Consultation on proposed new Dog Control Orders in Merton – Summary report

January 2013
Community Engagement Team
1. INTRODUCTION AND PURPOSE OF THE CONSULTATION

1.1 Merton Council has received a growing number of reports from local residents, Friends of Parks, police and dog walkers about dog-related problems in public places.

1.2 Whilst it is acknowledged that most dog owners and dog walkers behave responsibly, as a result of growing concerns the Council has opted to consider action against those who don’t.

1.3 One solution that could be effective is to introduce new Dog Control Orders (DCOs). Dog Control Orders are made under the Government’s Clean Neighbourhoods and Environment Act 2005. They are designed to help local authorities clean up their towns and cities.

1.4 Merton currently has two DCOs in place:
   - It is an offence for any dog owner or dog walker to fail to clear up after their dog. This order applies across the whole borough.
   - Designated dog-free areas. This order applies to specific parts of the borough, for example children’s play areas.

1.5 To ascertain whether further Dog Control Orders are needed in the borough to tackle concerns about dog-related problems, the Council carried out a programme of public consultation seeking the views of local residents, park users, dog owners and other stakeholders.

1.6 The purpose of the consultation has been to establish which specific dog-related problems residents and stakeholders feel are an issue in the borough and which need to be addressed through Dog Control Orders.

1.7 Three new Dog Control Orders were proposed in the consultation, which respondents were asked about:
   - Dogs should be kept on leads on all public roads and pavements; all public car parks; small areas of public land; open spaces of less than half a hectare (roughly the size of a small football pitch); and cemeteries, church yards and allotments.
   - Dogs should be put on a lead in a public open space larger than half a hectare (roughly the size of a small football pitch) when directed to do so by an authorised council officer or police officer/police community support officer (including Morden Hall Park and Mitcham Common, but excluding Wimbledon Common which has its own byelaws).
   - The number of dogs that can be walked by one person at any one time in all public open spaces larger than half a hectare (roughly the size of a small football pitch) should be restricted to four (including Morden Hall Park and Mitcham Common but excluding Wimbledon Common, which has its own byelaws).

1.8 The proposed new Orders are being put forward based on problems that have been reported in Merton over the years by local residents, park users and dog walkers/owners. The final proposed Order regarding the number of dogs that may be walked by an individual at any one time suggests a
four dog maximum based on the precedent set by other London boroughs: of those who have adopted a maximum dogs order, many have set the limit at four, including neighbouring borough Croydon.

1.9 The consultation was not carried out as a quantitatively representative survey. The feedback received should therefore not be interpreted as a deciding vote on the matter, more as indicative of public feeling.
2. METHODOLOGY

2.1 The public consultation on the proposed new Dog Control Orders was launched on 17 September 2012 and ended after seven weeks, on 2 November 2012.

2.2 A number of stakeholders were identified as important consultees to be notified of and included in the consultation. This included:

- Friends of Parks
- Members of Merton’s Dog Watch, a neighbourhood watch scheme for dog walkers
- The Kennel Club
- Battersea Dogs and Cats’ Home
- The Dogs Trust
- The National Trust (which owns Morden Hall Park)
- Wimbledon Common
- Police and Safer Merton
- Elected members of Merton Council and the local MPs
- The local press

2.3 Notification and publicity of the consultation took place through a number of methods:

- A letter outlining the consultation and details of the proposed DCOs was sent to the above-listed stakeholders. The letter included a survey asking people for their feedback on the proposed DCOs and a ‘Frequently Asked Questions’ sheet, providing further information on what the DCOs would mean for dog owners and dog walkers.
- Posters were put up on notice boards and at entrances to parks and green spaces in the borough to inform park users and local residents of the consultation and how they could get involved.
- A notice about the consultation was put in My Merton and the Council’s Dog Watch newsletter, to inform residents.
- A press release was issued, which featured in local newspapers as well as on the Council’s website.
- The consultation was publicised through Merton Council’s Twitter account and on the Council’s website, which contained an online version of the survey as well as the Council’s ‘Get Involved’ email address, to encourage greater feedback on the proposals.
- Attendees at the Council’s annual Community Forums were notified of the consultation and informed of how they could get involved. Paper copies of the survey were made available for people to complete at the forums.
3. RESULTS/FEEDBACK

