

Dog Control Order - Box

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*North
Wiltshire
District
Council*

BOX PARISH COUNCIL

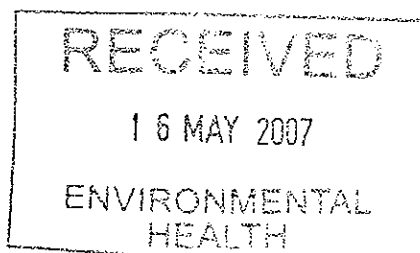
APPENDIX 2

Mrs.M.S.CAREY
Clerk to the Council

COUNCIL OFFICE
THE PARADE
BOX
CORSHAM
WILTS SN13 8NX

Office Hours
Monday & Thursday
9.30 – 12.30
or by appointment

E-mail: mailbox@boxparish.org.uk
Website address: www.boxparish.org.uk



Telephone: 01225 742356
Fax: 01225 744049

Our ref: PFC/MC
Your ref: MD/DRW/ianimalcontrol/dogs/letters

15th May 2007

Mr. Mike Doran
Environmental Health Team Leader
Community and Environment
North Wiltshire District Council
Monkton Park
Chippenham
Wilts SN15 1ER

Dear Mr. Doran,

Clean Neighbourhoods and Environment Act 2005

I refer to your letter dated 21st March 2007.

At its meeting on 29th March 2007, the Box Parish Council resolved to ask the NWDC to make a Dog Control Order regarding the Recreation Ground in Box. The Order would be for dogs to be kept on leads whilst on the Recreation Ground.

I have included evident to support this request to demonstrate that the Order is necessary. This evidence is:

- A letter from the Parish Council Groundsman, Mr. R. Hancock
- A letter from the Chairman of Governors, Box C of E School
- Articles in the Parish Magazine submitted on behalf of the Parish Council

I can also confirm that in the past I have approached the Dog Warden regarding the problem of both fouling and dogs running freely on the Recreation Ground and I have received verbal complains from members of the public regarding both these issues.

I would be grateful if you could proceed with issuing a Dog Control Order on behalf of the Box Parish Council. It is understood that the District Council would waive the legal costs but the Parish Council would pay for the cost of advertising and the signage.

I look forward to hearing from you.

Yours sincerely,

M.S. Carey

RF

Robert Hancock
Hillside
Chapel Lane
Box, Wilts
SN13 8NU

20th December 2006

Dear Councilors

Once again I am experiencing a lack of co-operation from the public concerning not only fouling by dogs on the recreation field but also the lack of dog owners co-operating with our ideas of dog behavior.

A dog cannot read and has to be trained in behavior and kept under control, especially in and around public areas. I know our by laws on the recreation field do not cover dogs on leads but we must be seen to actively encourage people to keep them on their leads. In doing this we are ensuring everyone who enjoys of the recreation fields to go about their business knowing that dogs are kept under control and so that if the dog fouls the owner is aware of it immediately and is able to take action.

In conversations I have had recently with dog owners it has become quite apparent that they believe it would be a shame to stop dogs on the recreation field all together. However it is our duty to address this nation wide situation of dog worrying and fouling.

Introducing dog bins years back only made things worse. It more or less said bring your dog down but be sure to clean up behind it. Thus increasing the numbers of dogs on the field. A large majority of the public do clean up after their animals but there are still many who just don't seem to care.

I know that you as a council have tried hard to rectify this increasing problem and I thank you for that. However the powers that be from the North Wilts District Council and the Wiltshire County Council don't seem to give this matter priority but with the safety of children at stake I am confident that you would agree with me that it is of up most importance.

It becomes much more of a hazard during the summer months when gang mowing begins. As you can imagine that if a dog has fouled and I drive through it with the mowers it spreads all over the field increasing health risks not only to children but adults as well.

I would like to suggest more apparent signage around the grounds with a suitable slogan that is sympathetic yet to the point.

