COUNCIL

Dog Control Orders

Report of Executive Director - Economy Place & Skills

Portfolio Holder: Councillor R. Blyth - Community Safety and Public Protection

2 February 2011

Officer Contact: Graham Boundy, Head of Service Public Protection
Ext. 4494

Purpose of Report

The purpose of this report is to brief Members on the legal provisions of Dog Control Orders as outlined in the Clean Neighbourhoods and Environment Act 2005 and to seek the approval of full Council to introduce additional Dog Control Orders within the Borough of Oldham.

Executive Summary

Dog Control Orders are already in place which control dog fouling; require dogs on leads in all the cemeteries within the Borough; and exclude dogs from many play areas within the Borough. The report recommends that the additional orders are introduced to exclude dogs from all remaining play areas in parks and to limit the number of dogs an owner can take into a park at any one time. However due to the significant negative response from the public to the proposal to require dogs on leads in seven of the Borough’s parks the report suggests that further evidence gathering is undertaken before the Council considers whether dogs in parks should be kept on a lead at all times.
Recommendations

It is recommended that Council:

i) Note the provisions of the legislation relating to Dog Control Orders and the results of the consultation process.

ii) Approve the introduction of the Dog Exclusion Order and the Dogs Specified Maximum Order within the Borough as detailed in Appendix I of this report.

iii) Defer the decision regarding the Dogs on Leads Order requiring dogs to be kept on a lead in the Borough’s parks whilst further evidence is gathered.
1 Background


1.2 Dog Control Orders can be used to prescribe offences for the manner in which dogs are controlled in certain public places. Dog Control Orders are already in place which control dog fouling; require dogs on leads in all the cemeteries within the Borough; and exclude dogs from many play areas within the Borough.

1.3 Guidance provided by the Department for the Environment Food and Rural Affairs (DEFRA) advises that any Order made must be proportionate to the problems caused by the activities of dogs and those in charge of them. A balance must be struck between the interests of those in charge of dogs and the interests of those affected by the activities of dogs. More specifically a local authority must balance the needs of people, in particular children, to have access to dog free areas and areas where dogs are kept under strict control, against the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions. A failure to give due consideration to these factors could make an order vulnerable to challenge in the Courts.

1.4 The Dog Control Order (Prescribed Offences & Penalties etc) Regulations 2006 provide for offences which may be prescribed in a Dog Control Order as follows:

i) failing to remove dog faeces;
ii) failing to keep a dog on a lead;
iii) failing to put, and keep, a dog on a lead when directed to do so by an authorised officer;
iv) permitting a dog to enter land from which dogs are excluded; and
v) failing to comply with an Order restricting the number of dogs a person can take onto land at one time.

1.5 In June 2009 Oldham Council enacted the following Dog Control Orders;
i) The Dogs On Leads Borough of Oldham Order 2009

Dogs must be kept on a lead in all cemeteries, crematoria and associated memorial gardens. Anyone in charge of a dog in these areas who fails to keep their dog on a lead, shall be guilty of an offence.

ii) Dogs Exclusion Borough of Oldham Order 2009

Dogs are prohibited from specified children’s play areas within parks and public places (not all parks/play areas within the Borough are included in this Order). Anyone in charge of a dog, who allows it to enter into one of these areas, is guilty of an offence.

iii) The Fouling of Land by Dogs Borough of Oldham Order 2009

If a dog defecates at any time on designated land and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person is guilty of an offence. For the purpose of this Order, designated land is any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment) unless exemptions apply.

1.6 It should be noted that in 2009 there were only 12 responses received after the statutory consultation for the above Orders. The majority of these responses were supportive and these Orders were implemented with little or no opposition. For this reason the significant response and objection to the proposed dogs on leads order was totally unforeseen.

2 Current Position
2.1 In 2009/10 the Council received 1290 service requests relating to dogs and these mostly referred to problems with dog fouling and stray dogs. These service requests/complaints apply to all areas of the Borough and it is not possible to calculate how many relate specifically to dog problems in parks. In addition, the Council has anecdotal information from parks staff regarding dog related incidents in parks but very little documented evidence. However both parks and street scene staff regularly raise the hazard dog fouling creates with regard to their operational activities whether this cleaning it up or contamination to themselves, their clothes or their machinery.