3.1 The key aim of the consultation was to obtain qualitative feedback on the proposed Dog Control Orders. The Council did not sample the local population and subsequently target a representative proportion of people; rather, we aimed to gauge people’s views and ensure that we take all the relevant factors into account in reaching a decision. Therefore the results of the consultation should be viewed as an indication of the strength of feeling, not as an accurate quantitative assessment.

3.2 A total of 467 completed surveys were received regarding the proposed Dog Control Orders, either online or by respondents filling in a hard copy and returning it to the Council before the deadline.

3.3 Of the 467 respondents, 82% lived in Merton, 76% owned a dog and 78% regularly walked one or more dogs.

3.4 Respondents were asked to rate a list of dog-related issues by how much of a problem they felt they were in Merton. As can be seen by the graphs below, the majority of respondents did not feel that the issues asked about were a problem in the borough\(^1\).

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\(^1\) The survey’s answer options ‘A very big problem’ and ‘Quite a big problem’ have been combined in the graphs and are shown by the ‘A problem’ bar. Answer options ‘A minor problem’ and ‘Not a problem at all’ have been combined in the graphs and are shown by the ‘Not a problem’ bar.
Aggressive behaviour by dogs towards people

![Aggressive behaviour bar chart]

Dogs attacking or fighting with other dogs, animals and people

![Dogs attacking bar chart]

3.5 Although the majority of respondents indicated that they didn’t feel dog-related problems were a concern in Merton, by comparison, a high number still felt that Dog Control Orders should be brought into effect. When asked if they supported specific DCOs being introduced in Merton, respondents answered as follows:
Dogs should be kept on leads on all public roads and pavements; all public car parks; small areas of public land; open spaces of less than half a hectare (roughly the size of a small football pitch); and cemeteries, church yards and allotments.

Dogs should be put on a lead in a public open space larger than half a hectare when directed to do so by an authorised council officer or police officer (incl Morden Hall Park and Mitcham Common, but excl Wimbledon Common which has its own byelaws).

The number of dogs that can be walked by any one person at any one time in all public open spaces should be restricted to four (including Morden Hall Park and Mitcham Common but excluding Wimbledon Common which has its own byelaws).
3.6 319 people who completed the questionnaire took the opportunity to write comments on the proposals. These comments provide further qualitative feedback and indication of public feeling around the proposed DCOs.

3.7 Support for the DCOs came from a mixture of non dog owners, dog owners and dog walkers, with all three stating concerns about dogs not being kept under control by their owners, e.g.:

- “I’m concerned about the number of professional dog walkers walking packs of dogs off the lead in Morden Park. I have a small dog and she is very frightened being confronted by such large numbers of dogs at one time.”
- “I walk other people’s dogs - No one should walk more than two or three maximum at a time.”
- “I have been bitten by out of control dogs on three occasions and harassed numerous times. I have witnessed three dogs acting aggressively towards a woman with a pram. She was understandably terrified.”

3.8 Of those who were opposed to the proposed DCOs, three key themes were prominent in the comments:

- There was a sense that responsible dog owners/walkers were being penalised because of a minority of irresponsible owners/walkers, e.g. “Please don’t punish responsible dog owners (and their dogs!) for the irresponsible actions of others.”
- Some questioned why the Council has proposed a limit of four dogs that can be walked by one person at any time, and in particular felt it would impact unfavourably on professional dog walkers: “I am a professional dog walker…I would suggest six is a manageable number of dogs for an experienced dog handler to control.”
- A few respondents were concerned that the new DCOs would impede them from walking their dogs, due to disabilities, lack of mobility, or not living near to a large open space: “Due to being disabled, I have to take my dog off the lead. It’s painful and very difficult walking him on the lead. I can do it for the short distance it takes me to get to Cannon Hill Common but I must be allowed to let him off the lead to exercise properly.”

