of Land) Act 1991 was replaced by The Clean Neighbourhoods and Environment Act 2005, and extended the scope of aspects within it to include:
 - (a) fouling of land by dogs, and the removal of dog faeces;
 - (b) the keeping of dogs on leads;
 - (c) the exclusion of dogs from land;
 - (d) the number of dogs which a person may take onto any land.

In terms of land that the Order may apply to it, this is specified as 'any land that is open to the air and to which the public is entitled or permitted to have access'. It

also allows certain covered structures, such as bus shelters, to be included (please see section 1 of appendix 1).

3.3 With this in mind, it is proposed that the new Order should cover the following:

- (a) All public open space, as defined in 3.2 of appendix 1, rather than the current arrangement of specifically designated areas.
- (b) The exclusion of dogs on all Council-owned playing pitches, all children's play areas that are enclosed, and any additional areas identified as part of the consultation.
- (c) A requirement to keep dogs on leads, at the request of a designated officer, in The Castle Grounds and Clitheroe Cemetery – any additional areas identified as part of the consultation.

3.4 This will support the Council, and its designated officers, by:

- removing any doubt as to which land is included in the Order;
- will support the safe use of football pitches and reduce the number of complaints from football clubs using the Council's football pitches
- will support the dog wardens, and other designated staff, in asking members of the public to control their dogs in areas where they have had previous concerns.

4 ISSUES

4.1 When we originally consulted with the Parish Councils, it was under the assumption that we would be adding areas of land to the existing register. This will now include all land as defined in the appendix, plus any specific designated areas relating to dog bans or dogs on leads.

4.2 It should be noted that, whilst the new legislation will help with enforcement, there are no additional staff resources to increase this, although Parish Councils will be able to identify designated people to enforce within their own communities.

4.3 Before making a new Dog Control Order, we have to consult on the proposal, as laid out in section 4 of Appendix 1.

4.4 There will also be a need to review and enhance signage, particularly on those designated areas where there are additional requirements.

5 RISK ASSESSMENT

Approval of this report may have the following implications:

- **Resources** – The cost of implementing a Dog Control Order will include:-
 - publishing a notice in the local press
 - consulting with every other Authority that has powers to make an order in the Borough (eg Parish Councils)
 - new Signage
 - officer time
- **Technical, Legal, Environmental** – The establishment of a new Dog Control Order is a formal legal process.

- **Political** – The recommendations in this report are an extension of principles already agreed by this committee.
- **Reputation** – the new Order demonstrates that the Council is responding to the concerns of local residents regarding dog fouling.
- **Equality & Diversity** – A community impact assessment has been completed and enclosed in appendix 2.

6 **RECOMMENDED THAT COMMITTEE**

Notes the contents of the report and agrees to the making of a Dog Control Order, as laid out in section 3 of this report, and detailed in Appendix 1

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Community Services 21.5.13 / Dog Control Orders / Chris Hughes / IW