



Dog Control Orders.

The following offences are covered by Wychavon's Dog Control Order:

1. Failure to remove dog faeces
 2. Dogs off leads on a footpath, public pavement or verge within a 40mph limit.
 3. Failure to put and keep a dog on a lead when directed to do so by an authorised officer.
 4. Permitting a dog to enter an enclosed children's play area.
- The penalty for committing one of these offences is a maximum fine up to £1000 (level 3) on conviction, although an opportunity to avoid prosecution by payment of a fixed penalty notice may be offered.
 - There are exemptions in respect of certain working dogs (such as assistance dogs for visually or aurally impaired people).

Specific

- The Order is similar to the old byelaws for dog fouling but now includes all land open to the air, where the public have access.
- Dogs must be kept on leads at all times on any land situated within a 40mph (or less) traffic control zone. The purpose is to keep dogs under close control in urban areas discouraging anyone from allowing their dogs to stray and foul. Also, under the Road Traffic Act 1988, it is an offence for a person to cause or permit a dog to be on a public footway or grass verge adjacent to a road without it being on a lead.
- The requirement to put and keep a dog on a lead when directed to do so by an authorised officer is designed for those rare circumstances when a dog is out of control and an instruction by an authorised officer will help rectify a situation.
- Dogs are prohibited from enclosed children's play areas. Specific locations are not listed but included are any enclosed area in which children play such as; tennis courts, skate parks, water parks, enclosed children's play equipment. This order does not include playing fields adjacent to the enclosure; only the enclosed play area.

How can the public help?

If you witness any offences taking place, please notify us as soon as possible on the general environmental health number 01386 565015. All complaints are treated in confidence. Even if you do not know the name and address of the offender, you can still provide us detailed information on how often the offence occurs and assist us in targeting problem spots.

Stickers or metal signs can be provided to Town/Parish Councils or members of the public who wish to erect any themselves as these are often effective in reducing dog related matters.

Typical questions and answers

1. ***Will it be an offence if a dog owner fails to pick after a dog fouls on my front lawn?***
No, as the public does not have access to this private area.

2. ***What happens if a dog owner fails to pick up on farmland used by livestock?***
As above, this is not an offence of the dog control order as this is private land to which the public does not have a right of access. In the case of a public footpath it will be an offence on the defined footpath but not on the land surrounding. However other legislation does apply in these circumstances, firstly the Dogs (Protection of Livestock) Act 1953 which makes it an offence for a dog to worry livestock, this is enforced by the Police. Secondly the Animals Act 1971 deals with the civil liability for any damage done by dogs to livestock.
3. ***Will it be an offence if the neighbour's dog crosses the road and fouls on the village green without the owner picking it up?***
Yes, two offences will have been committed, not keeping a dog on a lead on a footpath alongside a 40mph traffic control and fouling.
4. ***Will it be an offence for a dog owner to take their dog to a public place and play ball?***
It will not be an offence. Dogs can be taken to a public place e.g. park where they can be let off the lead to play and exercise. Once there no restrictions would apply other than dog fouling as previously explained. However if an authorised officer considered it necessary, e.g. if the dog posed a risk to the public safety they could request the dog be put on a lead. It would be an offence if the dog owner refused to do so.

Contact your local Environmental Health Professional at:

Environmental Protection Section,
Environmental Services,
Civic Centre,
Queen Elizabeth Drive,
Pershore, WR10 1PT
Telephone: 01386 565015
Fax: 01386 561826

Email: environmental.health@wychavon.gov.uk or visit our website at: www.wychavon.gov.uk/es