2.2 In January 2010 a petition with 330 signatures was received by the Council regarding Higher Memorial Park Failsworth requesting reinstatement of the perimeter fence around the children’s play area. The petition highlighted the problem of dogs roaming free in the park and parks staff confirmed that dogs in this play area were indeed causing a nuisance. The fencing has since been reinstated but the petition and accompanying letter does highlight the problems that uncontrolled dogs create in parks.

2.3 Dog fouling issues are consistently raised at the PACT meetings across the Borough and several of the District Partnerships have funded a targeted enforcement initiative related to dog fouling. This initiative targeted parks in particular and highlighted that dog owners need to control their pets more closely as the majority issued with a Fixed Penalty Notice (FPN) for failing to pick up after their dogs were actually carrying bags. Most offenders claimed that they would normally pick up, but for whatever reason, usually because the dog was off the lead and out of sight, they failed to see the dog foul.

2.4 Enforcement Officers within the Environmental Health service currently enforce the existing Dog Control Orders. They have served 70 FPNs since 1 April 2010, mostly relating to dog fouling in the parks but 5 FPNs have been served for dogs off lead in the cemeteries.

2.5 In August 2010, Cabinet agreed that officers could commence statutory consultation on establishing the additional Dog Control Orders.

2.6 In line with the legal requirements relating to establishing the Orders, statutory consultation took place between the 25th August 2010 and the 27th September 2010. A Notice was published in the local press and on the Council website outlining the proposals and the process for making representations.

2.7 The proposals subject to consultation were that:

i) All play areas in parks are covered by a Dogs Exclusion Order.
ii) The number of dogs an owner can take into any park at any given time is limited to 4, a figure based on DEFRA guidance regarding Dog Control Orders. (Dogs (Specified Maximum) Order).

iii) All dogs in seven of the Borough’s urban parks (which have been specifically chosen because either they have achieved Green Flag status or have had particular issues with dog control) must be kept on a lead. (Dogs on Leads Order).

2.8 In addition to the formal consultation, informal consultation was undertaken as follows;

i) All Elected Members received a copy of the notice detailing the proposals.

ii) The Notice was shared with Parks for distribution to Friends of the Parks.

iii) All Neighbourhood Managers received a copy of the Notice.

iv) Parks and Street Scene managers were also consulted.

2.9 The responses to the statutory consultation are summarised in Appendix III. It is clear that the statutory consultation to extend these Dog Control Orders has generated a much greater response compared with the 2009 consultation. This response is overwhelmingly negative with respect to the proposal to introduce a dogs on leads order in seven of the Borough’s parks.

2.10 The responses to the informal consultation are summarised in Appendix IV.

3 Options/Alternatives

3.1 Option 1: Do nothing - This will mean that existing Orders will continue, but:

i) dog exclusion will not apply to all children’s play areas within the Borough.

ii) a single dog walker will be able to have more than four dogs under their control at any one time within all the Borough’s parks.

iii) there will be no requirement to keep dogs on leads in the Borough’s Green Flag parks or a park where dogs have caused particular problems.

3.2 Option 2: Introduce all the Orders, including the Dogs on Leads Order for all 7 parks. This would:
i) apply dog exclusion to all children’s play areas within the Borough.

ii) a single dog walker will be unable to have more than four dogs under their control at any one time within all the Borough’s parks.

iii) there will be a requirement to keep dogs on leads in the Borough’s Green Flag parks or a park where dogs have caused particular problems.

3.3 Option 3: Introduce the Dogs (Specified Maximum) Order and the Dogs Exclusion Order. Defer implementing the Dogs on Leads Order until more evidence is collected in order to make a more informed judgement. This evidence will be gathered by Parks staff over a 9 month period from February to October 2011. A further statutory consultation would be required in the event sufficient evidence is obtained to consider the introduction of dogs on leads in any of the parks.

