

Appendix 1

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (SI 2006/1059).

THE FOULING OF LAND BY DOGS (ROCHFORD) ORDER 2008

The Rochford District Council (in this Order called “the Council”) makes the following Order:-

- 1 This Order comes into force on the day of 2008.
- 2 This Order applies to the land specified in the Schedule.

Offence

- 3 (1) 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 (generally or specifically) to his failing to do so.
- (2) Nothing in this article applies to a person who:-
 - (a) is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - (b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
- (3) For the purposes of this article:-
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;

(c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

(d) each of the following is a “prescribed charity”:-

- (i) Dogs for the Disabled (registered charity number 700454)
- (ii) Support Dogs (registered charity number 1088281)
- (iii) Canine Partners for Independence (registered charity number 803680)

Penalty

4 A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(Date)

The COMMON SEAL of the)
 ROCHFORD DISTRICT COUNCIL was)
 Hereunto affixed this)
 Day of 2008 in the presence of:)

Head of Legal Services

Schedule

1. Subject to the exception in paragraph 2 below, all land which is in the administrative area of the Council and which is
 - (i) open to the air (which includes land that is covered by open to the air on at least one side) and
 - (ii) to which the public are entitled or permitted to have access with or without payment.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

Appendix 2

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (SI 2006/1059)

THE DOGS EXCLUSION (ROCHFORD) ORDER 2008

The Rochford District Council hereby makes the following Order:

- 1 This Order comes into force on the day of 2008.
- 2 This Order applies to the land specified in the Schedule.

Offence

- 3 (1) 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 failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.
- (2) Nothing in this article applies to a person who-
 - (a) is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
 - (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
 - (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
- (3) For the purpose of this article:-
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog: and
 - (b) each of the following is a 'prescribed charity':-
 - (i) dogs for the Disabled (registered charity number 700454)

- (ii) support dogs (registered charity number 1088281)
- (iii) Canine Partners for Independence (registered charity number 803680)

Penalty

- 4 A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(Date)

The COMMON SEAL of the)
 ROCHFORD DISTRICT COUNCIL was)
 Hereunto affixed this)
 Day of 2008 in the presence of:)

Head of Legal Services

Schedule

All land within the Council's administrative area comprising any enclosed children's play space. Without prejudice to the foregoing, this shall include the enclosed children's play spaces which are situated within following areas:-

King George's PF, Ashingdon Road, Rochford
 Playstalls, Off Little Wakering Road, Wakering
 Canewdon Recreation Ground, Althorne Way, Canewdon
 Rowan Way, Canewdon
 Great Wakering Recreation Ground, High Street, Wakering
 Seaview Drive, Wakering
 Morrins Close, Wakering
 Glebe Close, Wakering
 Conway Avenue, Wakering
 Clements Hall Recreation Ground, Park Gardens, Hawkwell
 Hawkwell Common, Hawkwell
 Magnolia Nature Park, Rectory Road, Hawkwell
 Hockley Woods, Main Road, Hockley
 Laburnum Grove, Hockley
 Betts Wood, Westminster Drive, Hockley
 Plumberow Mount Avenue, Hockley
 Hullbridge PF, Pooles Lane, Hullbridge
 Rawreth PF, Rawreth Lane, Rayleigh
 Fairview PF, Victoria Road, Rayleigh

Grove Recreation Ground, Grove Road, Rayleigh
Sweyne Park, Rayleigh
St John Fisher PF, Little Wheatley Chase, Rayleigh
Causton Way, Rayleigh
Boston Avenue, Rayleigh
Hartford Close, Rayleigh
Fyfield Path, Rayleigh
Elsenham Court, Rayleigh
King George's PF, Bull Lane, Rayleigh
Bedford Close, Rayleigh
Warwick Drive/Sutton Court Drive, Rochford
Rochford Recreation Ground, Stambridge Road, Rochford

Appendix 3

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (SI 2006/1059)

THE DOGS ON LEADS (ROCHFORD) ORDER 2008

The Rochford District Council hereby makes the following Order:

- 1 This Order comes into force on the day of 2008.
- 2 This Order applies to the land specified in the Schedule.

Offence

- 3 (1) 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 (generally or specifically) to his failing to do so.
- (2) For the purposes of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

- 4 A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(Date)

The COMMON SEAL of the)
ROCHFORD DISTRICT COUNCIL was)
Hereunto affixed this)
Day of 2008 in the presence of:)

Head of Legal Services

Schedule

1. Subject to the exemption in paragraph 2 below, each and every length of road (which term includes pavements or footways) in the Rochford District except public footpaths and bridleways.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

Appendix 4

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (SI 2006/1059)

THE DOGS ON A LEAD BY DIRECTION (ROCHFORD) ORDER 2008

The Rochford District Council hereby makes the following Order:

- 1 This Order comes into force on the day of 2008.
- 2 This Order applies to the land specified in the Schedule.
- 3 In this Order 'an authorised officer of the Authority' means an employee of the Authority who is authorised in writing by the Authority for the purpose of giving directions under this Order.

Offence

- 4 (1) 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 Authority 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 (generally or specifically) to his failing to do so.
- (2) For the purposes of this article -
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
 - (b) An authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person (on any land to which this Order applies) or the worrying or disturbance or any animal or bird.

Penalty

- 5** A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(Date)

The COMMON SEAL of the)
ROCHFORD DISTRICT COUNCIL was)
Hereunto affixed this)
Day of 2008 in the presence of:)

Head of Legal Services

Schedule

1. Subject to the exemption in paragraph 2 below, all land which is in the administrative area of the Council and which is
 - (iii) open to the air (which includes land that is covered but open to the air on at least one side) and
 - (iv) to which the public are entitled or permitted to have access with or without payment.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

Appendix 5

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (S.I.2006/1059)

THE DOGS (SPECIFIED MAXIMUM) (ROCHFORD) ORDER 2008

The Rochford District Council hereby makes the following Order:

- 1. This Order comes into force on day of 2008.
- 2. This Order applies to the land specified in the Schedule.
- 3. On land to which this Order applies, the maximum number of dogs which a person may take onto that land is four.