3.9 A number of the comments received were not obviously for or against the proposed orders but raised other points. Of these, the most commonly raised issues were:

- There was some confusion about the proposed Dogs on Leads order and where exactly this would apply: many thought that all parks and open spaces would be affected, which is not the case. Linked to this confusion, some suggested, if all parks and open spaces were going to be affected, perhaps dog-specific open spaces could be created in the borough.
- If implemented, how will the new DCOs be enforced?
- Dog fouling is still a problem in the borough and the DCO relating to this needs to be enforced more effectively.
• Responsible dog ownership campaigns are needed.
• Dog licensing should be introduced in Merton and microchipping should be made a legal requirement.

3.10 In addition to the completed surveys, 10 people commented on the consultation by sending emails to the council’s ‘Get Involved’ email address. These written responses consisted of a mixture of support and opposition to the various DCOs, as well as some neutral comments seeking clarification on the proposals or raising concerns about related matters such as dog fouling and licensing.

3.11 The Council also received a petition, signed by 424 people, asking for Merton to consider increasing the number of dogs that might be walked by one person at any one time from four to six.

3.12 The Kennel Club responded to the consultation with a letter, which voiced support for the Council’s proposed Dogs on a Lead by direction order, but was opposed to the Dogs on a Lead order. The club also said it felt ‘blanket bans’ limiting the number of dogs that can be walked are unreasonable due to welfare implications and dog theft implications from leaving dogs in cars while other dogs are walked in order to comply with a maximum number.

3.13 Battersea Dogs and Cats’ Home voiced support for all three of the Council’s proposed DCOs, but stated that the orders should not impinge on responsible owners’ ability to exercise their dogs in public places.

3.14 A response was also received from a representative for Guide Dogs for the Blind, which stated support for both the proposed Dogs on a Lead order and the Dogs on a Lead by direction order.
4. **CONCLUSION**

4.1 In carrying out a public consultation on the proposed Dog Control Orders, Merton Council has sought to gauge an indication of public feeling on the orders.

4.2 A significant number of responses were received to the consultation, the majority from dog owners/walkers. Whilst most respondents did not feel out of control dogs are a significant problem in the borough, all three of the proposed DCOs received more support than opposition from respondents.

4.3 There was some confusion amongst respondents about the proposed Dogs on a Lead order and what exactly this would mean in terms of where dogs would have to be kept on a lead, particularly in relation to parks and open spaces. Should the council choose to proceed with this particular order, further clarification would be required on which areas it would cover and where owners would be required to keep their dogs on a lead.

4.4 Furthermore, in making a decision on whether or not to introduce the three proposed Dog Control Orders, Merton Council needs to be mindful of the impact the orders would have on dog owners who may have mobility issues and/or may not have access to a large open space where they would be able to let dogs off the lead.

4.5 One of the biggest concerns that arose from the consultation was that of enforcement. Many respondents felt that dog fouling, for which Merton already has a DCO in place, is not enforced strongly enough. There was therefore some concern over how further DCOs will be enforced. This is a challenge the Council will need to consider when deciding upon whether to adopt DCOs and how effective they might be.

4.6 Perhaps the biggest challenge for the Council will be to decide on a course of action that addresses the antisocial behaviour of a minority of dog owners and walkers, which at the same time does not make responsible dog owners and walkers feel penalised.

4.7 The recommendations which will be put to members for consideration will reflect the best efforts of officers to recognise to the comments from all parties, including the key stakeholders and local residents who have responded.
Appendices

Letter and survey about the consultation

Dear

New Dog Control Orders

Residents, Friends of Parks, police and dog walkers have told Merton Council that they are concerned about growing numbers of dog-related problems in public places. We know most dog owners and dog walkers behave responsibly but need to consider action against those who don’t. One solution we think will be effective is to introduce Dog Control Orders (DCOs).