4 Preferred Option

4.1 Option 3: that Council approves the enactment of the following Dog Control Orders;

i) Dogs (Specified Maximum) Order

In order to improve dog control, no more than four dogs may be taken into certain parks at any one time (see appendix I). Anyone taking more than four dogs into these parks at any one time shall be guilty of an offence. These parks will have appropriate signage to inform the public of their responsibilities under the new Order.

ii) Dogs Exclusion Order

The existing Dog Exclusion: Borough of Oldham Order 2009 prohibits dogs from children’s play areas within certain parks and public places (see appendix II). A new Dogs Exclusion Order is proposed to include the children’s play areas that were omitted from the existing Order (see appendix I). Anyone in charge of a dog who allows it to enter into one of these areas, shall be guilty of an offence. These areas will have appropriate signage to inform the public of their responsibilities under the new Order.

5 Consultation
5.1 Statutory consultation has been undertaken in accordance with the provisions of The Dog Control Order (Procedures) Regulations 2006 outlined in paragraph 1.8. The results of this are summarised in Appendix III.

5.2 In addition to the statutory consultation, informal consultation took place, outlined in paragraph 1.9. The results of this are summarised in Appendix IV.

6 Financial Implications

6.1 The financial implications that arise from this report total £1,333.50 for the additional signage/notices. These additional costs will be charged against 22402 R40009 and will be met from existing resources and will not place increased pressures on the budget. JK/SA 19/11/10

7 Legal Services Comments

7.1 The Authority may make Dog Control Orders provided that it is satisfied that an Order is justified and the necessary procedures have been followed (1.7). Under section 57 of the Clean Neighbourhoods and Environment Act 2005, a Dog Control Order can be made in respect of any land which is open to the air and to which the public are entitled or permitted to have access (with or without payment). It is important for the Authority in considering a Dog Control Order to be able to show that this is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them. A failure of the Authority to balance the interests of those in charge of dogs against the interests of those affected by the activities of dogs and to give due consideration to these factors could make any subsequent Dog Control Order vulnerable to challenge in the Courts. Natalie Dunn 29/11/10

8 IT Implications

8.1 None

9 Property Implications

9.1 None

10 Environmental and Health & Safety Implications

10.1 These Dog Control Orders will strengthen the clean and green agenda and bring about environmental improvement through education and enforcement of dog fouling problems in the public areas.
These Dog Control Orders will improve public safety in specific areas where dogs are excluded or where the maximum number per walker is controlled.

Officers enforcing the legislation have been trained in issuing fixed penalty notices and the activity risk assessed.

11 Equality, Community Cohesion and Crime Implications

11.1 Dog control measures if implemented will have a positive impact on community cohesion by improving accessibility to public spaces for all.

12 Equality Impact Assessment Completed?

12.1 Yes

13 Key Decision

13.1 Yes

14 Forward Plan Reference

14.1 EPS-76-10

15 Background Papers

15.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Copy of all responses both email and letter
Name of File: Response to Dog Control Consultation 2010
Records held in: Environmental Health Department, Chadderton Town Hall, Middleton Road, Chadderton, Oldham, OL9 6PP
Officer Name: Kathryn Kelly
Contact No: 4455

16 Appendices

16.1 Appendix I - The notice outlining the proposed Dog Control Orders
16.2 Appendix II - Dog Exclusion: Borough of Oldham Order 2009
16.2 Appendix III - The summary of responses to the formal consultation
16.3 Appendix IV - The summary of responses to the informal consultation
16.4 Appendix V - Initial Equality Impact Assessment
Appendix I

Dog Control Order Consultation 2010

The Council proposes to make the following Dog Control Orders within the Borough of Oldham under Section 55 of the Clean Neighbourhoods and Environment Act 2005. Dog Control Orders replace the previous system of byelaws for the control of dogs.

Order Proposals:

1. Dog Exclusion

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain, on any land to which this Order applies unless –

(a) he has a reasonable excuse for doing so; or
(b) the owner, occupier or other person or authority having control of this land has consented (generally or specifically) to his doing so.

