

REPORT TO	DATE OF MEETING
Cabinet	6 February 2013

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
Update of Dog Control Orders	Neighbourhoods and Streetscene	Greg Clark	10

SUMMARY AND LINK TO CORPORATE PRIORITIES

This report seeks approval to extend the Dog Control Orders adopted in September 2009 to include a number of additional play areas and sites within the borough.

The report links directly to all of the Council's corporate priorities but especially Clean, Green and Safe.

RECOMMENDATIONS

That Cabinet agrees:

1. To undertake a consultation and advertising process for the proposed play areas and sites to be included in the extended Dog Control Orders.
2. To authorise the Director of Neighbourhoods, in consultation with the Deputy Leader, Neighbourhoods and Streetscene, to confirm the proposed play areas and sites to be included in the extended Dog Control Orders, following the completion of the consultation and advertising period.

DETAILS AND REASONING

The Council adopted Dog Control Orders in September 2009 under powers afforded to local authorities by the Clean Neighbourhoods and Environment Act 2005. These orders replaced a range of bye-laws previously in force covering a range of offences and also allowed offences to be discharged by the payment of a £75 fixed penalty notice, thereby avoiding prosecution and the need to appear at Magistrate's Court.

The Dog Control Orders adopted covered the following four offences:

- Failing to remove dog faeces.
- Not putting, and keeping, a dog on a lead when directed to do so by an authorised officer (*to prevent the dog causing a nuisance or annoyance to another person or the disturbance/worrying of animals or birds*).
- Permitting a dog to enter land from which dogs are excluded (*fenced children's play areas*).
- Failing to keep a dog on a lead in certain areas (*including roads and any associated grass verges and footways, car parks and Longton Brickcroft Nature Reserve*).

Dog Exclusion Areas currently apply to the 14 fenced playgrounds listed below:

Birch Avenue, Penwortham
Coupe Green, Hoghton

Farington Park, Farington
Holland House Farm, Walton-Le-Dale

Hurst Grange Park, Penwortham
Hutton Playing Field, Hutton
King George V Playing Field, Higher Walton
Longton Playing Field, Longton
Moss Side Village Green, Leyland

New Longton Playing Field, New Longton
Ryden Avenue, Leyland
Tardy Gate Playing Field, Lostock Hall
Withy Grove Park, Bamber Bridge
Worden Park, Leyland

Since the Dog Control Orders were adopted, 6 children's play areas have been refurbished with the improvements including a new or extended perimeter dog proof fence. In order to allow these new fenced areas to be enforced as dog exclusion areas, it is proposed that the Dogs Exclusion in the Borough Council of South Ribble Order 2009 is extended to include these playgrounds within the schedule of sites. These sites are:

Farington Park, Farington (extended area)
King George V Playing Field, Higher Walton (extended area)
Kingsfold Drive, Penwortham
Gregson Lane, Hoghton
Dob Lane Playing Field, Walmer Bridge
Much Hoole Playing Field, Much Hoole

It is also proposed to extend the existing Dogs on Leads in the Borough Council of South Ribble Order 2009, to include 5 small open space areas with a large proportion of the land containing unfenced children's play equipment. This would mean that dogs would still be permitted on these sites but only on a lead. These sites are:

Haig Avenue Green, Leyland
Leadale Green, Leyland
Seven Stars Green, Leyland
Tardy Gate Teen Play Area, Lostock Hall
Kingsfold Drive Teen Play Area, Penwortham

The Dogs on Leads Order proposed for these sites would prevent nuisance being caused to families using the play equipment. The amount of green space surrounding the play equipment is not considered sufficient to be used as a dog exercise area without dogs entering the play equipment areas or surrounding highways. As these sites are relatively compact they can be enforced. It would not be appropriate to consider including any other unfenced play area sites in the borough, which are part of a much larger open space area, as enforcement would be impractical.

It is also proposed to extend the Dogs on Leads in the Borough Council of South Ribble Order 2009, to apply to the centre of Worden Park at the following areas:

Formal gardens
Maze
Rose garden
Walled garden
Arts and Crafts Centre Courtyards

Again, this would mean that dogs would still be permitted to enter these sites but only on a lead. The Worden Hall Car Park in the centre of the park is already covered by the existing order.

The proposed Dogs on Leads Order would be beneficial for the formal gardens and rose garden as these areas are becoming increasingly used as dog exercise areas by visitors sitting on the benches and throwing balls across the gardens for their dogs. This is causing damage to the ornamental bedding displays as a result of dogs running through the flower beds and generally detracts from the quiet sitting area that the gardens are intended to provide.

The maze, walled garden and Arts and Crafts Centre courtyards are all areas which are generally popular with visitors, and are expected to become even more so in the future as a result of improvement works or new activities being established. Therefore inclusion in a Dogs on Leads Order is considered appropriate to prevent damage to planting, equipment and property or causing nuisance to visitors.

The entrances to the proposed areas covered by the orders would be signed appropriately to mark the extent of the Control Orders.

Plans for the proposed play areas and sites to be included in the extended Dog Control Orders are attached to this report.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these.

FINANCIAL	There are no financial implications as a result of the proposals in this report, other than the cost of advertising which will be in the region of £600. This will be met from the existing revenue budget.
LEGAL	It is a requirement to consult and advertise before confirming a site for inclusion in a Dog Control Order. The Council will be able to enforce any new sites covered by the orders.
RISK	<p>The proposed sites need to be covered by the Dog Control Orders as otherwise the problems, issues and nuisance outlined in the report will continue with the Council being unable to take enforcement action.</p> <p>There is a risk that the decision to adopt the Dogs on Leads Order may prove unpopular with some local dog walking visitors to some of the sites and in particular Worden Park. However, the proposed area of Worden Park to be covered by the Dogs on Leads Order represents less than 3% of the total area of Worden Park currently available for dogs to be exercised off lead.</p>

THE IMPACT ON EQUALITY	An Equality Impact Assessment is in place for the parks service. There are no adverse equality impacts as a result of the proposals in this report.
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OTHER (see below)	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Existing Dog Control Orders