Of course we could add more dog bins at the bottom of the lower field and clearly mark a designated area for all dogs where free running is possible.

I believe the most appropriate area for this would be the already established dog walk and the Louver garden. Large comprehensive signage would be needed at either ends of this area clearly illustrating the designated walk.

There has to be answer to this problem and we must do all we can to rectify it to ensure children's safety and the public's piece of mind.

Bob

parish

From: "Sally Mitchell"
To: "parish" <mailbox@boxparish.org.uk>
Sent: 24 April 2007 20:40
Subject: 3 things

*Letter from Chairman of
Governors
Box Coy E School*

Hello Margaret

Thing 1 Could you please send the minutes of the last full meeting out to all govs (including me again)

Thing 2 Good news is that we've been given more money for the path around the rec... brill... Is there any possibility that the path could be slightly extended so that it would make 3 sides of the triangle near the road, so that crocodiles of children each day going down to the Selwyn hall needn't go up one side to near the road and then back down, but cut straight across, there would be enough in the budget to cover this I believe. The present set up seems a bit daft, and the small ammendment could make the journey alot more straight forward. Could you follow this up with the relevant parish council members please.

Thing 3 Some parents of children at the school have been complaining about dogs fouling on and near the play equipment.. more a parish issue than school.. we were wondering if the council could possibly put yet another note in the parish mag, and also wether more signage.. maybe near the play equipment could be considered?

Whilst I think about it is it possible to also ask the council to consider leasing the school garden to the school should an appropriate time arise?.. or do you need this in a more formal letter?

(The issue of the all weather play area is on the back burner until after the election as Sara sees these as separate issues)

Finally there is an extra Staffing meeting at 6pm on Thursday to consider the job share and get the advert sorted. Don't worry if you can't make it at such short notice.

Sorry to have misled you as it turned out to be 5 things.

That's it for now.

Sally



For these reasons the Parish Council resolved that they could not accept the "in principle offer" to take over the facility.

Local fruit and vegetable home delivery box scheme

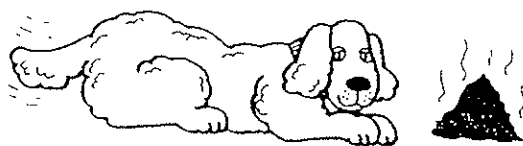
A Wiltshire company has launched a local fruit and vegetable home delivery box scheme for North Wiltshire. The scheme is operated by G&S Fruit Supplies Ltd, a local seasonal fruit and vegetable wholesaler, who say that each box contains a huge range of high quality fruit, vegetables and salads at wholesale prices which it sources as much as possible from farmers and growers in the County. In this way, the firm is minimising 'food miles' and retaining freshness. There is a choice of three sizes:

- Medium Seasonal Box – ideal for couples and smaller families - £11
- Large Family Box – enough fruit, vegetables and salads for a family of four - £15.
- Big Value Family Box – for bigger families, particularly those who want 5-a-day - £19

Boxes can be ordered on line via www.gsfruits.co.uk/box or by calling the company's order line on 01380 860968.

Dogs on the Recreation Ground

Once again, we have received complaints about the degree of dog mess on the Recreation Ground. Sadly, it would appear that some parents, accompanied by their animals on the morning school run to Box C of E School, are guilty of failing to clear up after their dogs. You are reminded that under the NWDC Byelaws,



Dogs (Fouling of Land) Act 1996, it is an offence if the person in charge of a dog fails to clear up after it has defecated.

Finally, the Parish Council wishes everybody a Happy, Healthy and Prosperous New Year.

Valerie Richardson, on behalf of the Council

CANCER RESEARCH UK



Charity no: 1089464

A team from the Box & Corsham committee and friends took part in the annual 'All Walk Together' at Westonbirt in November. We raised £382.00.

Thank you to all those who sponsored us. A further £240 has been raised at a couple of jewellery parties.



