
REPORT TO:	ENVIRONMENTAL DEVELOPMENT SERVICES	& AGENDA ITEM: 7
DATE OF MEETING:	20 th NOVEMBER 2008	CATEGORY: RECOMMENDED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	JACK TWOMEY	DOC:
SUBJECT:	DOG CONTROL ORDERS FOR HILTON WARD	REF:
WARD(S) AFFECTED:	HILTON	TERMS OF REFERENCE: EDS14

1.0 Recommendations

- 1.1 To approve the implementation of a number of Dog Control Orders in the Hilton Ward, as listed in section 3.4.
- 1.2 Having considered representations, to refrain from implementing the proposal regarding the "Dogs on Leads" Control Order for the Mease football pitches (section 3.6).

2.0 Purpose of Report

- 2.1 To advise Members of the results of the consultation exercise for a number of proposed Dog Control Orders in Hilton.
- 2.2 To request approval from Members regarding the implementation of four Dog Control Orders in Hilton.
- 2.3 To request approval to *not* implement the proposal relating to the Mease football pitches, following significant objections from dog owning residents in Hilton and little in the way of evidence to show a need for the proposed Dog Control Order.

3.0 Detail

- 3.1 The Clean Neighbourhoods and Environment Act 2005 and the Dog Control Orders (Prescribed Offences and Penalties etc.) Regulations 2006 have provided a number of offences which may be prescribed in a dog control order (DCO). These are:
 - (a) Failure to remove dog faeces;
 - (b) not keeping a dog on a lead;
 - (c) not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
 - (d) permitting a dog to enter land from which dogs are excluded;
 - (e) taking more than the specified number of dogs onto land.

- 3.2 At a previous Environmental & Development Services Committee on the 3rd June 2008, approval was given for consultations to take place in relation to Dog Control Orders proposed in sections (b), (c), (d) and (e) above. The section (a) Dog Control Order for failure to remove faeces is now in force across the District.
- 3.3 At the Committee meeting on the 3rd June 2008, approval was given for any proposed Dog Control Order to be implemented as soon as practicable, assuming no significant adverse comments were received.
- 3.4 A consultation on various Dog Control Orders for the Hilton Ward has recently been completed. The proposed Dog Control Orders **which have been supported** by consultees were as follows:

Dogs excluded:

- Children's play area at the Village Hall
- Children's play area at Avon Way
- Children's play area off Main Street

Dogs to be kept on leads:

- Village Hall picnic area

- 3.5 Only comments of support have been received in relation to the three children's play areas. One objection has been received in relation to the Village Hall picnic area, but the majority of comments in relation to this area have been supportive. Additionally, the picnic area is close to another field which dogs can run free on, so any objections are not well founded.
- 3.6 The proposed Dog Control Order **which has been opposed** by consultees was:
- Dogs to be kept on leads:
- The Mease football pitches (approximately 50 objections have been received)
- 3.7 The Mease football pitches are proposed to have a Dog Control Order requiring dogs to be kept on leads. However, this proposal has come about due to a perceived problem with dog fouling on the pitches.
- 3.8 The Safer Neighbourhood Wardens have been doing daily checks of the Mease football pitches during the consultation period and noted only two piles of faeces during the 28 day consultation.
- 3.9 It should be noted that a requirement to keep dogs on leads does not by any means automatically lead to owners picking up after their dog. I would imagine that those that do not pick up will generally continue to not pick up even if forced to keep their dog on a lead. It could be argued that the proposal is therefore misguided.
- 3.91 Comments in support of the Mease Dog Control Order have been received from Hilton Harriers football club, who claim to have cleared a total of 134 piles of faeces from the area during 6 weeks which included the 28 day consultation period. Comments also in support have been received from Derbyshire County Football Association.

3.92 In view of the comments from Hilton Harriers, the Safer Neighbourhood Wardens will be undertaking a covert surveillance exercise to monitor the pitch from early in the morning until darkness for a whole week. It is hoped that this should enable us to catch some of the culprits who don't pick up.

4.0 Corporate Implications

4.1 None.

5.0 Community Implications

5.1 We want to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs, bearing in mind the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions.

5.2 It is hoped that the proposal to implement all the Dog Control Orders proposed for Hilton except the Mease proposal will provide this balanced approach.

6.0 Conclusions

6.1 Dog Control Orders provide the opportunity to create a number of different offences on relevant land.

6.2 The proposals for the Hilton Ward have, in the main, been supported.

6.3 The proposal for a "dogs on leads" Control Order for the Mease football pitch has met with significant opposition and the Safer Neighbourhood Warden's own monitoring of site has shown no need for a Control Order which would have little effect on the issue it is trying to address – fouling.