

# The Law and you

Eden District Council has implemented a Dog Control Order (DCO) under 'Section 55 of The Clean Neighbourhoods and Environment Act 2005'. This has replaced the old byelaws for the control of dogs and also the Dogs (Fouling of Land) Order.

The Dog Control Order in Eden covers three offences:

1. **Failing to remove dog faeces.**
2. **Not keeping a dog on a lead.**
3. **Permitting a dog to enter land from which dogs are excluded.**

Anyone who commits an offence under any of the provisions of the Dog Control Order may be issued with a £75 Fixed Penalty Notice or be liable upon conviction in the Magistrates Court of a fine up to £1000.

This leaflet outlines the main parts of the legislation, but for the full details, contact the Community Wardens at Eden District Council.

If a witness makes a statement we are able to issue a fine for £75, or prosecute at the Magistrates Court.  
The Community Wardens receive many calls and 'tip-offs' about suspected offenders and they will try to witness the offence. They routinely patrol the District to look for offenders.



## Dog Fouling and Dogs on Leads

These two provisions apply to any land, which is open to the air, and to which the public are entitled or permitted to have access (with or without payment) within 200 metres of a public highway which is subject (otherwise than temporarily) to a speed limit of 40 miles per hour or less.

The offence does not apply:

- To working dogs when actually working.
- If the person is registered as blind or has a physical disability which prevents them complying. The exemption covers only dogs trained by specified registered charities upon which such people rely on for assistance (assistance dogs).
- If the person in control of the dog has the consent of the owner or occupier of the land not to pick up the faeces.

## More about dogs on leads...

This provision applies to:  
**All parts of the road, carriageways, footpaths, footways, alleyways, yards and verges within the same area as defined above in 'dog fouling'.**

For a list of current areas this covers around the district please see our website:

[www.eden.gov.uk](http://www.eden.gov.uk)

## Dog exclusion

It will be an offence for any person in charge of a dog to permit a dog to enter:

- Any fenced or enclosed children's play areas\*
- Castletown Recreation Field, Penrith
- Frenchfield Sports Pitches, Carleton
- Coronation Garden, Penrith (behind the Town Hall).

*\*For a complete list of sites please refer to the Council's website, [www.eden.gov.uk](http://www.eden.gov.uk) or call in at Mansion House.*

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## Frequently asked Questions and Answers

### Why do we need a Dog Control Order?

The Dog Control Order consolidates old byelaws ensuring uniformity across the District and allows quick and efficient enforcement with the use of Fixed Penalty Notices.

### How can I get rid of my dog's waste if I'm on land covered by the Dog Control Order?

Dog waste can be disposed of by wrapping and placing it in Dog Waste Bins, Litter Bins or taking it home and placing it in a domestic bin.

### Will more dog bins be provided?

No. The district is already covered by many Dog Waste Bins, and many hundreds of Litter Bins. Often areas where there is not a bin provided is because it is not within a DCO

area or it is not a practical to place to site one. We can discuss this with you.

#### **Who will enforce the order?**

Community Wardens, Police Officers and Police Community Support Officers are all authorised to issue Fixed Penalty Notices.

#### **Why are the King George V Playing Field, Crescent Playing Field and other playing fields not dog exclusion areas?**

The Council accepts it would be difficult for dog owners to comply with such an Order if the sports pitches are not enclosed or fenced. Castletown Recreation Field and Frenchfield Sports Pitches are already subject to dog exclusion requirements.

#### **Will signs be erected to identify Dog Control Order areas?**

Only if there is a problem. If you have a fouling problem in your area please contact the Community Wardens to discuss this as signs aren't always appropriate.

#### **Contact us:**

Community Wardens  
Telephone: 01768 817817  
Email: [pollution@eden.gov.uk](mailto:pollution@eden.gov.uk)

Website: [www.eden.gov.uk](http://www.eden.gov.uk) and search for 'Dogs' or 'Community Wardens'.

Alternatively just call in to Mansion House and ask to speak to us.

## **Responsible Ownership:**

**Neutering your dog:** Have you thought about getting your dog neutered? It helps stop unwanted puppies and could reduce bad behaviour, straying and health issues. Worried about the cost? Why not contact the Dog's Trust on 0845 606 3036 and see if you're entitled to receiving help towards this?

#### **The link between dogs off leads and fouling...?**

Dog owners who allow their dogs to walk off the lead are often blamed for dog fouling in the area. This may be true – if you can't see your dog how do you know they haven't fouled?

Also be considerate of land owners and in dog walking 'hot-spots'. Pick it up and take it to a bin so others don't walk in it.

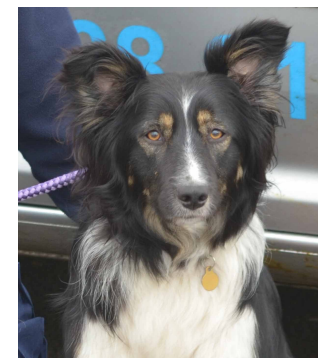
**Micro-chipping:** From April 2016 all dogs are required by law to be micro-chipped in England. This is an added requirement as well as wearing a collar and ID tag. Micro-chipping is permanent and can help in returning your dog quickly.

**Dangerous dogs:** report attacks, on other dogs or people, to the Police by calling 101.

**Remember, be considerate to other dog owners...**sometimes dogs are scared of dogs they don't know. So if you see a dog approaching you, keep your dog away, under control and on a lead where it should be.

*Eden*  
District Council

**Dog Control  
Orders**



...and responsible  
ownership!