

# Dogs: a parish experience

---

Winterbourne Parish Council August 2022

**Aim.** To share parish recent experience of problems and challenges with dogs and to secure support from Wiltshire Council including from its Dog Warden team.

**Problem statement.** Increasing frequency/prevalence of dog waste, poor control of dogs resulting in trespass and some cases of dog attacks (on other dogs and residents). These collectively now have a substantial adverse effect on the neighbourhood, the environment and farm management.

**Desired outcomes.**

- i. Re-establishment of applicable Public Space Protection Orders (PSPO) with provisions that include *inter alia* penalties for: lack of control of dogs; failure to remove dog faeces from public spaces, highways and rights of way; and allowing dogs into fenced children's play areas.
- ii. Provision of guidance for local councils, communities & landowners on effective measures to reduce problems arising from dog waste, poor control of dogs and trespass.
- iii. Provision of guidance (including on matters of law)<sup>1</sup> and notices, signage and other publicity for dog owners/walkers on removal of dog waste, control of dogs, trespass.
- iv. Review of the procedures for issue of Community Protection Notices and prosecution so that the more serious problems are dealt with more effectively and rapidly.

**Context.**

The Winterbournes are a rural parish with 3 connected villages and a hamlet. There is an extensive network of well-maintained rights of way (footpaths and bridleways) which run through the settlements and through the countryside. Rural environment is primarily agriculture (arable with some livestock), small areas of woodland, and the river Bourne and its margins. Amenities include schools, village hall, sports and recreation fields (one with an enclosed children's playground) and allotments.

Consistent with the environment described above the area is very popular with dog walkers, both residents and walkers from further afield including professional dog minders. As a community we recognise that dogs have been much loved companions for millennia, and that walking dogs is not only essential for their well-being, but an important incentive for and part of healthy exercise for their owners. Unfortunately not all dog owners practice the same level of responsibility to others or to the environment.

**Recent experience.**

Over the past few years behaviour of dogs (or their owners) has been the subject of occasional communication to the Parish Council. Frequently this relates to prevalence of dog faeces, but there have also been incidents of dog on dog attacks and interference with livestock. We have tried to address this through local publicity which includes articles in our village magazine and posters on

---

<sup>1</sup> See for example Hampshire Council publication at <https://documents.hants.gov.uk/countryside/dogsonyourland.pdf>

noticeboards such as the Dog Walking Code<sup>2</sup> (produced jointly by a range of organisations including the National Farmers Union and the Kennel Club<sup>3</sup>).

Recently however there has been an increase in unacceptable behaviour, of which details & examples are set out below. It is not clear what is driving this increase, but relevant factors may include:

- i. Increase in dog ownership during the coronavirus pandemic<sup>4</sup>, resulting in less experienced dog owners, and an increased demand for professional dog minding (dog day care).
- ii. Lapse of relevant PSPOs (formerly dog control orders) in Wiltshire. For example, the Parish Council does not now use the Wiltshire Council signs warning of penalties of up to £1000 for leaving dog faeces as we believe such penalties no longer apply, and the Parish Council has no powers to apply them.

Wiltshire Council is asked to consider providing more support to parishes, as set out herein. One important point for consideration is that the challenges set out here are not specific to one parish or area, but are universal. Any measures will be much more effective (and cost effective) if developed and publicized across the county rather than locally. Guidance, notices and posters will be consistently clear, and there will be economies of scale in their development and production. In general it is also the case that Wiltshire Council, and not town or parish councils, has the relevant enforcement authority in law.

Specific problems that have increased or emerged recently include:

**Dog faeces.** The prevalence of dog faeces (bagged and unbagged) left on footpaths, other rights of way, highway verges, & hedgerows has become a major nuisance. Affected sections of the community include children (using footpaths to walk to school), farmers (from poo bags hung on hedges and fences, dog faeces deposited in arable crops) as well as all other walkers. We have received complaints from residents who find poo bags thrown into their gardens, or placed in their household waste or even recycling bins.