The offence does not apply to a person who –

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
(b) is deaf, in respect of a dog trained by the Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
(c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the purposes of the proposed order –

(a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and
(b) each of the following is a prescribed charity

(i) Dogs for the Disabled (registered charity number 700454);
(ii) Support Dogs (registered charity number 1088281);
(iii) Canine Partners for Independence (registered charity number 803680).

A person who is guilty of an offence shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
Schedule

This order applies to land which is within the administrative area of the Borough of Oldham and which is the following children’s play areas:

- Ash Square
- Bardsley
- Beresford Street MUGA
- Bolton Street MUGA
- Crompton Street MUGA
- Churchill PF – Skate
- Diggle tip–adj Huddersfield Canal
- Diggle Ward, Lane
- Gordon Street
- Granby Street MUGA
- Lynn Street
- Milne Street MUGA
- Milne Street
- Monmouth Street
- Newbury Walk MUGA
- Newbury Walk/Bentley Walk
- Oakpit MUGA
- Oakpit Skate Park
- Royton Skate Park
- Sandringham Park
- Stanford Drive
- Totts Loch – Daisy Nook
- Whitehall Lane
- Whitehall Lane MUGA
- Higginson Lane MUGA
- Fitton Hill Skate Park

2. Dogs on Leads

A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies he does not keep the dog on a lead unless –

(a) he has a reasonable excuse for failing to do so: or
(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to failing to do so.

For the purpose of this order a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

A person who is guilty of an offence shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
Schedule

This order will apply to land which is within the administrative area of the Borough of Oldham and which is the following parks:-

- Alexandra Park
- Foxdenton Park
- Chadderton Hall Park
- Stoneleigh Park
- Brownhill Sensory Garden
- High Crompton Park
- Higher Memorial Park Failsworth

3. Dogs Specified Maximum

A person in charge of more than four dogs shall be guilty of an offence if, at any time, he takes on to any land in respect of which this Order applies more than the maximum number of four dogs unless –

(a) he has a reasonable excuse for doing so; or
(b) the owner, occupier or other person or authority having control of this land has consented (generally or specifically) to his doing so.

For the purposes of the proposed order a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

A person who is guilty of an offence shall be liable on summary conviction to fine not exceeding level 3 on the standard scale.
Schedule

This order applies to land which is within the administrative area of the Borough of Oldham and which is the following parks:

- Dogford Park
- Stoneleigh Park
- Werneth Park
- Foxdenton Park
- Coalshaw Green Park
- Royton Park
- Copster Park
- High Crompton Park
- Lees Park
- Bullcote Park
- Lower Memorial Park
- Westwood Park
- Broadway/Shaw Road End
- George Street Playing Fields
- Chadderton Hall Park
- Dunwood Park
- Higher Memorial Park
- Waterhead Park
- Princess Park
- Incline Road
- Keb Lane
- Station Road Grotton
- Wendlebury Green
- Ladhill Lane
- Wildmoore Avenue
- Pearly Bank
- The Woolpack
- Ash Square
- Bardsley
- Beresford Street
- Bolton Street
- Crompton Street
- Diggle tip–adj Huddersfield Canal
- Granby Street
- Milne Street MUGA
- Milne Street play area
- Newbury Walk MUGA
- Sandringham Park
- Whitehall Lane Play area
- Whitehall Lane MUGA
- Higginson Lane MUGA
- Holland Close
- Ashbourne Square
- Conrad Close
- Denshaw Road
- Daisy Nook Country Park
- Tandle Hills Country Park
- Crossley Playing Fields
- Lord Lane Playing Fields
- Alexandra Park
- Wibsey Playing Fields
- Oldham Edge Playing Fields

A copy of the proposal and maps identifying the land described in the schedules to the Dogs on Leads, Dog Exclusion and Dogs Specified Maximum Orders will be available for inspection free of charge throughout the consultation period at Rochdale Road Reception, Civic Centre, West Street, Oldham between the hours of 8.40am and 5.00pm, Monday to Friday. This information can also be viewed on the Council website by going to www.oldham.gov.uk

Representations on the proposed Dog Control Orders should be made in writing to Kathryn Kelly, Acting Group Manager Environmental Health & Registrars, Oldham Council, Economy, Place & Skills Directorate, Chadderton Town Hall, Chadderton, OL9 6PP or at kathryn.kelly@oldham.gov.uk by the 27th September 2010.

