

ELMBRIDGE BOROUGH COUNCIL

COUNTRYSIDE CONSULTATIVE GROUP

REPORT of a meeting held on 15th December, 2009

Members of the Group:

- * Mrs J.R. Turner (Chairman)
- * T.C. Crowther (Vice-Chairman)

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| * C.J. Elmer | * Mrs. L. Sharp |
| * D. Tipping | J.A. Vickers |

Representing External Organisations:

- | | |
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| Nick Owen | - Lower Mole Countryside Management Project |
| Patrick Stephens | - Forestry Commission |
| Rodney Whittaker | - Ramblers Association |
| * James Adler | - Surrey Wildlife Trust |
| * Roger Garlick | - Oxshott Heath Conservators |
| * Ralph Hobbs | - Natural England |
| Vacancy | - Equestrian representative |

* Denotes attendance

(Councillor Mrs. J. Fuller was also present in her capacity as Portfolio Holder for Leisure and Culture. Councillors J. Cartwright; I. Donaldson; Dr. D. Oliver; Mrs. L. Robertson and Mrs. T. Shipley were also present).

1. APOLOGIES

Apologies for absence were received from Ralph Hobbs and Rodney Whittaker.

2. DECLARATIONS OF INTEREST

The Chairman declared a personal interest having previously been a dog owner and currently an occasional dog walker for friends.

The Chairman welcomed everyone present to the meeting.

**RECOMMENDATIONS TO THE COMMUNITY AFFAIRS OVERVIEW AND
SCRUTINY COMMITTEE ON 12th JANUARY, 2010**

3. DOG CONTROL ORDERS

(Link to Council Priorities: LC1, LC2, LC3, LC6, LG1)

The Head of Leisure and Cultural Services summarised the results of the public consultation in relation to the possible introduction of Dog Control Orders. The Group were advised that 'The Clean Neighbourhoods and Environment Act' (CNEA) 2005 Act

replaced the Councils' old powers to make bye-laws to govern the control of dogs with the new power to make Dog Control Orders.

Information about the consultation was widely spread throughout the Borough by a variety of ways, in addition specific organisations such as the Kennel Club, RSPB and RSPCA were consulted. Legal notices were displayed and leaflets and posters distributed, however, it was noted that many of the Elmbridge notices had been removed and replaced by other posters which in many cases were inaccurate and subsequently misleading. The Elmbridge Resident's Panel had also been consulted and the Panel had a current membership of 1200. Officers had attended public meetings in an effort to clarify the process and address any queries that had arisen.

The public consultation regarding the possible introduction of Dog Control Order in Elmbridge had been undertaken from, the 1st October to 30th November 2009. The Group were informed that there had been a high response to the public survey with Elmbridge Borough Residents representing 83.4% of responses. The Group were updated of the results of the public consultation, as detailed in the agenda papers. Files containing accompanying letters and petitions etc. regarding the possible introduction of Dog Control Orders were available for inspection by Members before the start of the meeting of the Countryside Consultative Group (CCG).

Given the considerable amount of information associated with the consultation the results were broken down into the categories of Residents Panel and Public response and further into 'Dog owners' and 'Non-dog owners' in each category.

In light of the public responses received the members of the CCG were invited to consider those elements of the Dog Control Orders considered appropriate for implementation and presentation to the Community Affairs Overview and Scrutiny meeting on 12th January, 2009.

Accordingly, the Chairman invited Members to comment and express their views on each of the recommendations. The Law Practice Manager advised the Group that for purposes of consistency the term 'dog owner and dog handler' should be replaced by 'dog walker' to encompass any individuals in control of a dog/dogs and in addition suggested some additional wording for the areas which were removed as recommendations and instead included as additional information.