Some local residents do collect dog faeces as part of community litter clearing, but this is an unpleasant task and there is an opinion that this merely perpetuates the problem (leads to a belief by offenders that “it’s OK as it gets cleared up”). Other options include spray painting to draw attention to the items (reduces risk of footwear contamination and may embarrass offenders) but this would need to be environmentally safe and may need agreement from landowners.

Support requested from Wiltshire Council includes

- Restoration of relevant PSPOs and associated fixed penalties, with provision for publicity and enforcement<sup>5</sup>.

---

<sup>2</sup> Many of the requirements of the Dog Walking Code are legal obligations, set out in Acts of Parliament that include: Microchipping of Dogs (England) Regulations 2015; Environmental Protection Act 1990; Anti-social Behaviour, Crime and Policing Act 2014; Road Traffic Act 1988 (including Highway Code); Animals Act 1971; Dangerous Dogs Act 1991; Dogs (Protection of Livestock) Act 1953.

<sup>3</sup> <https://www.thekennelclub.org.uk/media/3091/the-dog-walking-code.pdf>

<sup>4</sup> See for example <https://www.statista.com/statistics/515379/dogs-population-in-the-united-kingdom-uk/>

<sup>5</sup> Consider the example of Rushcliffe Borough Council who require dog walkers to carry poo bags - a more enforceable approach to raising awareness and modifying behaviour  
<https://www.rushcliffe.gov.uk/aboutus/newsandpublications/latestnews/stories/name,60274,en.php>

- Information and guidance on effective measures (i.e. evidence based) to encourage dog owners to properly remove and dispose of their dog waste. This could include guidance on spray marking of such waste.

**Trespass & “dogs under control”.** There does seem to be a common disregard for, or poor knowledge of, rights of way and the rights of property owners/occupiers. In particular, there is a high prevalence of dogs being allowed to run free across farm land, including through arable crops and livestock. Many organisations associated with countryside access and use provide clear guidance that dogs must be under “close control” when on rights of way and should not be allowed to deviate onto (adjacent) private land (including farm land). Some farm owners in the Winterbournes are considering investing substantially in fencing off rights of way (footpaths) to ensure that walkers and their dogs do not trespass onto cultivated land, as a direct result of the increasing prevalence in particular of poor control of dogs on their land.

One recent incident which exemplifies the problem concerned a professional dog care provider (from another parish) who was walking 6 dogs. The person concerned was walking along a farm track that was not a (public) right of way, and from their own account of the ensuing altercation with the farmer, the dogs were not under control.

Support requested from Wiltshire Council includes

- Well publicised guidance on the rights and obligations of dog owners regarding rights of way and private land, including clear guidance on the meaning of “dogs under control”<sup>6</sup>.
- Support for “rights of way maps” as display boards at key locations.
- Targeted communication and guidance to dog day care providers through local authority licencing of dog day care<sup>7</sup> in order to enforce compliance with relevant standards and laws.

**Dangerous dogs.** There have been recent reports of attacks by dogs within the parish. One dog on dog attack, and over the past 3 months three separate attacks on residents by one dog, in each case causing flesh wounds requiring medical attention. These are further examples of dog owners’ failure to keep dogs under proper control (covered above) but the dog on human attacks raise concerns over the effectiveness of current public protection measures. A three stage process (warning, community protection notice, prosecution) means that three residents were seriously injured before a prosecution took place and effective control measures (i.e. dog to be muzzled) enforced. The dog in question is still kept within our community (albeit muzzled and on a lead when in public) and is still cause of anxiety and fear for many local residents.

Support requested from Wiltshire Council includes

- A review of the procedures for dealing with dangerous dogs to ensure that risks to health and wellbeing of the public are minimised effectively and rapidly<sup>8</sup>.

---

<sup>6</sup> The DEFRA Countryside Code (described as statutory guidance) states “when you take your dog into the outdoors, always ensure it does not disturb wildlife, farm animals, horses or other people by keeping it under effective control” and the Highway Code requires that dogs are kept on a lead on roads and pavements.

<sup>7</sup> <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-day-care-licensing-statutory-guidance-for-local-authorities>

<sup>8</sup> That is, to draw from the incidents described to review procedures generally.