Dated: 25th August 2010

Paul Entwistle
Borough Solicitor
Oldham Council
Civic Centre
West Street
Oldham
OL1 1UL
Appendix II

The Dog Exclusion Borough of Oldham Order 2009 already applies to the following children’s play areas:

- Children’s Play Area at Dogford Park
- Children’s Play Area at Stoneleigh Park
- Children’s Play Area at Werneth Park
- Play area and Paddling Pool at Alexandra Park
- Children’s Play Area at Foxdenton Park
- Children’s Play area at Coalshaw Green Park
- Children’s Play Area at Royton Park
- Children’s Play Area at Copster Park
- Children’s Play Area at High Crompton Park
- Children’s Play Area at Tandle Hill Park
- Children’s Play Area at Lees Park
- Children’s Play Area at Bullcote Park
- Children’s Play Area at Lower Memorial Park
- Children’s Play Area at Westwood Park
- Children’s Play Area at Broadway/Shaw Road End
- Children’s Play Area at George Street Playing Fields
- Children’s Play Area at Chadderton Hall Park
- Children’s Play Area at Dunwood Park
- Children’s Play Area at Higher Memorial Park
- Children’s Play Area at Waterhead Park
- Children’s Play Area at Princess Park
- Children’s Play Area at Incline Road
- Children’s Play Area at Keb Lane
- Children’s Play Area at Saint Chadd’s Uppermill
- Children’s Play Area at Station Road Grotton
- Children’s Play area at Queen Street
- Children’s Play Area at Incline road
- Children’s Play Area at St. Martins
- Children’s Play Area at Sickle Street
- Children’s Play Area at Wendlebury Green
- Children’s Play Area at Wedhurst Street
- Children’s Play Area at Wessex Park Close
- Children’s Play Area at Ladhill Lane
- Children’s Play Area at Wildmoore Avenue
- Children’s Play Area at Mills Rec
- Children’s Play Area at Cardigan Road
- Children’s Play Area at Pearly Bank
- Children’s Play Area at Moor Street
- Children’s Play Area at the Woolpack
- Children’s Play Area at Edward Street
- Children’s Play Area at Eldon Street
- Children’s Play Area at Hey Crescent
- Children’s Play Area at Holland Close
- Children’s Play Area at Sunfield Lane
- Children’s Play Area at Angelico Rise
- Children’s Play Area at Ashbourne Square
- Children's Play Area at Conrad Close
- Children's Play Area at Wisbey
- Children's Play Area at Denshaw Road
Appendix III

Summary of responses to formal statutory consultation

In total 52 emails, 67 letters and 1 petition have been received in response to this consultation and are available on request. All have received a personal written response from the Acting Group Manager, Environmental Health & Registrars.

The table collates the responses received.

<table>
<thead>
<tr>
<th>Objections re all proposed Orders</th>
<th>19</th>
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</thead>
<tbody>
<tr>
<td>Objections relating to mainly the Dogs on Leads proposal</td>
<td>82</td>
</tr>
<tr>
<td>Petition objecting mainly to the Dogs on Leads proposal</td>
<td>92</td>
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<tr>
<td>Objections re Exclusion of Dogs</td>
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<tr>
<td>Objections re Maximum No. of Dogs</td>
<td>2</td>
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<tr>
<td>Support for Orders</td>
<td>16</td>
</tr>
<tr>
<td><strong>Total Number of Responses</strong></td>
<td><strong>211</strong></td>
</tr>
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</table>

A letter was received objecting primarily to the Dogs on Leads Order and contained a total of 70 signatures, however this was discounted as no address details were provided by the respondents.

This significant response should be compared with the consultation on Dog Control Orders 2009 which generated only 12 responses because the proposals were far less contentious.

However, the 2010 consultation proposed to extend the requirement for dogs on leads (which currently only applies only to cemeteries etc) to seven of the Borough’s parks and the table shows that it is this Dogs on Leads Order which has provoked the majority of the negative responses.

