

## **Consultation on Dog Control Order**

### **Introduction**

Evidence in the form of complaints suggests that dog fouling in public parks and on the public highway has been increasing within the borough for some time. This is not covered under Spelthorne Council's byelaws for parks and open spaces.

Byelaws in our parks and open spaces contribute to the safe and pleasurable enjoyment of these facilities by the whole community. They address some aspects of anti-social behaviour which are not covered by the general criminal law.

We are inviting all members of the community to participate in the consultation detailed below; residents' associations, friends of the parks, neighbour watch groups, sporting groups, youth clubs, schools, liveability groups and local boating clubs.

Please take a few minutes to read this document to see what the issues are and how you can let us know your views.

### **What is a Dog Control Order?**

The proposed Dog Control Order can deal with the following matters:

- Failing to remove faeces in any park, open space or public highway.
- Not putting a dog on a lead under direction.
- Permitting a dog to enter land from which it is excluded.

It is proposed that the Dog Control Order will cover:

- No dog fouling in any playground
- Any dog fouling in a park or on public highway must be picked up by the dog walker

There are defences in all Dog Control Orders of:

- Having a reasonable excuse for failing to comply with an order; or
- Acting with the consent of the owner or occupier of the land, or of any other person or authority which has control of the land.

Regulations state that being unaware of a dog's defecation, or not having a device or other suitable means of removing the faeces is not a reasonable excuse for failing to comply with the order.

### **What happens when you are in breach of a Dog Control Order?**

Refusal or failure of the above will result in a fixed penalty notice from a Streetscene Enforcement Officer.

An Order creates a criminal offence so if you are in breach, the Council can also prosecute you in the Magistrates Court and a fine could be given by the Magistrates.

### **What is the consultation process?**

The government recommends that councils assess and consult before making a Control Order. Spelthorne Council is asking the public about the dog control problems in parks and highways and whether a Dog Control Order is the best way of addressing them.

### **How can I respond to this consultation?**

Please respond in writing to:

Julia Sibley  
Project Support Officer  
Spelthorne Borough Council  
Council Offices  
Knowle Green  
Staines  
Middlesex TW18 1XB

Or by email to [j.sibley@spelthorne.gov.uk](mailto:j.sibley@spelthorne.gov.uk)

Please remember to include your name and address in all communications. The Council will use the comments that you make when it reports on the outcome of the consultation, so responses received by the Council cannot be confidential.

All responses to be received by 30 June 2011.

### **What happens after that?**

When the consultation responses have been analysed a report will be prepared for the Council to consider.

Thank you for taking the time to read this document and for responding to the consultation.