Dog Control Orders are made under the Government’s Clean Neighbourhoods and Environment Act 2005. They are designed to help local authorities clean up their towns and cities. Merton currently has two DCOs in place:

1. It is an offence for any dog owner or dog walker to fail to clear up after their dog. This order applies across the whole borough.
2. Designated dog-free areas. This order applies to specific parts of the borough, for example children’s play areas.

We are now consulting residents and visitors to the borough on plans to introduce further DCOs:

- Dogs must be kept on a lead at all times on all public roads and pavements; all public car parks; small areas of public land; open spaces of less than half a hectare (roughly the size of a small football pitch); and Council owned/maintained recreation grounds, cemeteries, church yards, allotments and sports grounds.

This DCO is being considered due to concerns that dogs off leads can cause traffic accidents and intimidate people and animals.

A dogs on lead order would ensure small open spaces are free of antisocial activities caused by irresponsible dog owners.
Dogs must be put on a lead when directed to do so by an authorised officer. This order would apply to all public open spaces across the borough larger than half a hectare (including Morden Hall Park and Mitcham Common, but excluding Wimbledon Common, which has its own byelaws). It would allow an authorised council officer or a police officer/police community support officer to direct that a dog be put on a lead – of no more than two metres - when necessary, for example if a dog were deemed to be intimidating members of the public or other animals.

This DCO is being considered because we have received growing reports from park users whose dogs are being attacked by loose dogs whose owners have no control over them. Many park users have said they avoid visiting certain parks due to dogs being off the lead.

The maximum number of dogs that can be walked by one person at any one time is four. This order is being considered due to concerns about the ability of dog walkers to properly manage more than four dogs at any one time and clean up after them. The DCO would apply to all public open spaces larger than half a hectare in Merton (including Morden Hall Park and Mitcham Common, but excluding Wimbledon Common, which has its own byelaws).

Have Your Say
Tell us what you think about Dog Control Orders by visiting www.merton.gov.uk/dogcontrolorders and completing our online survey from 17 September 2012. All responses must be received by Friday 2 November 2012, when the consultation closes.

If you wish to speak to someone about Dog Control Orders, please contact:

Tel – 020 8545 4109
Email – getinvolved@merton.gov.uk
Dog Control Orders Survey

We are proposing to introduce Dog Control Orders (DCOs) in Merton to control antisocial behaviour caused by irresponsible dog owners, including dogs being out of control and attacks by loose dogs on other dogs, animals and people.

Please tell us what you think about the proposed DCOs by taking a few minutes to complete our survey.

1. Do you live in Merton?  Yes / No
   If yes, please provide your full postcode: ..................................

2. Do you, or others in your household own a dog?  Yes / No

3. Do you regularly walk a dog/dogs?  Yes / No

4. How much of a problem do you think the following are in your area (please tick)?

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<th>A very big problem</th>
<th>Quite a big problem</th>
<th>A minor problem</th>
<th>Not a problem at all</th>
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5. Do you support the introduction of the following Dog Control Orders in Merton?

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<th>Yes</th>
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<th>Don't know</th>
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6. Please leave any additional comments and feedback about issues relating to the proposed Dog Control Orders in the box below.

Thank you for completing this survey. Your responses will be used to inform our decision on whether further Dog Control Orders are required in Merton and which specific DCOs are needed.

Please email your completed survey to:
getinvolved@merton.gov.uk

Or return by post to:
Dog Control Orders Survey
Consultation and Community Engagement Team
Merton Council
8th Floor Civic Centre
London Road
Morden
SM4 5DX
FAQs distributed with letter and survey

What is a Dog Control Order?
A Dog Control Order is a way for the council to tackle local issues and problems relating to dogs within Merton. Under the Clean Neighbourhoods and Environment Act 2005, the council has powers that means it can issue Fixed Penalty Notices or even prosecute irresponsible dog owners who breach a Dog Control Order.

