

DOGS – SUTTON PARK

Sutton in Craven Parish Council recognises that the vast majority of dog owners are responsible owners who pick up after their dogs and keep them under control. However there are a minority of people who don't and this creates a number of problems which residents ask the Council to deal with.

Rules for Sutton Park

During "Opening Hours" – the days and times which the ground is open to the public.

- a) Dogs must be kept on a lead
- b) Any person in charge of a dog to immediately remove any dog fouling that their dog has produced and to dispose of it properly. A person is guilty of an offence unless they have a reasonable excuse for failing to comply. In the case of dog fouling not knowing a dog has fouled, or not having the means to clear it up e.g. a bag, are not reasonable excuses.
- c) A dog must be put on a lead and kept on a lead when told to do so by an authorised officer.

LAWS DIRECTLY AFFECTING DOG OWNERS

As a responsible dog owner, it is important for you to meet with the requirements of the law. There are a number of Acts and Orders which all dog owners should be aware of.

Dog Fouling

The Dogs (Fouling of Land) Act 1996, allows authorities to designate any land in their area as a poop scoop area without any requirement to provide signs or dog waste bins.

The penalty for not clearing up dog fouling can be up to £1,000 if taken to court, but there is also provision for a fixed penalty scheme with a fine of £50 in England.

The main legislation relating to dog fouling is dealt with under the Environmental Protection Act 1990 (Part 5 IV).

Exceptions to the offence are:

- The person in charge of the dog has a reasonable excuse for not clearing up (being unaware of the fouling or not having the means to clean up is not an excuse)
- The owner or occupier of the land has consented to the faeces being left
- The person puts the faeces in a bin on the land
- The person in charge of the dog has a registered visual impairment

Dog Fouling Section 22 of the litter Pollution Act 1997 makes it an offence for the person in charge of a dog not to clean up when their dog fouls in a public place. Please act responsibly – clean up after your dog and dispose of the dirt in a safe sanitary manner; use a bag. Dog dirt is a health hazard and some day your child might be affected by someone else's failure to do the right thing'. Failure to clean up your dogs waste can lead to a fine.

The Road Traffic Act 1988

It is an offence to have a dog on a designated road without it being on a lead, Local authorities have similar bye-laws covering public areas.

The Control of Dogs Order 1992

This requires that every dog, while in a public place, wears a collar with the name and address of his owner inscribed on it or on a disc attached to it. If a collar is not worn when out in a public place, the dog may be seized by the police and treated as a stray. Also, the owner, and any person in charge of the dog permitting him to be in a public place without a collar, will each be guilty of an offence and may be prosecuted and fined.

If your dog does stray, you should immediately contact your local dog warden (through the Environmental Health Department at your local council) and the local police station. The Environmental Protection Act 1990 allows for your dog to be seized and sold or destroyed if unclaimed after a seven day period.

Town Police Clauses Act 1847 (outside London) and Metropolitan Police Act 1839 (London)

These Acts make it an offence to allow an unmuzzled, ferocious dog to be left at large, or for a person to set on or urge any dog attack, worry or put in fear any person or animal in the street.

Dangerous Dogs Act 1991 section 3

It is a criminal offence (for the owner and/or the person in charge of the dog) to allow a dog to be 'dangerously out of control' in a public place, a place where it is not permitted to be, and some other areas. **A 'dangerously out of control' dog can be defined as a dog that has injured someone or a dog that a person has grounds for reasonable apprehension that it may do so. Something as**

simple as your dog chasing, barking at or jumping up at a person or child could lead to a complaint, so ensure that your dog is under control at all times. If your dog injures a person, it may be seized by the police and your penalty may include a prison sentence and/or a ban on keeping dogs. There is also an automatic presumption that your dog will be destroyed (unless you can persuade the court that it is not a danger to the public, in which case it may be subject to a control order). You may also have to pay a fine, compensation and costs.

Dogs of the following type are banned under the Dangerous Dog Act:-

- The Pit Bull Terrier
- Fila Brasileiro
- Dogo Argentino
- Japanese Tosa

Dogs (Protection of Livestock) Act 1953

Your dog must not worry (chase or attack) livestock (cattle, sheep, goats, pigs, horses and poultry) on agricultural land, so keep your dog on a lead around livestock. If your dog worries livestock, the farmer has the right to stop your dog (even by shooting your dog in certain circumstances).

Dogs Act 1871

It is a civil offence if a dog is dangerous (to people or animals) and not kept under proper control (generally regarded as not on a lead or muzzled). This law can apply wherever the incident happened. The dog can be subject to a control order or destruction order and you may have to pay costs.

Animal Welfare Act 2006

The Animal Welfare Act was introduced on April 6th 2007. From this date, the Act repealed the Protection of Animals Act 1911 and the Abandonment of Animals Act 1960. The new Act increases and introduces new penalties to tackle acts of cruelty, neglect, mutilation, tail docking, animal fighting and giving of pets as prizes. In addition to this it introduces a duty of care for all pet owners to provide for their animals a suitable environment, a suitable diet, the ability to exhibit normal behaviour patterns, protection from pain, suffering injury and disease and consideration of the animal's needs to be housed with, or apart from, other animals.

The Clean Neighbourhoods and Environment Act 2005

Since 6th April 2006 local authorities in England and Wales have the power to introduce new Dog Control Orders under this Act

These Orders may restrict where you can walk your dog (on or off lead), how many dogs you can walk at one time, and makes it an offence if a person in charge of a dog fails to clean up its faeces. Designated land may include roads, parks and other public areas with the local authority's boundaries; in fact any land which is open to the air and which the public are permitted to have access.

If you don't abide by these Orders, you could be fined up to £1,000. It is no defence to claim ignorance of the dog's actions, the law.