We appreciate all the support that the Campaign is given here in the village and Corsham.

Ann Narraway

DOGS ON THE RECREATION GROUND

The incidences of dog fouling and dogs being left to run off the lead on the Recreation Ground are escalating. It is a pity that a few continue to spoil a wonderful facility in the centre of our village. The Parish Council is therefore considering consulting North Wilts District Council with a view to amending the present Byelaw to ban dogs altogether from the Recreation Ground. In the meantime, we are working with the Council Dog Warden to increase visits and will not hesitate to prosecute anyone found allowing their dogs to foul or run free. You are reminded that there are facilities to avoid such anti-social behaviour - dog waste bins and a designated dog walk area - and these should be used.

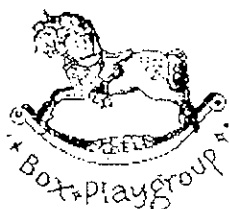
Valerie Richardson, on behalf of the Council

SELWYN HALL 200 CLUB

March Draw £11 each

48 - Mrs R Morgan
102 - Dr C Hobbs

77 - Mr P Hartless
146 - Mrs J De'ath



Spring is in the air down at the Jubilee Centre and the little ones are spending more and more time out in the fresh air. I am going to ensure the next generation of horticulturalists puts on a splendid summer display. Next week we will be sowing flower seeds and planting out pansies which will brighten up the little out-door play area. And to ensure that it doesn't get too bright in the summer months, we are hoping to install an awning. With this in mind we are having a fund-raising coffee and cake morning for parents and friends on Friday 30th March at 9.30. Please bring your purses/wallets for excessive purchasing of raffle tickets and various other excitements!

Last month's 'Trike-In' was a great success, the monies are still coming in but the total to date is very pleasing and as the children had such good fun, I think that it may become an annual fixture.

Planes trains and automobiles are keeping the youngsters busy, I understand that they are about to go into space! One wall at pre-school is resplendent with a beautiful cow, I couldn't work out how this fitted in with the transport theme, but Tina and Tilly have explained it to me and now it all makes sense! It's the children's idea of the view from the train! got it? Anyway it is a truly fabulous cow! What will be the view from outer space?

Pre-school and the toddlers will be heading to St Thomas' on 28th March for their Easter service and if the weather holds there just might be an Easter Egg Hunt for good children (and their mums and dads please)!



Finally many congratulations to Sam and Jock on the safe and very speedy arrival of 8lb 7oz baby Murrán.

Pre-school is open Monday to Friday for morning, afternoon and lunch sessions. Please phone either Tina on 01225 743794 or Alex on 01225 743767

Sue Bean

BOX PARISH COUNCIL NEWS

PARISH COUNCILLORS

There were 15 nominations for the 15 places on the Parish Council. The following are therefore appointed without the necessity of election on 3 May.

Jennie Hartless, Andrew Thomas, Judy Seager, Fred Shepherd, Margaret Rousell
Tim Northey, Sheila Parker, Richard Crowder, Michael Fox, Robin Parry, Barry Sims
Richard Cameron, Kathryn Barstow, Peter Appleby and Mike Turner

CAR BOOT SALE

The next Car Boot Sale is on Saturday 19 May in the Selwyn Hall Car Park. Refreshments will be available as usual.

DOGS ON RECREATION GROUND

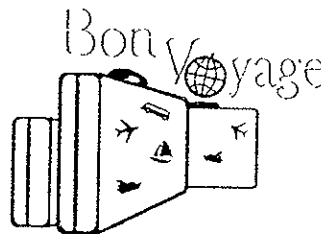
After due consideration and as a first step to encouraging responsible use of the Recreation Ground by dog owners, the Parish Council will be amending the Byelaw to include the caveat that all dogs should be on a lead when being exercised on the Recreation Ground.

