

**Decision to make Dog Control Orders
under s55 Clean Neighbourhoods and Environment Act 2005**

Under powers delegated by Cabinet on 19th June 2006

Having considered the responses to the statutory consultation and being satisfied that a Dog Control Order is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them, and having consulted with the Cabinet Member for Environment, I make the following Dog Control Orders:

1. Fouling of land by dogs and the removal of dog faeces
2. The exclusion of dogs from land
3. The keeping of dogs on leads

Signed

Dated

05/02/2007

Trevor Pugh
Director of Environment

Dog Control Orders - Final Outcome Following Consultation

Introduction

At a meeting of the Cabinet on 19th June 2006 it was agreed that the proposal for the making of Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005 should go out to consultation, as required by the Act.

The Cabinet delegated authority to the Director of Environment in consultation with the Cabinet Member for Environment to agree the detailed implementation of Dog Control Orders under the Clean Neighbourhoods Act 2005 following consultation.

Consultation was carried out as follows between 29th September and the end of October 2006:

- Public notice in the Richmond and Twickenham Times on 29th September
- Posters advertising the issue of dog fouling/dog related issues inviting people to log onto www.richmond.gov.uk/dogs or call or write for more information/copy of the questionnaire
- Membership of Kennel Club - KC Dog
- Web based information and questionnaire

Recommendations

1 Dog Fouling

Make a Dog Control Order in respect of failure to remove dog faeces from an open land accessible by the public. See below for details.

Details

Dog Control Order regarding dog fouling. An offence is committed if a person in charge of a dog fails to remove the faeces forthwith unless he/she can show a reasonable excuse for failing to do so, or the owner/occupier has consented to his failing to do so. The Order will apply to all land in the Borough which is open to the public, including roads, footpaths, pavements, grass verges, alleyways and towpaths, allotments, and parks and open spaces, including wooded areas.

Special dog mess bins do not have to be provided for this to apply. It is acceptable to put wrapped dog waste in public litterbins.

Dog Control Orders are enforceable by either the issue of a Fixed Penalty Notice, offering the opportunity of discharging liability by payment of £80 (or £50 for early payment), or a prosecution, for which the maximum penalty is a £1000 fine. There are guide dog exceptions.

It is also an offence to fail to give correct name and address when asked to by an authorised officer in relation to the offence of failing to remove faeces forthwith. This is a criminal offence that on summary conviction has a maximum fine of £1000.

2 Make a Dog Control Order to exclude dogs from fenced, dog free areas see below for details.

Details

Dog Control Order regarding exclusion of dogs. An Order be made excluding dogs at all times from various designated sites in the Borough, listed below.

- All fenced playgrounds

The following sites which are used as playing fields:

- Barn Elms - Barnes
- Buckingham Park (marked football pitch area) - Hampton
- King's Field - Hampton Wick
- Alpha Road Park - Fulwell / Hampton Hill

The following cemeteries in the Borough:

- East Sheen Cemetery and Richmond Cemetery - North Richmond and South Richmond
- Hampton Cemetery - Hampton North
- Twickenham Cemetery - Heathfield and Whitton
- Old Mortlake Cemetery - East Sheen
- Teddington Cemetery - Hampton Wick and Teddington

Dog Control Orders are enforceable by either the issue of a Fixed Penalty Notice, offering the opportunity of discharging liability by payment of £80 within 14 days, or a prosecution, for which the maximum penalty is a £1000 fine. There are guide dog exceptions.

3 Make a Dog Control Order to restrict dogs by requiring people to keep them on a lead. See below for details.

Details

Dog Control Order regarding keeping dogs on leads. Keep dogs on leads at all times in the following areas:

- All the Borough's roads.
- Terrace Gardens, Richmond;
- York House Gardens; Twickenham
- Leg O'Mutton Reservoir, Barnes
- Crane Park Island, Heathfield

Dog Control Orders are enforceable by either the issue of a Fixed Penalty Notice, offering the opportunity of discharging liability by payment of £80 within 14 days, or a prosecution, for which the maximum penalty is a £1000 fine. There are guide dog exceptions.

