

Our Ref: MD/fw

**Community and Environment  
North Wiltshire District Council**  
Monkton Park  
Chippenham  
Wiltshire SN15 1ER

DX 34208 CHIPPENHAM

7<sup>th</sup> April 2006

Dear

**Clean Neighbourhoods and Environment Act 2005**  
**Re: Dog Control Orders. Information note.**

I am writing to inform you that the above Act brings in new powers from the 6<sup>th</sup> April 2006 in relation to the control of dogs, by way of Dog Control Orders. The Act repeals the Dogs (Fouling of land) Act 1996. Although this Act has been repealed the provisions are preserved. Therefore orders made under the 1996 Act continue to have effect indefinitely and enforcement by this council through fixed penalty tickets and prosecutions can continue as normal. If however any new orders are made under the Clean Neighbourhoods and Environment Act 2005, the 1996 Act ceases to have effect in respect of the land subject to the Dog Control Order.

The Act enables "primary authorities" (Local Authorities) and "secondary authorities" (meaning principally Parish and Town Councils) to make orders, that apply offences aimed at the control of dogs. Your council now has the ability to make orders under the new act, to authorise your own officers and to keep income from fixed penalty tickets. The new system brings in offences in relation to fouling and also allows for other dog offences relating to keeping of dogs on leads, the exclusion of dogs in some areas and the maximum number of dogs that one person may walk in designated areas.

The Dogs (Fouling of Land) Act 1996 has been very effective in controlling dog fouling and improving the environment throughout North Wiltshire. As stated those provisions contain in the act to control dog fouling are preserved. The new act gives the District Council and your own Council greater powers to control dog-related issues by way of Dog control Orders should dog problems be identified. The act therefore does afford Town and Parish Councils, if they wish, the ability to take greater control of dog enforcement in their areas.

I have attached, which you may find useful, some summary information of the relevant sections of the Clean Neighbourhoods and Environment Act 2005. Further helpful advice and guidance for Town, Parish and other bodies can be also found on DEFRA website:

[www.defra.gov.uk/environment/localenv/legislation/cneav](http://www.defra.gov.uk/environment/localenv/legislation/cneav).

Yours sincerely

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