Why do we need Dog Control Orders?
Residents and park users have told us that dogs off their leads, aggressive dogs and dogs in children’s play areas and on sports pitches are a concern. We also recognise that there are a minority of owners who allow their dogs to intimidate people and other animals and damage the environment. We are committed to tackling these concerns.

What DCOs is the council considering?
- Dogs must be kept on a lead at all times on all public roads and pavements; all public car parks; small areas of public land; open spaces of less than half a hectare (roughly the size of a small football pitch); and cemeteries, church yards and allotments.
- Dogs must be put on a lead in public open spaces of larger than half a hectare (roughly the size of a small football pitch) when directed to do so by an authorised council officer or police officer/police community support officer. This would also include Morden Hall Park and Mitcham Common but not Wimbledon Common which has its own byelaws.
- The maximum number of dogs that can be walked by one person in all public open spaces larger than half a hectare (roughly the size of a small football pitch) at any one time is four. This would include Morden Hall Park and Mitcham Common but not Wimbledon Common which has its own byelaws.

What will the penalty be for anyone found breaching a DCO?
Up to £1,000.

Who can enforce the Orders?
Authorised council officers, police officers and police community support officers (PCSOs).

Is anyone exempt from the Orders?
The Orders will not apply to registered blind persons and their guide dogs or to dogs registered with Dogs for the Disabled, Support Dogs and Canine Partners for Independence, on duty police dogs and rescue dogs.
How will I know where I need to keep my dog on a lead and where the DCOs apply?
If implemented, dog owners will be expected to keep their dog on a lead on all public roads and pavements; all public car parks; small areas of public land; open spaces of less than half a hectare (roughly the size of a small football pitch); and Council owned/maintained recreation grounds, cemeteries and church yards, allotments and sports grounds.

Putting a dog on a lead of no more than two metres in length when directed by an authorised council officer or police officer/police community support officer will apply to all public open space across the borough (including Morden Hall Park and Mitcham Common but excluding Wimbledon Common, which has its own byelaws).

A restriction on individuals of walking no more than four dogs at any time would also apply to any public open space in Merton larger than half a hectare (including Morden Hall Park and Mitcham Common but excluding Wimbledon Common, which has its own byelaws).

Will I be able to walk my dog in any public space, like parks?
There are certain places, known as exclusion zones, where dogs are not allowed, such as children’s play areas. The Dogs Exclusion (London Borough of Merton) Order 2006 identifies these. They are clearly marked.

What does the consultation seek to do?
The consultation is aimed at balancing the interests of dog owners and non-dog owners. The consultation seeks to obtain information and opinions from local residents, park users, dog walkers and other groups (Friends of Parks, police, etc).

We want to balance the interests of those affected by the activities of dogs, bearing in mind the need for people, in particular children, to have access to dog-free areas and areas where dogs are kept under strict control, and the need for those in charge of dogs to have access to areas where they can exercise their dogs without undue restrictions.

The information we receive from the consultation will be used to help decide what the sensible approach to dog control in Merton may be.

What are the next steps?
Once we have received the results of the consultation, we will assess comments from all parties and determine if and in what format Dog Control Orders should be made.

The proposed timetable is as follows:
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<th>Date Range</th>
<th>Description</th>
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<tr>
<td>17 September – 2 November 2012</td>
<td>Consultation on proposed DCOs</td>
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<tr>
<td>Late Autumn/Early Winter</td>
<td>Consideration of consultation responses and decision on which orders to adopt</td>
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<td>Spring 2013</td>
<td>DCOs in place</td>
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Consultation on proposed Dog Control Orders

Merton Council is considering new laws that will help us take action against irresponsible dog owners and dog walkers.

Have your say
visit: www.merton.gov.uk/dogcontrolorders
or contact 020 8545 4109 or
getinvolved@merton.gov.uk

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