A PERSONAL FAREWELL

As I will no longer be part of the newly formed Parish Council, I would like to say "Farewell and Thank You" to my colleagues on the Council for their forbearance, humour and enthusiasm during the nine years or so of our association. My particular thanks go to the Clerk, Margaret Carey for her wisdom and counsel in guiding me as a Councillor, Vice Chairman and Chairman during that time.

I have much enjoyed my time on the Parish Council and hope that I have contributed in some measure to our very special community. Finally, I extend my very best wishes to all the Parishioners who have shown me such kindness.

Valerie Richardson



Every year the Society has a weekend away. Last year we had an enjoyable time around the Portsmouth area thanks partly to the variety of places visited and partly to the wall to wall sunshine.

This year we are going to stay at Tilington Hall Hotel, Stafford and are planning to visit Ironbridge and various other places of interest including, possibly, a trip into the Peak District.

There are still some places available, so if you are going to be free for the period Saturday 15th to Tuesday 18th September 2007. Why not join us. Priority will obviously be given to members of the Society but non members would be more than welcome.

Contact Brian Hatton on 01225 744147.

Anne Phipps



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which are to be

THEY LIVED

Gordon Tarrant and Bristol and notes and with Austen's way of We have heard; not much like B Sydney Gardens Lieutenant Arth Bay. Lieutenant a settlement the Sydney. He wa Bath and is burie

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In Bristol, W.G the first lady doc in charge of the Line to prevent our roads. This n

We look forward gardens and a go by coach to a n miss this one, a

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Mrs.M.S.CAREY

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Mr. P. Taylor

Assistant Solicitor

Corporate Services – Legal

North Wiltshire District Council

Monkton Park

Chippenham

Wilts SN15 1ER

COUNCIL OFFICE

THE PARADE

BOX

CORSHAM

WILTS SN13 8NX

Telephone: 01225 742356

Fax: 01225 744049

24th May 2007

Dear Mr. Taylor,

Clean Neighbourhoods and Environment Act 2005

Thank you for your letter of 21st May 2007.

I agree that the evidence supplied relates entirely to problems caused by dog fouling. However, people are allowing their dogs to run freely and therefore are not aware that the dog is fouling the Recreation Ground and consequently are not clearing up the mess.

The Parish Council feels that by making the owners put the dogs on the lead it will encourage them to become more aware and responsible and will help to eliminate dog mess. There has also been an incident recently of a dog running loose causing a problem by fighting with a dog that was on a lead. With the dog off lead it was very difficult for the responsible owner to break up the fight and it led to her being bitten.

It is for these reasons that the Parish Council would ask the District Council to proceed with the Order.

I hope that this is sufficient evidence.

Yours sincerely,



Mrs M.S. Carey

Clerk

BOX PARISH COUNCIL

16+

Mrs. M.S. CAREY

Clerk to the Council

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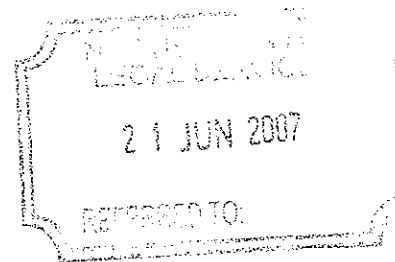
Website address: www.boxparish.org.uk

Our ref: PFC/MC

Your ref: PT

20th June 2007

Mr. P. Taylor
Assistant Solicitor
Corporate Services – Legal
North Wiltshire District Council
Monkton Park
Chippenham
Wilts SN15 1ER



Dear Mr. Taylor,

Clean Neighbourhoods and Environment Act 2005

Further to my letter of 24th May I would like to draw your attention to the additional information.

I have been approached again by the lady who was recently bitten by a dog who was running loose. He was in a fight with her dog which was on a lead and she was bitten trying to rescue her pet. She has asked if something can be done about dogs running loose as the incident has made her very nervous and she does not want to feel that she is not safe using the Recreation Ground.

There have also been instances where dogs running loose have interfered with football and cricket games being played and have been causing a nuisance to the young children using the play equipment.

