



The exclusion of dogs from the recreation field in Hatt: what the parish council is doing.

Background

Following a request from parishioners, the parish council agreed to look at the issue of the exclusion of dogs from the recreation field in Hatt. Initially it was agreed to hold a consultation exercise to test public opinion while starting an education campaign to discourage the activities of thoughtless dog-owners. We felt that the nature of the consultation should be determined by the residents and posted a message on the Hatt Chat & Botus Banter Facebook page asking for ideas. This did not attract the desired response but initiated a passionate debate that demonstrated a clear division in the parish over the matter of dog ownership. While waiting for the storm to settle we have been examining our local situation and studying the law relating to dog control and exclusion.

The legal situation

There are currently two formal methods of controlling dogs. Firstly there is a Parish Bye-Law. This is a formal piece of legislation applied at a local level. Its introduction involves a prolonged and complicated process and it has to be approved by the Secretary of State. There is no record of the parish council ever establishing a bye-law for dogs or any other issue. Until 2014 dog access could be controlled by Dog Control Orders. These could be issued by Parish Councils but there is no record of a DCO being issued in this parish. DCOs were then replaced by Public Space Protection Orders. Introduced in 2014 their aim was to control antisocial behaviour in public places, including dog nuisance. They last for 3 years and can be renewed. They are administered and policed by the County Council. The whole of the county is covered by the regulations relating to dog fouling but there are no specific PSPOs in place limiting access in this parish.

What happens next

The conclusion is that there is no legal obstacle to the exercising of dogs on the recreation field. The signs placed by the parish council in the past are not enforceable and are advisory, stating the wishes of the council at some point in the past. Clearly, this is unsatisfactory and it does change the issue from "do we continue with a blanket ban?" to "how we deal with the fact that there is none?" Responsible dog-owners recognise that it is not good practice to allow dogs into areas where children play or sporting activities occur and we hope that they will avoid these areas. Meanwhile the council will investigate the possibilities for either establishing a voluntary code of practice or imposing a PSPO. In the latter case Cornwall Council will carry out a consultation process.

If you have any comments to make, please email the parish clerk.

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