Further Relevant Information gathered from comments made by Respondees

- Dog walkers act as unofficial park wardens who value their park - clearing up glass etc to protect their dogs and reporting damage etc.

- If the orders are introduced then dog walking areas should be designed within the parks affected.

- Control Orders will not change irresponsible owners and there is widespread support for tough action on offenders.

- Elderly people are the most adversely affected and least able to find areas further away to walk their dogs. The issue of carbon footprint was also raised re driving to alternative dog walking areas.

- Dog walking in parks promotes healthier people as well as dogs.
Appendix IV

Responses to Informal Consultation

Street Scene Comments

- Research shows that 1 in 5 households in the Northwest have a dog. If this information is correct that would mean that there are 44,000 dogs in the Borough of Oldham.

- Our annual DLEQSE survey 2009/2010 shows that 37% of street litter was dog faeces, meaning it is a significant problem, especially on the streets leading up to parks.

- There are over 1000 litter bins across the Borough, but staff are still finding bagged dog mess hung on fences, trees or on the ground.

- The issue of dogs and dog fouling has been raised at almost every public meeting Street Scene has attended over the last 5 years. Tenants & residents groups, Homewatch and Eco Schools network meetings have all raised issues with dog fouling and dogs off leads.

- The annual Litterwatcher survey records that dog fouling is a top three priority.

- To date this year Street Scene have received 178 service requests to clear up dog fouling, which can cost up to £100/hour.

- The Grounds Maintenance teams come into direct contact with dog waste when grass cutting, weeding etc and each year there are incidents where staff have got dog faeces on themselves and their clothes. They also have to clean dog faeces from machinery blades which is not only a hazard but also takes resources away from other maintenance duties.

Peter Rafferty
Service Manager, Street Scene
Parks and Countryside Comments

- Over the last century Oldham has created an extensive open space resource; 21 Urban Parks, 3 Country Parks and 3 major rural valleys.

- The parks where the Dogs on Leads Order are proposed represents a small percentage of the total open space available in Oldham to walk dogs off the lead.

- Parks and Countryside consult with partner organisations, schools, Friends of the Cemeteries, Countryside volunteers and sports clubs, and the second most frequent complaint after anti-social behaviour is dog fouling.

- Parks staff have to regularly clean up dog mess despite the presence of many bins and again the second most frequent complaint after anti-social behaviour is dog fouling.

- During the recent Borough-wide consultation on the construction of the 22 new play areas, through the Play Builder programme, dogs and dog fouling was the major concern.

- The proposal to introduce the Dogs on Leads Order in 7 of the Boroughs Parks will be well received, certainly by staff and the majority of the users. It is hoped this will reduce the dog fouling problem significantly in the well used urban parks.

Steve Smith
Group Manager
Parks, Cemeteries and Green Spaces
Kings Road
OL8 2BH
Environmental Action Unit (Environmental Health) Comments

- Officers from the Environmental Action Unit have witnessed dogs play fighting off the lead in Chadderton Hall Park and received a complaint of a dog attack on 2 smaller dogs in this park.

- In High Crompton Park officers saw two ladies walking 16 dogs. Other walkers spoke to the officers and said that they keep their dogs on the leads and would welcome the proposed new Order.

- The majority of Fixed Penalty Notices for dog fouling have been issued to dog walkers carrying bags. They also tend to claim that they did not see their dog foul because it was exercising away from them.

- Recent publicity around the dog fouling enforcement in the Borough has attracted a lot of positive comments from members of the public who have posted their comments after articles published on the Oldham Chronicle on line news.
### INITIAL EQUALITY IMPACT ASSESSMENT

