

## EXETER CITY COUNCIL

### SCRUTINY COMMITTEE – COMMUNITY

4 MARCH 2014

#### DOG ENFORCEMENT AT BELMONT PARK

##### **1 PURPOSE OF REPORT**

- 1.1 To advise Members of the enforcement options available to help deter future dog attacks at Belmont Park.

##### **2 BACKGROUND**

- 2.1 During August 2013 Staffordshire Bull Terrier attacked and killed a Yorkshire Terrier in Belmont Park. Both dogs were off their lead, which is permitted at this site.
- 2.2 The Bull Terrier was detained by the Police and subsequently destroyed.
- 2.3 Following the attack, the Portfolio Holder and Officers considered what immediate action would be proportionate to this serious, although isolated, incident.
- 2.4 Excluding dogs from the park, or insisting that dogs must be on leads, were both thought to be reactionary measures, detrimental to the vast majority of dog owners who used the park to exercise their dogs in a controlled and responsible way.
- 2.5 The Council's Street Scene Enforcement Officer and Community Patrollers were assigned to make regular random visits to Belmont Park. Their remit being to observe dog behaviour, advise dog owners of their responsibility to keep their animal under control where necessary and provide visual reassurance to other park users.
- 2.6 In January 2014 a Jack Russell was attacked by a Staffordshire Bull Terrier. The dog was injured and the owner was hospitalised after being bitten whilst trying to protect her pet.
- 2.7 The owner of the Staffordshire Bull Terrier handed himself into the Police and has arranged for the dog to be put down.
- 2.8 The Portfolio Holder and Officers met again to discuss this second incident considered the options available to deter a future dog attack. Belmont Park is currently covered by the Dogs on Leads By Direction (Exeter) Order 2006 which enables authorised Council Officers to insist a dog is put on a lead if deemed to be causing a nuisance or distress to others. Failure to do so can result in a £75 fixed penalty notice or a fine on summary conviction to a maximum of £1,000
- 2.9 A number of other parks (St Thomas Pleasure Ground, Northernhay Gardens, Bury Meadow and Pines Gardens) are subject to the Dogs On Leads (Exeter) Order 2006 which requires dogs to be on leads at all times whilst in the park. The penalties for failing to comply are as above.

- 2.10 Officers considered that an insistence for dogs to be on leads could be unpopular with dog owners living near the park as the nearest alternative green space for exercising their pets would be some distance away at Heavitree Pleasure Ground.
- 2.11 The Council is not able to commit resources to patrol Belmont Park on a permanent basis but instead is reliant on regular, random, high visibility patrols being both a deterrent to those exercising their dogs irresponsibly and a reassurance to the vast majority of genuine park users.
- 2.12 Soon after the second attack, the Portfolio Holder attended a meeting of Newtown Residents Association to gauge local opinion on the dog enforcement options. The overwhelming view was that dogs should continue to be permitted off the lead in Belmont Park.
- 2.13 A further meeting was held with the Portfolio Holder, Officers and the local Police Inspector which resulted in the deployment of the shared Community Safety Partnership mobile CCTV camera at Belmont Park. This will be used to further observe dog behaviour issues and to deter irresponsible owners from allowing their dogs to become out of control.

### **3 PROPOSAL**

- 3.1 As a result, it is proposed to continue to allow dogs to be exercised off the lead in Belmont Park but to maintain CCTV coverage, in the short term, to compliment the ongoing high visibility patrols by Council staff.

### **4. RESOURCE IMPLICATIONS**

- 4.1 Existing staff resources will be utilised.

### **5 RECOMMENDED**

- (1) That Members note the report.

SARAH WARD  
Assistant Director Public Realm

**Local Government (Access to Information) Act 1972 (as amended)**  
**Background papers used in compiling this report:-**

None