

To: Cabinet Member Policing and Equalities

Date: 4 September 2014

Subject: Dog Control Orders

1 Purpose of the Note

- 1.1 To inform the Cabinet Member Policing and Equalities of the outcome of the discussions that took place at the meeting of the Scrutiny Co-ordination Committee held on 16th July 2014.

2 Recommendations

- 2.1 The Scrutiny Co-ordination Committee welcomed the report and supported the recommendations on the approach to consultation on the adoption of the four additional Dog Control Orders and the increase in the level of the fixed penalty to £80 for breach of any of the Dog Control Orders, with provision for this to be reduced to £50 if paid within 10 days of issue.
- 2.2 In addition, the Committee recommended that the Cabinet Member Policing and Equalities:
 - a) lobby the government to seek an increase in the maximum level of the fixed penalty notice for dog fouling, considering that it is a biohazard ;
 - b) encourage local authorities to adopt the same policies in relation to dealing with irresponsible dog owners to ensure consistency of approach.

3 Information/Background

- 3.1 The Scrutiny Co-ordination Committee considered the report which sets out how the Council could adopt Dog Control Orders to manage problems associated dogs in public places and a proposed approach to consultation.
- 3.2 The Committee recognised the concerns raised in the report and were supportive of both the proposal to adopt an additional four Dog Control Orders and the planned consultation exercise. They questioned officers on a range of issues relating to the national framework, the options open to the authority on how this can be applied locally and the problems faced by Coventry and its neighbouring councils.
- 3.3 The Committee discussed the extent of the flexibility available to local authorities in relation to the maximum level of fixed penalty notice and any reduction for early payment. Members were disappointed that the maximum level of the fine is fixed by government at £80 which they felt did not recognise the relative severity of dog fouling compared to, for example, paper littering. They would like councils to be given more scope to increase the level of fine and recommended that the Cabinet Member lobby the government to this effect.

- 3.4 The Committee discussed at length the advantages and disadvantages of applying a reduction for early payment, an approach which is standard practice across the country and encouraged in government guidance. They explored whether this undermines the message that the Council takes the issue very seriously. After careful consideration, a majority of the Committee Members expressed their support for retaining the reduction for early payment. They did, however, ask that the Cabinet Member also consider the minority view expressed that the early payment reduction be removed for fixed penalty notices specifically in relation to dog fouling.
- 3.5 The Committee questioned officers on the application of Dog Control Orders by other neighbouring councils. They recognised that some other authorities had already applied the Orders which Coventry is now considering. They discussed examples of where dog walkers living just outside the boundary were known to travel into Coventry's parks to avoid restrictions and the Committee recognised the benefits of a common approach. They asked that the Cabinet Member encourage a consistent approach with neighbouring authorities. The benefits of the Police also adopting the enforcement powers was raised, although it was noted that the authority of the Police was generally enough to ensure owners kept their dogs under control.
- 3.6 The Committee discussed the variations and restrictions that could be applied in introducing the Dog Control Orders, including types of location, numbers of dogs and length of leads. They also considered how complaints are dealt with, deployment of enforcement officers and the challenges associated with enforcement. They were happy to accept the considered advice of officers in relation to the detailed application of recommendations.
- 3.7 The Committee asked that Friends of Parks groups be included in the consultation exercise.

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