Offence

- 4. (1) A person in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land in respect of which this Order applies more than the maximum number of dogs specified in article 3 of this Order, 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 (generally or specifically) to his doing so.
- (2) For the purposes of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

- 5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(Date)

The COMMON SEAL of the)
 ROCHFORD DISTRICT COUNCIL was)
 Hereunto affixed this)
 Day of 2008 in the presence of:)

Schedule

1. Subject to the exemption in paragraph 2 below, all land which is in the administrative area of the Council and which is
 - (iii) open to the air (which includes land that is covered but open to the air on at least one side) and
 - (iv) to which the public are entitled or permitted to have access with or without payment.
2. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

Appendix 6

Results from Public Consultation Oct 2007 - Executive Summary

- The public survey was available on the internet between 24 August and the closing date was 22nd October 2007.
- The RDM questionnaires were circulated with closing date was 22nd October 2007.
- 27.71% of the surveyed residents who completed the RDM questionnaire was a dog owner, in contrast 78.37% of those who took part in the internet consultation were a dog owners.

The full results are shown below:-

Question	RDM	Website
<i>Do you own or look after a dog?</i>		
Yes Number Percent	480 27.71%	223 72.40%
No Number Percent	1210 69.86%	73 23.70%
No answer Number Percent	42 2.42%	12 3.90%
Total	1732	308
<i>Do you believe dogs should always be kept on leads in the following locations?</i>		
<i>Shopping precincts?</i>		
Yes Number Percent	1696 97.92%	295 95.78%
No Number Percent	23 1.33%	12 3.90%
No answer Number Percent	13 0.75%	1 0.32%
<i>Large parks?</i>		
Yes Number Percent	742 42.84%	18 5.84%
No Number Percent	928 53.58%	290 94.16%

Question	RDM	Website
No answer Number Percent	62 3.58%	0 0
<i>Parks and other amenity green areas?</i>		
Yes Number Percent	848 48.96%	17 5.52%
No Number Percent	827 47.75%	289 93.83%
No answer Number Percent	57 3.29%	2 0.65%
<i>On footpaths adjacent to any road?</i>		
Yes Number Percent	1629 94.05%	258 83.77%
No Number Percent	87 5.02%	49 15.91%
No answer Number Percent	16 0.92%	1 0.32%
<i>On footpaths adjacent to roads with a speed limit of 40mph or over?</i>		
Yes Number Percent	1646 95.03%	283 91.88%
No Number Percent	51 2.94%	23 7.47%
No answer Number Percent	35 2.02%	2 0.65%
<i>Do you think dogs should be banned altogether from the following areas?</i>		
<i>Shopping Precincts?</i>		
Yes Number Percent	894 51.62%	62 20.13%
No Number Percent	794 45.84%	245 79.55%
No answer Number	44	1

Percent	2.54%	0.32%
Question	RDM	Website
<i>Large parks?</i>		
Yes Number Percent	228 13.16%	0 0
No Number Percent	1427 82.39%	307 99.68%
No answer Number Percent	77 4.45%	1 0.32%
<i>Parks and other amenity green areas?</i>		
Yes Number Percent	359 20.73%	3 0.97%
No Number Percent	1304 75.29%	304 98.70%
No answer Number Percent	69 3.98%	1 0.32%
<i>Children's play areas in parks?</i>		
Yes Number Percent	1583 91.40%	225 73.05%
No Number Percent	124 7.16%	81 26.30%
No answer Number Percent	25 1.44%	2 0.65%
<i>Do you think that there should be a limit on the number of dogs that a person can walk at any time?</i>		
Yes Number Percent	1336 77.14%	150 48.70%
No Number Percent	344 19.86%	157 50.97%
No answer Number	52	1

Percent	3.00%	0.32%
<i>If so, what do you think the maximum number should be?</i>		
Question	RDM	Website
1 Number Percent	116 9.16%	27 18.75%
2 Number Percent	783 61.80%	32 22.22%
3 Number Percent	238 18.78%	58 40.28%
4 Number Percent	112 8.84%	9 6.25%
5 Number Percent	9 0.71%	16 11.11%
6 Number Percent	8 0.63%	1 0.69%
20 Number Percent	1 0.08%	1 0.69%
Total	1267	144
<i>Do you think that there is a problem in Rochford as a result of:-</i>		
<i>Dog fouling?</i>		
Yes Number Percent	1096 63.28%	87 28.25%
No Number Percent	535 30.89%	214 69.48%
No answer Number Percent	101 5.83%	7 2.27%
<i>Stray dogs?</i>		
Yes Number Percent	117 6.76%	22 7.14%
No Number Percent	1369 79.04%	277 89.94%
No answer Number	246	9

Percent	14.20%	2.92%
Aggressive dogs		
Yes		
Number	266	26
Percent	15.36%	8.44%
Question	RDM	Website
No		
Number	1203	274
Percent	69.46%	88.96%
No answer		
Number	263	8
Percent	15.18%	2.60%
<i>Under current legislation it is an offence not to clean up after a dog has fouled in any public place in any part of Rochford other than in woodland</i>		
<i>Do you agree with this?</i>		
Yes		
Number	1648	298
Percent	95.15%	96.75%
No		
Number	69	10
Percent	3.98%	3.25%
No answer		
Number	15	0
Percent	0.87%	0