

**PUBLIC NOTICE**

**THE COUNCIL OF THE CITY OF SUNDERLAND**

**CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005**

**The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006**

**The Dog Control Orders (Procedures) Regulations 2006**

NOTICE is hereby given that The Council of the City of Sunderland (“the Council”) is proposing to make the following four Dog Control Orders pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005 :-

**1. The Fouling of Land by Dogs Order 2014**

If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless (a) he has a reasonable excuse for failing to do so; or (b) the owner, occupier or other person or authority having control of the land has consented to his failing to do so.

It is proposed that this Order will apply to all land to which the public are entitled or permitted to have access (with or without payment) within the administrative area of the Council which is :-

- (a) parks, pleasure grounds and open spaces maintained by the Council;
- (b) sports grounds/pitches and playing fields maintained by the Council;
- (c) beaches/foreshore and any slopes or staircase leading thereto;
- (d) school grounds;
- (e) cemeteries, burial grounds and churchyards maintained by the Council;
- (f) car parks, owned and operated by the Council;
- (g) carriageways and adjoining footpaths and verges; and
- (h) footpaths, bridleways, alleys, precincts, promenades, thoroughfares and other ways (not being carriageways)

**Exemption** :- This order will not apply to a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948 or to a person who has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects and relies on a dog for assistance trained by a prescribed charity, namely, Dogs for the Disabled, Support Dogs or Canine Partners for Independence.

**Note:** This Order will replace the existing controls the Council has under the Dogs (Fouling of Land) Act 1996.

**2. The Dogs on Leads by Direction Order 2014**

A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, he does not comply with a direction given him by an authorised officer of the Council to put and keep the dog on a lead, unless (a) he has a reasonable excuse for failing to do so; or (b) the owner, occupier or other person or authority having control of the land has consented to his failing to do so.

An authorised officer of the Council may only give a direction under this Order to put and keep the dog on a lead if such restraint is reasonably necessary to prevent a dog causing or likely to cause annoyance or disturbance to any other person, animal or bird.

It is proposed that this Order will apply to all land to which the public are entitled or permitted to have access (with or without payment) within the administrative area of the Council which is:-

- (a) open parks, pleasure grounds and other open spaces maintained by the Council;
- (b) open playing fields maintained by the Council not otherwise marked as a “dogs on leads area” (whether the sign uses those particular words or words and/or symbols having like effect);
- (c) beaches/foreshore and any slope or staircase leading thereto not otherwise marked as a “dog exclusion area” (whether the sign uses those particular words or words and/or symbols having like effect);
- (d) school grounds;
- (e) car parks, owned and operated by the Council;
- (f) carriageways and adjoining footpaths and verges; and
- (g) footpaths, bridleways, alleys, precincts, promenades, thoroughfares and other ways (not being carriageways).

### **3. The Dogs on Leads Order 2014**

A person in charge of a dog shall be guilty of an offence, if at any time on any land to which this Order applies he does not keep the dog on a lead unless (a) he has a reasonable excuse for failing to do so; or (b) the owner, occupier or other person or authority having control of the land has consented to his failing to do so.

It is proposed that this Order will apply to land maintained by the Council to which the public are entitled or permitted to have access (with or without payment) signed at its entrance(s) or otherwise marked as a “dog on leads area” (whether the sign uses those particular words or words and/or symbols having like effect) which is:-

- (a) open (unfenced) designated children’s play areas;
- (b) cemeteries, burial grounds and churchyards;
- (c) enclosed parks, sensory and formal gardens; and
- (d) open and enclosed playing fields and sports facilities including football pitches, cricket pitches, skate parks and bowling greens.

Maps showing the proposed areas concerned under this Order may be examined free of charge during office hours at the Fawcett Street Customer Service Centre or online at [www.sunderland.gov.uk/dog-control](http://www.sunderland.gov.uk/dog-control)

### **4. The Exclusion of Dogs from Land Order 2014**

A person in charge of a dog shall be guilty of an offence if at any time he takes the dog onto, or permits the dog to enter or to remain on any land to which this Order applies unless (a) he has a reasonable excuse for doing so; or (b) the owner, occupier or other person or authority having control of the land has consented to his doing so.

This Order will apply to land maintained by the Council signed at its entrance(s) or otherwise marked as a “dog exclusion area” (whether the sign uses those particular words or words and/or symbols having like effect) which is:-

- (a) enclosed designated children’s play areas;
- (b) enclosed multisports areas (MUGA’s), sporting and other recreational facilities; and
- (c) identified areas of the beaches/foreshore and any slope or staircase leading thereto between 1<sup>st</sup> May and 30<sup>th</sup> September inclusive in any year

Maps showing the proposed areas concerned under this Order may be examined free of charge during office hours at the Fawcett Street Customer Service Centre or online at [www.sunderland.gov.uk/dog-control](http://www.sunderland.gov.uk/dog-control)

**Exemption :-** This order will not apply to a person who is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948, to a deaf person in respect of a dog trained by Hearing Dogs for Deaf People, or to a person who has a disability

which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects and relies on a dog for assistance trained by a prescribed charity, namely, Dogs for the Disabled, Support Dogs or Canine Partners for Independence.

### **PENALTIES**

A person guilty of an offence under any of the above Orders shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000).

### **CONSULTATION**

Residents are requested to express their views on these proposals at : [http://sunderland-consult.limehouse.co.uk/public/city\\_services/street\\_scene\\_services/dcos](http://sunderland-consult.limehouse.co.uk/public/city_services/street_scene_services/dcos)

Further information on these proposals is available at [www.sunderland.gov.uk/dog-control](http://www.sunderland.gov.uk/dog-control) or by contacting the Council on 0191 520 555 or visiting the Fawcett Street Customer Service Centre during office hours.

Written representations may be made to Ms. N. Rowland, East Area Response Manager, Responsive Local Services, Jack Crawford House, Commercial Road, Sunderland, SR2 8QR or by e-mail to [nicola.rowland@sunderland.gov.uk](mailto:nicola.rowland@sunderland.gov.uk)

**Any representations should be received no later than 31<sup>st</sup> May 2014.**

Janet Johnson  
Deputy Chief Executive  
Sunderland City Council

Dated the 1<sup>st</sup> May 2014