4 Do not make a Dog Control Order to restrict numbers of dogs being walked by one person.

The Council may reconsider this at a later date following further consultation with professional dog walkers/clients and neighbouring authorities to find a mechanism to encourage best practice in terms of managing dog behaviour/collection of dog faeces. This may include licensing professional dog walkers.

5 Authorise the following officers to enforce Dog Control Orders and issue Fixed Penalty Notices:

Council officers: Enforcement Officers; Parks Patrol Officers; Street Scene Inspectors; specifically authorised contractors' staff, authorised by the Director of Environment.

Metropolitan Police Officers: Police Officers, Police Community Support Officers, Special Police Officers.

Next Steps and Indicative Timetable

The Director of Environment will approve these recommendations formally.

Once approved the Council will have formally enacted these Dog Control Orders.

31/01/07 Press release/conference featuring Dog Control Orders.

31/01/07 Joint training of Enforcement Team

05/02/07 Director of Environment approves these recommendations.

To be followed by:

Formal 7 day notice published in Richmond and Twickenham Times accompanied by press release to advise people.

Enforcement starts in known target areas.

Summary of Consultation Method and Results

A poster campaign was carried out and information was given on paper by post and via the Council's website.

This is a brief summary with Appendices showing the details given previously:

See Appendices for copy of information

- Copy of first page of Richmond.gov.uk/dogs with basic introduction to Clean Neighbourhood and Environment Act and Dog Control Orders - Appendix 1
- Copy of public notice referring to 4 proposed Dog Control Order types - Appendix 2.
- List of sites included in Dog Control Order re fouling – Appendix 3
- List of sites for dog exclusion – See public notice in Appendix 2
- List of sites for dogs to be kept on leads – See public notice in Appendix 2
- Copy of Questionnaire on the website – also available by post – See Appendix 5

What did the consultation questionnaire ask?

See Appendix 5 for copy of web based questionnaire

What were the results?

264 on line questionnaire forms were completed. The detailed results are shown in the table in Appendix 6.

74 letters were received, mostly on the subject of multiple dog walking. The detailed results are in **Appendix 7** overleaf. Most of the other questions were not addressed and the results of the letter consultation may not be reliable in terms of analysis on the other points, therefore no majority view has been shown, except that relating to multiple dog walking.

What issues were raised? (Summary only)

- Detailed comments were made suggesting the inclusion of some sites as dog free, such as cemeteries.
- Some sites were raised for dogs to be kept on leads – e.g. Crane Park Island – reflecting existing restrictions under byelaws, or current custom and practice.
- A substantial number of comments were made about restricting the numbers of dogs walked by any one person to 4. Many people felt this was unnecessarily restrictive and would add to dog walking charges.

Appendix 1

Copy of page www.richmond.gov.uk/dogs

Dog Control Orders

The Council are proposing to bring in new Dog Control Orders. One of these requires people to clean up after their dog.

This will [apply to all land in the London Borough of Richmond which is open to the public](#): including roads, footpaths, pavements, alley ways and towpaths, all grass verges, parks and open spaces including wooded areas.

Special dog mess bins do not have to be provided for this to apply. It is acceptable to put wrapped dog waste in public litterbins.

Failure to clean up will lead to a Fixed Penalty Notice, similar to a parking ticket, for £80, or prosecution, which may lead to a fine of £1000 plus costs.

In addition there will be restricted access to a small number of sites where wildlife is a priority and to land used as formal sports fields.

Dog walkers will be required to keep dogs on leads in some selected sites and there will be a limit of 4 dogs per person – 2 of which must be on a lead.

The Council is working with the Kennel Club's KC Dog campaign to make sure that these orders support responsible dog ownership.

You can also [download our poster about dog fouling](#)  (pdf).