The local Box CE Primary School has use of the Recreation Ground as its outdoor play area and there is a Nursery School who has a licence to take the children on to the Recreation Ground and dogs running freely would hinder both of these groups.

The Parish Council feels that dogs being allowed to run loose on the Playing Fields are preventing proper use of the Recreation Ground and it is for these additional reasons that the Parish Council would ask the Order.

Yours sincerely,

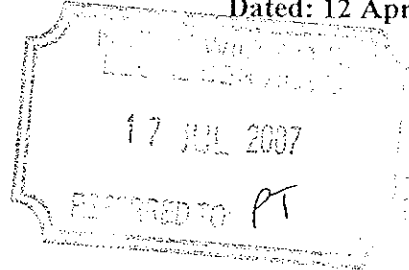
M.S. Carey

Mrs. M.S. Carey
Clerk

18 Queens Square,
Box,
Wiltshire,
SN138EA.

Dated: 12 April 2007

Legal Services Team,
North Wiltshire District Council,
Monkton Park,
Chippenham,
Wiltshire.



Dear Sirs,

I am writing to object strongly to the proposal to make a bylaw to keep dogs on a lead on Box recreation ground.

There a large number of dog owners in Box who use the recreation ground, all of whom have control of their dog although they let them off the lead for a run.

There do not appear to any recorded incidents of dogs off leads causing any problems and I do not know of any other parks in the North Wilts District that enforces this blanket ban. Even heavily utilised parks like John Coles park in Chippenham have large areas where dogs are allowed off the lead (in John Coles Park about 50% of the total area). And there does not appear to be any problems there.

Box recreation school play area is normally only very lightly utilised and apart from the primary school play times and cricket matches summer evenings and football matches on Sundays you will usually see at most 2or 3 people in the open areas and they are often dog walkers.

I do agree that dog owners should clear up after their dogs and failure to do so should result in a fine, but 95% of dog owners are responsible and clean up after their dogs. The very small minority that are irresponsible would not stop allowing their dogs to foul just because they are on leads.

I feel therefore that the legal services team should very seriously consider rejecting this proposal and not set a restrictive District legal precedent because of a request initiated by an over zealous park keeper and the paranoia of two or three parish councillors.

Yours faithfully


R.W.Burgess



20/07/2007 11:21

To <ptaylor@northwilts.gov.uk>

cc

bcc

Subject [Maybe spam] Proposal to ban dogs off leads at Box

Dear Sir,

I am writing to register my objection to ban dogs off leads in Box recreation ground.

There is NOT a problem allowing dogs off their lead in the open areas. I do agree that dog owners should clear up after their pets and failure to do so should be fined, but irresponsible owners would allow their dogs to foul whether they are on a lead or not. Most owners walk their dogs at times of low usage. Do they constitute a nuisance whilst off the lead? I think not because of several acres of open parkland are available.

There is an argument to ban dogs off leads in designated areas such as the childrens play area but there is certainly no necessity for a blanket ban.

Most other parks in Bath and the areas that you cover either do not have a ban or have large designated areas where dogs are allowed off their leads why raise an isolated blanket ban on Box recreation ground.

It seems to me that new bylaws should be raised either whether there is a need or necessity, which is certainly not the case here

To fall in line with other unitary authorities again not the case

Or to update in accordance with the current law of the land again not the case.

Rather it seems that the proposal is being considered because of lobbying by a small minority in the village rather than the above valid reasons.

Yours faithfully

Mrs L.Butterworth



GEORGE HUNT

23/07/2007 23:47


To ptaylor@northwiltshire.gov.uk

cc

bcc

Subject Dog control order - Box Recreation ground

History:

 This message has been replied to and forwarded.

I wish to object to the proposal by the Council to force ratepayers to keep their dogs on leads on the recreation ground, Box, Corsham, Wilts.

