



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Update on Implementation of Dog Control Orders
Date:	9 August 2012
Reporting Officer:	Andrew Hassard, Director of Parks and Leisure
Contact Officer:	Rose Crozier, Assistant Director of Parks and Leisure

1	Relevant Background Information
	<p>Members are reminded that at its meeting in December 2011 an update was provided on the Clean Neighbourhood and Environment Act 2011 and the implications for the Parks and Leisure Department. The content of this report was also considered by the Health and Environmental Services Committee at its meeting on 1 August 2012.</p> <p>The Clean Neighbourhoods and Environment Act (NI) 2011 strengthens the legislative powers available to district councils to deal more effectively with a range of local environmental quality problems, including dog fouling. The Act came into operation in April 2012.</p> <p>Under part 5 of the Act (Dog Control), Councils may create up to 4 separate orders to help manage issues associated with dogs in their area. Dog Control Orders can be made in respect of any land in the district council area, subject to certain exemptions, and can relate to the following four matters:</p> <ul style="list-style-type: none">(a) Dog Fouling (including determining levels of fines)(b) Requiring dogs to be kept on a lead in designated areas(c) Excluding dogs from designated areas and(d) Limiting the number of dogs a person can be in control of at any one time <p>At the Health and Environmental Services committee meeting in December 2011 a revised framework of Fixed Penalty Notices (FPNs) was agreed dealing with the full range of offences specified within the Clean Neighbourhoods Act. Under the section dealing with Dog Control Orders it was agreed that FPNs for offences arising under the 4 categories above</p>

	<p>should be set at £80 with a discount amount of £50 for prompt payment (within 10 days).</p> <p>It was noted that offences under the Dog Control Orders contained within the Clean Neighbourhoods Act could only apply to specified areas of land that have been designated by Order of the Council. Until such an area(s) had been designated, dog fouling offences could only be dealt with by the issue of a £50 FPN under the current Litter (NI) Order 1994 regime.</p> <p>In February 2012 the Health and Environmental Services committee further agreed that:</p> <ul style="list-style-type: none"> (i) Implementation of actions relating to the new dog control powers would be undertaken on a phased basis. (ii) Initial activity would relate to section (a) of the Dog Control section of the Act (Fouling of Land by Dogs). (iii) Council would introduce a Dog Control Order whereby the entire area (to which the public has access) within the Council administrative boundary would be designated a Dog Control Area from September 2012. <p>A consultation exercise would be conducted to seek opinions from ratepayers and other interested parties regarding proposal (iii) above</p>
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2	<p>Key Issues</p> <p>A consultation exercise commenced on 23 May which ran until 25 June. Notices (see appendix 1) were placed in all local daily and weekly community papers with communication supplemented by placing</p> <ul style="list-style-type: none"> (i) A Public notice, map and details of the Order on the BCC website www.belfastcity.gov.uk/dogfouling (ii) A Public notice, map and details of the Order in City Hall <p>Comments were invited via email, in writing and via BCC social media channels.</p> <p>Response levels to the exercise were extremely low. Four responses were forwarded by email and one comment received via the Council's social media network. Responses (see Appendix 2) were unanimously supportive of the proposal to introduce a new Dog Control Order with one respondent taking an opportunity to criticise the Council for perceived inaction in relation to the problem of dog fouling in the city.</p> <p>It is emphasised that this is an initial, though critically important, element of the Council's application of new dog control powers. Work is ongoing through the cross-departmental dog control officer group to devise further orders to address issues under the remaining 3 areas, [(b) to (d)], listed in paragraph 1.2. This will require additional consultation, changes to existing practices and procedures, the development of staff capacity and effective communication with the public on the implications of the new orders. A further</p>
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	<p>report will be brought to both Health and Environmental Services and Parks and Leisure October Committee meetings outlining the proposals for the 3 remaining Dog Control Orders.</p> <p>The Officer group established to plan and implement Dog Control Orders will also engage with the Dog Warden Service, Park Managers and Park Wardens to put measures in place to enforce the new order across the city.</p>
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3	Resource Implications
	<p>Resources implications associated with the introduction of a new Dog Control Order can be met within existing budgets..</p> <p>Implementation of the orders impacts on the role of Park Rangers therefore education and enforcement of the orders is an integral part of the Park Warden pilot.</p>

4	Equality and Good Relations Considerations
	<p>There are no Equality or Good Relations considerations associated with this report.</p>

5	Recommendations
	<p>The Committee is asked to note</p> <p>(i) the results of the consultation exercise;</p> <p>(ii) that Belfast (areas to which the public have access) will be designated a Dog Control Area from September 2012; and</p> <p>(iii) that FPNs at the level agreed in December (£80, discounted to £50 for prompt payment) will be issued from 1 October following further public communication.</p>

6	Decision Tracking
	<p>Assistant Director of Parks and Leisure</p>

7	Key to Abbreviations
	<p>None.</p>

8	Documents Attached
	Appendix 1 Copy of Public Notice Appendix 2 Consultation responses