Copy of Public Notice in Richmond and Twickenham Times

Consultation on proposals for making Dog Control Orders

At a meeting of the Cabinet on 19th June 2006 it was agreed that the proposal for the making of Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005 should go out to consultation, as required by the Act.

The Act enables local authorities to make Dog Control Orders to deal with the following matters:

- (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 a person may take on to any land

A Dog Control Order can cover any land open to the air to which the public are entitled or permitted to have access (with or without payment). Land may be designated specifically or by description.

Dog Control Orders are enforceable by either the issue of a Fixed Penalty Notice, offering the opportunity of discharging liability by payment of £80 within 14 days, or a prosecution, for which the maximum penalty is a £1000 fine. There are guide dog exceptions.

Dog Control Order regarding dog fouling. An offence is committed if a person in charge of a dog fails to remove the faeces forthwith unless he/she can show a reasonable excuse for failing to do so, or the owner/occupier has consented to his failing to do so. It is proposed that the Order will apply to all land in the Borough which is open to the public, including roads, footpaths, pavements, grass verges, alleyways and towpaths, allotments, and parks and open spaces, including wooded areas.

Dog Control Order regarding keeping dogs on leads. It is proposed that the requirement to keep dogs on leads at all times should apply to all the Boroughs roads. In addition the Order should apply to the following designated sites – Terrace Gardens; York House Gardens; and Leg O'Mutton Reservoir.

Dog Control Order regarding exclusion of dogs. It is proposed that an Order be made excluding dogs at all times from various designated sites in the Borough. It is proposed that these should be those listed on the Council's website – also available by post from the address below.

Dog Control Order regarding the maximum number of dogs. This would make it an offence if a person in charge of a dog takes more than a specified maximum number of dogs, during such times as may be specified, onto designated land. It is proposed to make a Order, which would apply at all times, setting the maximum number at 4 dogs, 2 of which must be on leads, and that it would apply to the sites listed on the Council's website – also available by post from the address below.

Representations regarding these proposals may be made in writing or [by our online form](#) and should be sent to the address below. Representations must be received no later than 28 days from the date of publication of this notice.

Dated this 29th September 2006 Trevor Pugh Director of Environment

Representations/queries to Dog Consultation, Civic Centre, 44 York Street, Twickenham, TW1 3BZ or see www.richmond.gov.uk/dogs

Appendix 3

Sites to be covered by dog fouling

Dog Control Order regarding dog fouling. An offence is committed if a person in charge of a dog fails to remove the faeces forthwith unless he/she can show a reasonable excuse for failing to do so, or the owner/occupier has consented to his failing to do so. The Order will apply to all land in the Borough which is open to the public, including roads, footpaths, pavements, grass verges, alleyways and towpaths, allotments, and parks and open spaces, including wooded areas.

Special dog mess bins do not have to be provided for this to apply. It is acceptable to put wrapped dog waste in public litterbins.

Dog Control Orders are enforceable by either the issue of a Fixed Penalty Notice, offering the opportunity of discharging liability by payment of £80 within 14 days, or a prosecution, for which the maximum penalty is a £1000 fine. There are guide dog exceptions.

Also attached was a list of Parks and Open Spaces/other open land managed by the Council.

Sites Covered by Exclusion

Sites under proposed Dog Control Orders (dog exclusions)

The Council proposes to exclude dogs at all times from the following sites:

- All fenced playgrounds

The following sites which are used as playing fields:

- Barn Elms - Barnes
- Buckingham Park (football pitch area) - Hampton North
- King's Field - Hampton Wick
- Alpha Road Park - Fulwell / Hampton Hill

The following cemeteries in the Borough:

- East Sheen Cemetery and Richmond Cemetery - South Richmond
- Hampton Cemetery - Hampton North
- Twickenham Cemetery - Heathfield
- Old Mortlake Cemetery - East Sheen
- Teddington Cemetery – Fulwell and Hampton Hill

Consultation Questionnaire

About you

Your name:

Your address:

Your postcode:

Please consider the following statements

Dog fouling is a problem in my area.