I object because:-

1. Dog owners can, at the moment, be fined for allowing their dogs to foul the recreation ground.

As far as I am aware, no person has been fined for allowing this. Now the responsible owners are going to be liable to a fine, whilst the irresponsible ones (the ones that will still allow their dogs to foul by walking them during the unsociable hours when they know they are unlikely to be caught) will carry on getting away with dog fouling.

2. The council do not take action against those that litter and damage the ground - why not?

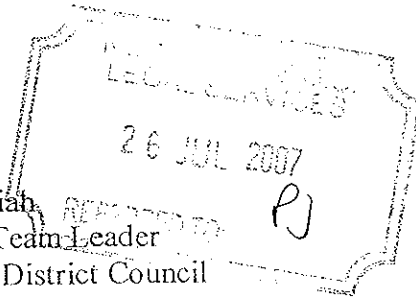
3. The council do not maintain the public footpaths, some of which are in a dangerous condition, but spend a lot on the recreation ground. It seems that this is for the benefit of the local school and nursery, but I do pay a lot of taxes that provide for education. As a generous ratepayer, I object to being denied the facilities of the village because I am a dog owner - not a parent!

This proposal is only being fuelled by the anti - dog brigade.

20 Fairmead View
Box, Corsham
Wiltshire. SN13 8ND

23rd July 2007

Mr. Peter Jeremiah
Legal Services Team Leader
North Wiltshire District Council
Monkton Park
Chippenham
SN15 1ER



Dear Sir

Re: The Clean Neighbourhoods and Environment Act 2005
DOGS ON LEADS – Recreation Ground Box

I'd like to register an objection to the imposition of Section 55 (3) (b) of the above Act.

I'm a newcomer to Box having lived opposite the recreation ground for only twelve years. Provided my dog doesn't run after people or leave faeces in a public place I'd like to be able to throw a ball for her occasionally and play rugby with her and my children. Its great exercise for all and hurts no one.

I'd like the Grandmother who took her grandchildren to the swings yesterday with her Labrador trotting behind to be able to do that without attracting a fixed penalty fine of up to £1000.

I'd like the family who took their children cycling across the humps while their terrier chased a tennis ball to be able to do that without being rendered criminal.

(The thought that the Act leaves provision for authorised officers of the secondary authority to impose fixed penalty fines makes me shudder. I'd like to know who would be tasked with applying this proposed power.)

I'm not an apologist for irresponsible dog owners and take a dim view of anybody antisocial enough to leave faeces or fail to control their dog. I would wholeheartedly support a fixed penalty for leaving dog faeces and would also extend that to include litter which could be achieved using the same Act.

I don't believe that the Parish Council is being representative of the normal people of Box. I believe that such Orders should be subject to referendum to avoid the danger of vociferous and unreasonable individuals influencing local legislation. I also believe that they should be imposed on an evidential basis rather than by anecdote in the same way that your Environmental Health Department would investigate nuisance complaints. I don't expect that the extent of the problem is anything like some people would have you believe and I think that steps could be taken to investigate the real situation before such a draconian measure is imposed.

I would ask that some time is taken to understand the type of person who would be criminalised by the imposition of Section 55 (3) (b) (leads). I hope that by considering the actual situation in the village you will agree with me that Section 55 (3) (a) (fouling) is quite sufficient in respect of dogs.

When unseen, the irresponsible dog owner will fail to clean up after his dog whether or not it is on a lead and you're unlikely to catch them. I concede that Section (3) (b) would be easier to enforce but unfortunately I think it will penalise the wrong people.

Thank you for your time.

Yours faithfully,



Kevin Hansford



02/08/2007 10:27

To ptaylor@northwiltts.gov.uk

cc

bcc

Subject Box Recreation Ground

Dear sir,

I understand NWDC are about to make a proposal to keep dogs on a lead in Box Recreation Ground.