<table>
<thead>
<tr>
<th>1. Department</th>
<th>Public Protection</th>
<th>2. Section</th>
<th>Environmental Health &amp; Registrars Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Who is responsible for the Assessment?</td>
<td>Kathryn Kelly</td>
<td>4. Lead Officer</td>
<td>Kathryn Kelly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. Others involved</td>
<td>Samantha Jackson</td>
</tr>
<tr>
<td>6. Name of the Policy to be assessed</td>
<td>Dog Control Orders</td>
<td>7. Is this a new or existing policy</td>
<td>1 order is new and 1 is an addition to an existing order</td>
</tr>
<tr>
<td>8. Date of Assessment</td>
<td>10th October 2010</td>
<td></td>
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<tr>
<td>9. Describe the aims, objectives and purpose of the policy</td>
<td>To protect the public from the problems that may be caused by dogs in public places, whilst balancing the right of dog owners to walk &amp; exercise their dogs in a responsible way. The policy will be set through the introduction of dog control orders that will prohibit dogs from children’s play areas which were missed off the 2009 order, require dogs to be kept on leads in 7 of the Boroughs parks and prevent more than 4 dogs being taken into a park by one person at any one time.</td>
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<tr>
<td>10a What data do you have that you can draw upon to support this assessment?</td>
<td>Details of service requests relating to dog issues; responses to the Statutory Consultation process and the informal consultation process.</td>
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<tr>
<td>10b What does this data say?</td>
<td>Approximately 1,300 service requests relating to dogs are received by the Council each year. Responses to the statutory consultation process are summarised in the report and appear in general to support the proposals for the Dogs(Specified Maximum)Order and the Dogs Exclusion Order. However there is only limited support for the Dogs on Leads Order and the majority of responses object to this Order.</td>
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<tr>
<td>Question</td>
<td>Response</td>
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<tr>
<td>11a What recent consultation has been undertaken that you could draw upon to support this assessment and who was it with?</td>
<td>Statutory consultation has taken place where a notice was placed in the local newspaper and on the Council’s website where people were invited to submit representations in writing. Informal consultation took place by informing elected members, Friends of the Park, Neighbourhood Managers and both the Parks and Countryside and Street Scene Departments.</td>
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<tr>
<td>11b What did they say?</td>
<td>Responses to the statutory consultation appear in general to support the proposals for the Dogs(Specified Maximum)Order and the Dogs Exclusion Order but object to the Dogs on Leads Order. The informal consultation shows overwhelming support from both the Parks and Countryside and Street Scene Departments because the staffs from these departments have to deal daily with nuisance dogs and/or are involved in cleaning up dog fouling.</td>
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<tr>
<td>12a Are there any experts/relevant groups who you can approach to explore their views?</td>
<td>Elected members, Parks and Countryside, Friends of the Parks and Street Scene have been approached.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
12b Please give details of who you have approached and what they said:

See 11b

13a Taking into account the information gathered:

**Could this Policy/Project impact on any of the following groups differently?**

**Could any of the following groups experience of this policy/project be different?**

**Could this different impact be negative?**

Please explain drawing on evidence that supports your view:

<table>
<thead>
<tr>
<th>Possible Groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
</tr>
<tr>
<td>Dependents/caring responsibilities</td>
</tr>
<tr>
<td>Disability</td>
</tr>
<tr>
<td>Gender</td>
</tr>
<tr>
<td>Race</td>
</tr>
<tr>
<td>Religious Belief</td>
</tr>
<tr>
<td>Transgender or transsexual</td>
</tr>
<tr>
<td>Sexual Orientation</td>
</tr>
</tbody>
</table>

No. The policy will be applied consistently across all areas.

No. The policy will be applied consistently across all areas.

No

13b Where Negative impact has been identified please explain what action you will take to mitigate this.

If no action is to be taken please explain your reasoning.

Not Applicable
14a How could this policy/project impact on relationships and attitudes between different groups of people? Could this impact be negative? YES  NO  Please explain. 
Through controlling problems associated with nuisance dogs, this should lead to improved use of public places for recreation, having a positive impact on community cohesion.

14b What action will you take to mitigate any negative impact or to promote equality and good relations? 

15a In relation to each of the groups, is there any areas where you are unsure about the impact and more information is needed? No.

15b. How are you going together this information? Not Applicable

16a As a result of this assessment is a Full Impact assessment necessary YES  NO  Please explain your answer: A wide consultation process has been used as part of the policy setting process and there has been no indication as to the need for a full impact assessment.

16b Date on which the Full assessment to be started: Not Applicable