



Saxon's guide to...

Dog Control in Tamworth

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Introduction

The vast majority of dog owners are responsible and caring; however feedback from residents has consistently raised the issue of dog fouling and the behaviour of dogs by the irresponsible minority.

Over the years, various by-laws have been made to control dogs. These have been cumbersome and difficult to enforce and have no power of fixed penalty.

To address concerns, Tamworth Borough Council has made a number of Public space protection orders under the Anti-Social Behaviour, Crime and Policing Act 2014.

The adoption of these orders make it easier for the authority to deal quickly and efficiently with the small minority of dog owners who behave irresponsibly, while at the same time encouraging a culture of responsible dog ownership.

These orders, along with our ongoing Mucky Pup – Clean It Up campaign, will bring a number of benefits, including the creation of a cleaner environment, reduction of health problems associated with dog faeces and the promotion of responsible dog ownership.

They represent a modern and effective way of enforcement when required and provide a commonsense method of dealing with an issue of constant concern for our residents.

Dog fouling of land

Why clean up after your dog?

Besides the unpleasant smell and the mess created by dog mess when it gets on pram wheels, wheelchairs, shoes and clothing, there is a potential health risk associated with dog faeces.

Toxocara canis is a roundworm that lives in the dog's gut. Eggs are passed out with the faeces and can survive in the soil for up to three years. The eggs hatch into larvae which, if ingested, will enter the bloodstream. The human blood is an alien environment and the larvae will remain dormant. However, if a larva lodges in the small blood capillaries behind the eye, it can cause partial loss of vision. Although this is very rare and the body's defences will normally destroy the larvae, cleaning up after your dog will remove the risk.

The Dogs Fouling of Land Order applies to all land open to the air to which the public are entitled or permitted to have access (with or without payment) in the administrative area of Tamworth Borough Council including but not limited to parks, public open spaces and roads*.

All dog owners are encouraged to promote positive dog ownership and carry suitable bags in order that they can pick up and remove their dog waste.

Failure to comply with this order is an immediate offence when the owner walks away from the deposit and in most cases irresponsible dog owners will be issued with a fixed penalty of £100.

The Order will provide exemptions for a person who -

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

** A road is any length of highway or of any other road to which the public has access, and includes bridges over which a road passes.*



Dog exclusion

Why are dogs excluded from some areas?

Children should be free to play on designated equipment provided without the fear of treading in or coming into contact with dog faeces. Dogs will not be excluded from public open space, but will not be allowed on or around formal play equipment and other designated play areas.



**For information on prohibited areas please see
Tamworth Borough Council's website
www.tamworth.gov.uk/dogs**

Dogs **WILL** continue to be allowed in the surrounding areas of the majority of our parks off lead if under control. **Failure to comply with this order is an immediate offence, however officers will always take a proportionate response to give an owner the opportunity to leave the area, prior to issuing any fixed penalty notice.**

This order will provide exemptions for anyone who –

- (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- (b) is deaf, in respect of a dog trained by the Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- (c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity* and upon which he relies for assistance.

**each of the following is a "prescribed charity" – Dogs for the Disabled (registered charity number 700454); Support Dogs (registered charity number 1088281); Canine Partners for Independence (registered charity number 803680).*

Dogs on lead at all times

Why must my dog be on a lead in some areas?

It is considered to be appropriate that dogs should be kept on a lead at all times in some areas for safety, public protection or out of respect for the area designated.

In these areas dogs **WILL BE** allowed but required to be on a lead and under control at all times.

This Order will apply to all roads* (including adjacent footpath and verge) in the administrative area of Tamworth Borough Council. Forestry Commission Land is exempt.

The Order will also apply to specified areas to include:

- Tamworth Borough Council cemetery land at Glascote, Wigginton, Wlnecote and Amington,
- the pedestrianised areas of the town centre,
- St Editha's Church graveyard,
- the Top and Lower Lawn areas of the Castle Grounds.
- Anker Valley Sports Pitches

Legislation already in place requires dogs to be on lead on a footpath or verge adjacent to a public highway and in the cemeteries. This order merely seeks to update this legislation and allow for a more immediate response from authorised officers.

Failure to comply with this order is an immediate offence, however officers will always take a proportionate response, which identifies education prior to enforcement.



**A road is any length of highway or of any other road to which the public has access, and includes bridges over which a road passes. RTA 1988 Sect 192 (1)*

Dog on lead by direction

Why will I be asked to put a dog on a lead?



The Dogs on Lead By Direction Order recognises that responsible dog owners like to exercise dogs off their lead in open spaces, but allows an Authorised Officer to request a dog is placed back on a lead if it is considered that the dog is being a nuisance to other users of the facilities.

A request to put on a lead would only be made where a dog is an obvious nuisance to others, is not under adequate control or is roaming in a public open space beyond a distance considered to be reasonable to pick up any dog fouling.

We have also had reports that some dogs have been attacked by other dogs in our parks when not on a lead.

This Order applies to all land open to the air to which the public are entitled or permitted to have access (with or without payment) in the administrative area of Tamworth Borough Council including but not limited to parks, public open spaces and roads*.

The designation of the whole of the Borough allows a flexible visible tool for authorised officers to tackle concerns raised by many responsible dog owners.

In most cases the issue of a fixed penalty notice will be for failure to comply on request, however the current enforcement policy allows discretion to advise and educate as an alternative to issuing an immediate penalty.

Penalties

Dog Fouling of Land Order

Failure to immediately pick up dog faeces will lead to a Fixed Penalty Notice of £100 (reduced to £85 for payment within 14 days).

Dog Exclusion Order

Failure to comply is an offence and may lead to the issue of a Fixed Penalty Notice of £100 (reduced to £85 for payment within 14 days) where the offender fails to leave the area at first request.

Dogs On Lead at All Times Order

Failure to comply is an offence and may lead to the issue of a Fixed Penalty Notice of £100 (reduced to £85 for payment within 14 days) where the offender refuses to respond to warning or education.

Dogs On Lead By Direction

Failure to comply is an offence and may lead to the issue of a Fixed Penalty Notice of £100 (reduced to £85 for payment within 14 days) where the offender refuses to respond to request.

All Fixed Penalty Notices will be issued to the person in charge of the dog when the offence occurred. This does not need to be the dog owner. It is also an offence to refuse to give name, address and date of birth to an authorised officer.

Failure to pay the fixed penalty within fourteen days will lead to the instigation of legal proceedings. A person found guilty of an offence under any of the Dog Control Orders in the Magistrate's Court shall be liable on summary conviction to a fine not exceeding level 3 (currently up to £1000) on the standard scale.

Please note that although fixed penalties can only be issued by authorised officers of the Council for breaches of any of the Dog Control orders, appropriate further action can be investigated when reported to us.



How can I report irresponsible dog owners?

Other breaches of Dog Control Orders
Tel: 01827 709709 or
Email:
enquiries@tamworth.gov.uk

Lost, found or stray dogs

Details are available on the
council's website:

www.tamworth.gov.uk/stray-dogs

Dog control areas and maps are available on our website www.tamworth.gov.uk and can be viewed at Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ during opening hours.



You can report irresponsible dog owners by:
Email: muckypup@tamworth.gov.uk,
Text: MUCKYPUP followed by
information to 88020, or
Phone: 01827 709709.

Please give details of regular times,
location and description of owner and
dog to help us target patrols.

*Reports made remain confidential and witness statements
will only be taken with full permission.*

*Anonymous calls can be followed up, but feedback cannot
be provided.*