- Strongly agree
- Tend to agree
- Neither
- Tend to disagree
- Strongly disagree
- No opinion

Dog Control Orders should be brought in to allow the Council to impose a Fixed Penalty Notice (£80) if people fail to pick up after their dog fouls in publicly accessible land (for example parks, pavements, grass verges and housing estate gardens).

- Strongly agree
- Tend to agree
- Neither
- Tend to disagree
- Strongly disagree
- No opinion

The number of dogs which can be walked by one person at any one time should be restricted to 4 (2 of which should be on a lead).

- Strongly agree
- Tend to agree
- Neither
- Tend to disagree
- Strongly disagree
- No opinion

I agree that dogs should be excluded from playgrounds, fenced sports areas and a small number of sites which are designated for wildlife.

- Strongly agree
- Tend to agree
- Neither
- Tend to disagree
- Strongly disagree
- No opinion

Dogs should be on leads in the Terrace Gardens, Richmond; York House Gardens and Leg O'Mutton Reservoir Barnes.

- Strongly agree
- Tend to agree
- Neither
- Tend to disagree
- Strongly disagree
- No opinion

Help us to treat everyone fairly

The information that you provide in this section the form will be used in accordance the Council's [Personal Information Policy](#)

Ethnic background

Please indicate your ethnic background:

- White
- Mixed
- Asian or Asian British
- Black or Black British
- Other ethnic background

White

- British
- Irish
- Eastern European
- Any other White background

Please specify other White background

Mixed

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other Mixed background

Please specify other Mixed background

Asian or Asian British

- Indian
- Pakistani
- Bangladeshi
- Afghan
- Any other Asian background

Please specify other Asian background

Black or Black British

- Caribbean
- African
- Any other Black background

Please specify other Black background

Other ethnic background

- Chinese
- Vietnamese
- Middle Eastern
- Any other ethnic background

Please specify other background

Gender

Are you:

- Male
- Female

Age

How old are you?

- Under 16
- 16 - 30
- 31 - 49
- 50 - 64
- Over 65

Disability

Do you have any disability?

Yes

No

If you said 'Yes' could you please specify

Physical impairment

Sensory impairment

Mental health condition

Learning disability/difficulty

Long-standing illness or health condition

Other

Please specify other disability

Appendix 6

Online Questionnaire Results

Dog Fouling Responses - 267online forms submitted – results

Statement	Strongly agree	Tend to agree	Neither	Tend to disagree	Strongly disagree	No opinion	Total	Majority
Dog Fouling is a problem in my area	71	66	23	61	41	2	264	Yes
%	27	25	9	23	16	1	100	
Dog control orders should be brought in to allow the Council to impose a Fixed Penalty Notice (£80) if people fail to pick up after their dog fouls in publicly accessible land (for example, parks, pavements, grass verges and housing estate gardens).	150	77	6	9	19	4	265	Yes
%	57	29	2	3	7	2	100	
The number of dogs which can be walked by one person at any one time should be restricted to 4 (2 of which should be on a lead)	72	15	5	11	160	2	265	No
%	27	6	2	4	60	1	100	
I agree that dogs should be excluded from playgrounds, fenced sports areas and a small number of sites which are designated for wildlife.	116	86	11	30	21	1	265	Yes
%	44	32	4	11	8	4	100	
Dogs should be on leads in The Terrace Gardens, Richmond; York House Gardens, Twickenham; Leg O'Mutton Reservoir, Barnes	72	53	33	41	36	30	265	Yes
%	27	20	12	15	14	11	100	



Tired of number twos on your shoes?

People who walk a dog in Richmond upon Thames are responsible for cleaning up after it.

The Council plans to introduce fixed penalty notices for those who don't.

To have your say on this important issue visit www.richmond.gov.uk/dogs or call 020 8831 6115.