RECOMMENDATION: THAT

- (1) THAT THE RESULTS OF THE PUBLIC CONSULTATION ON THE PROPOSED DOG CONTROL ORDERS, BE NOTED;**
- (2) THE COUNCIL PROCEED TO MAKE A DOG CONTROL ORDER TO COVER THE FOLLOWING ISSUES:-**

DOG FOULING

- (A) ENFORCEMENT POWERS TO MAKE SURE THAT DOG OWNERS REMOVE DOG FAECES IN PARKS, RECREATION GROUNDS (AS SHOWN IN THE ATTACHED LIST AT APPENDIX 'A') AND CEMETERIES;**

- (B) PENALTY CHARGES IF THE DOG WALKERS FAIL TO REMOVE THEIR DOG FAECES IN PARKS, RECREATION GROUNDS AND CEMETERIES;**

DOGS ON LEADS

- (C) ENFORCEMENT POWERS TO MAKE SURE THAT DOG WALKERS KEEP THEIR DOGS ON LEADS IN CEMETERIES;**
- (D) PENALTY CHARGES IF THE DOG WALKERS FAIL TO KEEP THEIR DOGS ON LEADS IN CEMETERIES;**

EXCLUSION AREAS

- (E) ENFORCEMENT POWERS TO PREVENT DOG WALKERS FROM ALLOWING THEIR DOGS TO ENTER CHILDREN'S PLAY AREAS IN PARKS AND FENCED SPORTS AREAS;**
- (F) PENALTY CHARGES IF DOG WALKERS ALLOW THEIR DOGS TO ENTER CHILDREN'S PLAY AREAS IN PARKS AND FENCED SPORTS AREAS;**

NUMBER OF DOGS

- (G) ENFORCEMENT POWERS TO RESTRICT THE NUMBER OF DOGS ONE HANDLER CAN WALK IN THE PARKS AND RECREATION GROUNDS TO A MAXIMUM OF 4;**
- (H) A PENALTY IF A PERSON TAKES MORE THAN 4 DOGS PER HANDLER ONTO PARKS AND RECREATION GROUNDS;**

OTHER CONTROLS

- (I) ALL OTHER CONTROLS CANVASSED IN THE PUBLIC CONSULTATION BE NOT PROCEEDED WITH;**

GENERAL

- (J) IN ACCORDANCE WITH THE LEGISLATION, A PENALTY OF £75 BE INTRODUCED FOR THE ABOVE OFFENCES, REDUCED TO £50 IF PAID WITHIN 14 DAYS;**
- (K) ENFORCEMENT OF THESE ORDERS TO BE CARRIED OUT WITHIN EXISTING RESOURCES. STAFF INCLUDING COUNTRYSIDE RANGERS, GROUNDS MAINTENANCE CONTRACTORS AND OTHER AUTHORISED OFFICERS OF THE COUNCIL TO BE AUTHORISED TO CARRY OUT ENFORCEMENT OF THE ABOVE ORDERS.**

(3) CHATLEY HEATH

THE HEAD OF LEISURE AND CULTURAL SERVICES TO WRITE TO SURREY WILDLIFE TRUST TO ADVISE THEM OF THE RESULTS OF THE CONSULTATION.

The Countryside Consultative Group did not support the following recommendations, these are listed below and are now covered within the footnote information:

Formerly I) Suitable posts to be provided nearby to children's play areas in parks and fenced sports areas to enable dogs to be tethered securely.

Removed: If required suitable posts be consulted upon as part of future playground improvements.

Formerly J) Advisory notices to encourage dog walkers to be considerate around ponds, flower beds and conservation areas.

Formerly M) Professional dog walkers or owners of more than 4 dogs to be encouraged to use countryside sites and to sign up to a dog charter, promoting responsible owners/walkers..

Removed to be considered at a future meeting of the CCG.

FOOTNOTE INFORMATION/FUTURE CONSIDERATION

1. Provide additional poop scoop bins in Commons car parks, with advisory notices encouraging dog walkers to act in a manner that is considerate to other users of the Commons;
2. Display advisory notices in heathland areas at times when ground nesting birds will be active to encourage dog walkers to be considerate;
3. Display advisory notices to encourage dog walkers to be considerate around ponds, flower beds and conservation areas.
4. Display advisory notices in car parks encouraging dog walkers to keep dogs under their control within the car park and to show consideration for other users.

The meeting commenced at 2.00 p.m. and concluded at 4.10 p.m.