I feel that this is grossly unfair to dog owners of the village who all pay their rates and pay towards the upkeep of the facilities in Box. I am a dog owner myself and regularly take my dog to the recreation ground where, as a pensioner, I am pleased to meet other dog owners and enjoy watching our dogs run around and exercising. 99.9% of these dog owners are responsible people who always carry bags to clear up any mess their animals make. The 1% of people who allow their dogs to foul, are asked to clear the mess by the responsible dog owners that may see them.

I don't feel that that, by the actions of such a minority, the vast majority of people should be penalised and I feel that no matter if the animal is on a lead or not, these irresponsible people will allow their animals to soil and still not pick it up. You only have to drive around the roads to see this happening all the time.

Finally, I assume that if this proposal is accepted, the next step would be to ban teenagers from the recreation ground as they make far more mess and may I add, far more dangerous mess than any dog owner I have met there.

All the dogs running loose I have met there are friendly animals and are petted and played with by children. All others are already kept on a lead.

I trust this silly proposal will not be accepted and another acceptance of peoples rights in this nanny state will prevail.

Gordon Taylor
Lorne House



JEANETTE HOLT

02/08/2007 10:08

To ptaylor@northwiltshire.gov.uk

cc

bcc

Subject Box - Dogs on leads


Dear sir

I wish to register my objection to the proposed BAN of dogs of the lead. Please note the following point:-

1. **Dog fouling** - appropriate legislation already exist to cover not cleaning up dog mess from the recreation ground. This should be **actively enforced** without penalising responsible dog owners who are able to control their dogs off the lead and clean up after them.
2. Controlling dogs in public places does not necessarily mean the use of a lead.
3. Complaint to Box parish council - a complaint was made concerning a specific dog being exercise off the lead on the Rec because the complainant had been bitten during a dog fight (entire male dogs x2) outside the Co-op shop on the high street. Both dogs where on leads. The complainant fears about something that may or may not happen should not be allowed to penalise responsible dog owners. This legislation would **not** prevent the complainant being bitten, she now walks her dog with a stick which would inflame any potential dog fight.
4. Criminalising the following activities - socialising dogs, playing fetch, family games eg football (I include dogs as part of a family), family picnics, elderly disabled people exercising their dog who cannot go cross country, older dogs that just lie their just wanting to be with their owner.
5. Box Parish council misrepresenting it constituents - the Rec is there for the enjoyment of all - children, cricketers, footballers, families with and without dogs, events, dog walkers, the list is endless. This proposal discriminates against responsible dog owners. Many people believe this legislation is already in force due to **misleading information** - please clarify?

Yours sincerely J. Holt

BOX PARISH COUNCIL

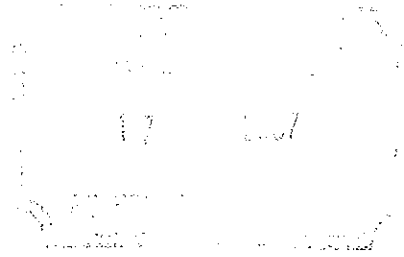
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Our ref: PFC/MC
Your ref: PT/DCO

16th August 2007

Mr. P. Taylor
Assistant Solicitor
Corporate Services – Legal
North Wiltshire District Council
Monkton Park
Chippenham
Wilts SN15 1ER

Dear Mr. Taylor,

Proposed Dog Control Order – Box Recreation Ground

Thank you for your letters of 7th and 13th August. I have clarified the position regarding the Order in the next copy of the Parish Magazine and apologise for the confusion caused.

With regard to the representations, most of them refer to dog fouling rather than the issue of dogs not on lead. The Parish Council has created a dog walk at the bottom of the Recreation Ground which is in an area which would not be covered by the Dog Control Order, and people would be able to let their dogs off lead here.

The Parish Council is still adamant that this Order would be beneficial to the majority of the users of the Recreation Ground for the reasons previously stated.

Yours sincerely,

M.S. Carey

Mrs. Margaret Carey
Clerk