



Belfast City Council

Report to: Parks and Leisure Committee

Subject **Dog Control Orders – Update**

Date: 14 March 2013

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1. Relevant Background Information

- 1.1 The Clean Neighbourhoods and Environment Act (NI) 2011 strengthens the legislative powers available to district councils to help them deal more effectively with a range of local environmental quality problems, including dog control.
- 1.2 Members are reminded that under Part 5 of the Act, Council's may create up to four 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:
- (a) Dog Fouling;
 - (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.
- 1.3 A Dog Control Officer Group was established to consider guidance and develop proposals to implement Dog Control Orders in Belfast. The group is made up of officers from Health & Environmental Services Department, Parks and Leisure Department and Legal Services. As the enacting of dog control orders requires changes to existing practices and procedure, the development of staff capacity and effective communication with the public on the implications of the orders, it was decided to implement the orders in stages.
- 1.4 In February 2012 the Committee further agreed that implementation of the

	procedures for making new dog control orders would be undertaken on a phased basis and that the initial order would relate to section 40 (3)(a) of the Act (Fouling of land by dogs and removal of dog faeces).
1.5	At its August 2012 meeting therefore, the Parks and Leisure Committee adopted a recommendation that a Dog Control Order be made in respect of dog fouling. The Dogs (Fouling of Land by Dogs) (Belfast) Order 2012 became operative on 1 October 2012, replacing the dog fouling provisions contained in the Litter (NI) Order 1994.
1.6	The Order limiting the number of dogs which a person may take on to land was considered at the Health and Environmental Services Committee of 7 November 2012. The recommendation to limit the number of dogs to four was subjected to public consultation and agreement to make the order was confirmed by the Health and Environmental Services February 2013 committee. It received full Council approval on 4 March 2013 and is due to become operative on 1 April 2013.
1.7	At its November 2012 meeting, the Parks and Leisure Committee agreed the recommended approach to deciding whether or not to make a dog control order excluding dogs from cemeteries, children's playgrounds and playing fields or pitches in the city. This order was subjected to public consultation at the same time as the order limiting the number of dogs a person can take on to land.

2.	Key Issues
2.1	Consultation on the proposed Dogs (Exclusion of dogs from land) Order raised a number of concerns from the public. The draft Order was widely interpreted as suggesting that dogs would be excluded from whole sites when it actually only referred to playing surfaces within sites. This was particularly an issue with park users who generally use local playing fields to exercise their dogs.
2.2	The Council therefore provided clarification on the meaning of "exclusions" within the draft Order and stressed that the exclusion from land Order was, in effect, repeating the terms of existing bye-laws whilst giving the Council stronger enforcement powers.
2.3	Issues were raised about the need for facilities to allow dogs off lead. This refers to the order requiring dogs to be kept on a lead in designated areas which was still under consideration by the Dog Control group and proposals had not been brought forward at this stage. It would appear that some confusion had arisen from this order being implemented in adjoining Councils and the perception of many people that this was also being applied to Belfast City Council sites.
2.4	Due to the public response the consultation on the exclusion from lands order was suspended to allow further clarification and consideration of the issues raised.

2.5	The Dog Control Group has considered the issues raised and recognises that clear communication on the meaning and application of the orders is essential going forward. Also, given the issues raised about designated areas for dogs on lead, consideration has been given to trialling areas for allowing dogs off lead.
2.6	To help inform the implementation of further dog control orders it is therefore proposed that a pilot project is undertaken to trial this approach in the North of the city. It is proposed that the pilot would be in operation from June 2013 and would be monitored for a period of six months.
2.7	Findings and recommendations from the pilot and recommendations on the further implementation of dog control orders would be brought back to Committee in January 2014.

3.	Resource Implications
	The estimated cost of providing a designated area for dogs to run off lead is in the region of £8,000 - £10,000. This can be accommodated with existing budgets.

4.	Equality and good relations implications
	None

5.	Recommendations
	Committee are asked to note the updated position regarding the implementation of Dog Control Orders and the recommendation to pilot areas for dogs off lead.

6.	Decision Tracking
	The Assistant Director of Parks and Leisure will report back to committee with details of the proposed pilot.

7.	Key to Abbreviations
	DOE – Department of the Environment

8.	Documents Attached
	None