MRS. J.R. TURNER
Chairman

Committee and Member Services Officer

Mrs. T. Culleton

Other Officers in attendance:

I. Burrows - Head of Leisure and Cultural Services
I. Gayton - Parks, Recreation and Cemeteries Manager
Mrs. C. Herbert - Law Practice Manager
H. White - Countryside Officer

Dog Control Orders

Green areas listed within the consultation

Cemeteries

**Burvale Cemetery
Cobham Cemetery
Hersham Cemetery
Long Ditton Cemetery
Molesey Cemetery
Walton Cemetery
Weybridge Cemetery**

Recreation Grounds

**Churchfields Recreation Ground
Claygate Recreation Ground
Cobham Recreation Ground
Coronation Recreation Ground
Elmgrove Recreation Ground
Emberside Recreation Ground
Grotto Road Recreation Ground
Grovelands Recreation Ground
Hersham Recreation Ground
Littleheath Recreation Ground
Long Ditton Recreation Ground.
Lower Green Recreation Ground
Lynwood Road Recreation Ground
Molesey Hurst Recreation Ground.
Oatlands Recreation Ground
Station Road Recreation Ground
Stoke DAbernon Recreation Ground.
Summer Road Recreation Ground
Waterside Drive Recreation Ground.
West End Recreation Ground
West Molesey Recreation Ground**

Parks

**Ashley Park
George Froude Park
Hurst Park**

Open Spaces

**Albany Reach Open Space
Apps Court Open Space
Arbrook Lane
Back Green Open Space
Basingfield Road Open Space
Brampton Gardens Open Space
Brooklands Community Park Open Space
Camm Gardens Open Space
Church Road Memorial Gardens**

Church Walk Open Space
Cigarette Island Open Space
City Wharf Open Space
Civic Centre Open Space
Cobham Riverside Riverhill Open Space
Colne Drive Open Space
Cowey Sale Open Space
Cricket Way Open Space
Darnley Park Open Space
Desborough Island Open Space
Ditton Hill Cenotaph & Memorial Gardens
Ditton Reach Boat Trailer Park
Ditton Reach Open Space
Dorney Gardens Open Space
Downside Common
Elmgrove Frontage Open Space.
Esher Green
Esher High Street Traffic Islands
Finnart Close Open Space
Giggs Hill Field Open Space
Giggs Hill Green
Glencoe_Radnor Road Open Space
Graburn Way Open Space
Grotto Road Open Space
Halfway Green Open Space
Hamilton Avenue Open Space
Hare Lane Green
Heath Road Open Space
Hersham Cenotaph & Memorial Gardens Open Space
Hersham Green Open Space
Hersham Riverside
Hill Rise Open Space
Hinchley Wood Cenotaph & Memorial Gardens
Hurst Meadows Open Space
Hurst Meadows Minor Open Space
Kings Chase Open Space
Kings Close Open Space
Leg O Mutton Open Space
Lower Green
Lower Green Open Space
Lynwood Road Open Space
Manor Place Open Space
Molesey Heath
Monument Green
Neilsons Field Open Space
Oatlands Chase Open Space
Oatlands Drive Open Space
Queens Place Open Space
Queens Road Open Space, Thames Ditton
Queens Road Open Space, Walton
Riverbank Molesey Cenotaph Open Space

Riverhouse Gardens Open Space
Rydens Road Open Space
Rydens School Open Space
Seven Hills Road Open Space
Stokes Field
Stompond Lane Gardens Open Space
Stompond Lane Open Space
Telegraph Hill
Thamesmead Open Space
Tilt Road Common part 1
Vaux Crescent Open Space
Walton Cenotaph & Memorial Gardens Open Space
Walton Lane Car Park Open Space
Walton Lane Open Space
Walton Road Cenotaph & Memorial Gardens Open Space
Walton Road Open Space
Waterside Drive Open Space part 1
West End
West End Lane
West Grove Open Space
Weston Green
Weston Green Road Open Space
Weybridge Heath Open Space
Weybridge Green
Winters Bridge Open Space

Countryside Sites

Arbrook Common
Claygate Common
Ditton Common
Esher Common
Fairmile Common
Hawkshill Common Land
Leigh Hill Common
Littleheath Common
Littleworth Common
Old Common Common Land
Oxshott Heath
West End Common
Weybridge Heath Common Land

Surrey Wildlife Trust Site
Chatley Heath