

7 February 2012		ITEM 7
Cleaner, Greener, Safer Overview and Scrutiny Committee		
Future work on Dog Control		
Report of: Lucy Magill, Head of Public Protection		
Wards and communities affected: All	Key Decision: Yes	
Accountable Head of Service: Lucy Magill, Head of Public Protection		
Accountable Director: Jo Olsson, Director of People Services		
This report is Public		
Purpose of Report: to put forward a proposal to engage ward councillors in identifying areas which may be suitable for Dog Control Orders.		

Comment [s]: PLEASE CLICK THIS BOX ONCE and enter the date of the meeting (in font 16, not capitals)

Comment [s]: Please leave this for completion by Democratic Services

Comment [s]: PLEASE CLICK THIS BOX ONCE and enter the name of the Committee you are reporting to (in font 16, not capitals)

Comment [a j]: Please enter the name and job title of the person who will be presenting the report

Comment [s]: Please enter details of any Wards and Communities affected by the report. If this section is not applicable, you should enter "none".

Comment [s]: Yes/No/Not Applicable – a 'Key Decision' is generally one affecting more than 2 wards or above 650,000

Comment [sj]: Please state the Head of Service's name and job title

Comment [sj]: Please state Director's name and job title

Comment [sj]: State whether your report is Public or Exempt. If Exempt (i.e. not to be given to the public or discussed in

Comment [sj]: Briefly set out the purpose of your report

Comment [sj]: Please provide a summary of the key points in your report

Comment [s]: The recommendations should be set out in bold in the form of the decision that the decision

Comment [s]: You should briefly explain why the report is on the agenda - See para. 5.3 and 5.4 of the report writing guidelines

EXECUTIVE SUMMARY

The Council has the ability to implement dog control orders relating to dogs on leads, or dogs being banned from certain areas as this is not an area which the Council has currently explored. The report suggests some further work in this area later in 2012.

1. RECOMMENDATIONS:

- 1.1 That the Head of Public Protection engages with Ward Members in September 2012 to identify dog related issues in wards.
- 1.2 That the Head of Public Protection in consultation with Ward Members will assess the appropriateness of a specific dog control order and if appropriate commence consultation on implementation.
- 1.3 That a report is brought back to Cleaner, Greener, Safer Overview and Scrutiny in late Autumn 2012 with the results of the ward members consultation.

2. INTRODUCTION AND BACKGROUND:

- 2.1 A motion was put to Council stating "There has been an increase in the number of complaints involving dogs in public places, however the council has no borough wide strategy to deal with these issues. Therefore, council

requests that overview and scrutiny undertake a borough wide review to look at how Thurrock can develop such a strategy in the most cost effective way possible.”

- 2.2 Discussions have taken place with the Councillor who submitted the motion to discuss what the next steps may be.
- 2.3 The proposal with regards to next steps is to engage ward members to identify areas, if any, within wards where dogs are causing issues and where a dog control order may be appropriate
- 2.4 An order is already in place to enable the Council to take action against owners who do not pick up after their dog when it has fouled.
- 2.5 Dog Control Orders can be made to control
 - Dog Fouling
 - Restriction of dogs from certain land
 - Areas where dogs have to be kept on a lead
 - Areas where dogs have to be kept on a lead when instructed
 - Restrictions on multiple dog walking
- 2.6 Once areas have been identified by Councillors, consultation would be undertaken to assess whether there is support for a specific dog control order and whether it is a necessary and proportionate response to the problems identified.

3. [ISSUES AND/OR OPTIONS:]

- 3.1 Before a Dog Control Order can be made any authority need to be able to show that it is a necessary and proportionate response to problems caused by dogs and those in charge of them.
- 3.2 Consideration should be given to both dogs and their owners to be able to access areas where they can exercise their dogs without undue restrictions and also people particularly children to have access to dog free areas in parks. Failure to give due consideration to these issues could make a Dog Control Order vulnerable to challenge in the courts.
- 3.3 Consideration should also be given as to how the order will be enforced. Particularly if dogs are to be completely excluded from certain areas.
- 3.4 If any land to be included in an order would affect open access land the appropriate agencies and authorities must be consulted.
- 3.5 As part of the process in making a dog control order a notice must be published in a local newspaper inviting representation of the proposal. The notice must:
 - Identify the land
 - Summarise the order

Comment [s]: Other headings may be appropriate. The report should outline the reasoning that leads to its recommendations and **must** include:

1. a brief summary of options considered;
2. consultation outcomes
3. a risk assessment.
4. Whether the responsible cabinet members have been consulted/contributed to the report (NB professional and political advice must be clearly distinguished)

- See para.5.5 of the report writing guidelines.

- Refer to map of the area and where the map can be inspected
- Give the address and date to which representations must be made. The final date must be at least 28 days after publication of the notice
- At the end of the consultation period if the decision to proceed with the order the date that the order will come in force must be 14 days from the date it was made.

3.6 Due to current workloads in Public Protection it would not be possible to start the proposed piece of work on dog control until September 2012.

4. **CONSULTATION (including Overview and Scrutiny, if applicable)**

4.1 Discussion with Cllr who submitted the Motion to Council

4.2 Initial paper to Overview and Scrutiny

5. **IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

5.1 Work relating to dogs helps the Council achieve its priority of ensuring a clean, safe and green environment.

6. **IMPLICATIONS**

6.1 **Financial**

Implications verified by: **Mike Jones**
 Telephone and email: **01375 652722**
MxJones@thurrock.gov.uk

There is not an identified budget for dog control work, beyond the enforcement already carried out by Community Protection.

6.2 **Legal**

Implications verified by: **Alison Stuart**
 Telephone and email: **01375 652 040**
astuart@thurrock.gov.uk

The legal implications are set out in the main body of the report.

6.3 **Diversity and Equality**

Implications verified by: **Samson DeAlyn**
 Telephone and email: **01375652472**
sdealyn@thurrock.gov.uk

Comment [j]: This should include any consultation with Ward Members and Shadow Portfolio Holders, as well as any public or statutory consultation

Comment [a]: Please refer to Section 5.7 of the Report Writing Guidelines

Comment [sj]: This section should always be completed – if they are dealt with fully in another part of the report, they also need a brief cross reference here. The names and job titles of the officers providing the implications should be provided in full – see Guideline 6.1 and please note Democratic Services Deadlines and ensure that officers providing implications are given 5 clear working days to work on the report. Authors can write implications but they must be signed off by the appropriate officers

Comment [sj]: See Guideline 6.2

Comment [sj]: See Guideline 6.3

Comment [sj]: See Guideline 6.4

In the work carried out in relation to dogs, the Council should be aware of the reliance of some residents on dogs, such as guide dogs and this should be taken into account in relation to action taken, for example dog control orders.

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

Not applicable

7. **CONCLUSION**

7.1 There is a need to explore further options in relation to dog control such as dogs on leads within certain areas, however to ensure that the areas targeted are appropriate and consultation is sufficient this work cannot commence until there is appropriate capacity within Public Protection which will be September.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

APPENDICES TO THIS REPORT:

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Comment [sj]: This should inform the recommendations in the report

Comment [sj]: See Guideline 8. If any Papers are to be placed in the Members room that relate to this report, you should also list them here

Comment [sj]: List the Appendices referred to in the Report

Comment [sj]: Insert the full contact details of the author of the report