

BIRMINGHAM CITY COUNCIL

**REPORT OF THE SERVICE DIRECTOR REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

16 SEPTEMBER 2015
ALL WARDS

**REPORT ON THE IMPLEMENTATION OF THE DOG CONTROL ORDERS AND
TO CONSIDER AN EXEMPTION SCHEME ON THE RESTRICTION ON FOUR
DOGS**

1. Summary

- 1.1 To provide the Committee with an overview of the implementation of the Dog Control Orders, which came into effect on 1 March 2014.
- 1.2 To advise of a request from commercial dog walkers in Birmingham to be allowed a dispensation under The Dogs (Specified Maximum) Order 2014, which currently only permits a person to take a maximum of four dogs onto public land. Such a dispensation could be introduced as a permit scheme, with conditions and restrictions attached.

2. Recommendations

- 2.1 That consideration is given as to whether or not to allow a dispensation scheme under The Dogs (Specified Maximum) Order 2014 to allow for commercial dog walkers to have more than four dogs.
- 2.2 If Committee decide to approve a dispensation scheme, that approval be given for a commercial dog walking licence, with suitable conditions attached as per Appendix 5, to enable a person to take more than four dogs onto certain land within Birmingham.

Contact Officer: Vikki Allwood, Senior Animal Health and Welfare Officer
Telephone: 0121 303 9918
E-mail: vikki.allwood@birmingham.gov.uk

3. Background

3.1 On 1 March 2014, Birmingham introduced five Dog Control Orders (DCO), made under the Clean Neighbourhoods and Environment Act 2005. They relate to:

- Fouling of land by dogs and the requirement for dog faeces to be removed.
- The keeping of dogs on leads.
- Dogs to be put on a lead when directed to do so.
- The exclusion of dogs from specified land.
- The number of dogs which a person may take onto land.

3.2 The DCO received considerable media attention at the time of coming into force, with coverage on local television, radio and newspapers. The team continue to promote the Orders through signage, the distribution of posters, leaflets, flyers, the use of display boards which are exhibited throughout the city and also through speaking to dog owners during free dog microchipping and community events.

3.3 The DCO have been enforced across the city and have proved to be invaluable in dealing with the minority of irresponsible dog owners who fail to control or clean up after their pets. The issue of dogs being let out to stray on the streets was an area of particular concern and previously there were no legislative provisions to tackle the problem. Offences under DCO are dealt with by the issue of £80 Fixed Penalty Notices (FPNs).

3.4 Implementation of the DCO

Enforcement activities for 2014/2015 include;

- Some 676 cautionary letters were sent to dog owners upon receipt of complaint of non-compliance.
- More than 20,000 signs have been affixed to lamp posts across the city.
- A total of 59 proactive exercises were undertaken in dog fouling hot spots or areas where straying dogs were a cause for concern.
- The Dog Warden/Enforcement Officers have issued a total of 31 FPNs under the DCO. Of these 15 FPNs were issued for dog fouling offences and the remaining 16 FPNs issued to owners of dogs that were not kept on leads on roads or adjoining footways.
- Most FPNs were paid, however, three FPNs remained unpaid and all were successfully prosecuted in court. Fines for offences ranged from £60 to £250 and appropriate costs recovered. One offender was also fined a further £250 for obstruction, as he repeatedly failed to provide his name and address to the officers when asked, resulting in the need for police intervention.

4. Commercial Dog Walkers - The Dogs (Specified Maximum) Order 2014 Consultation
- 4.1 The powers to make an Order restricting the number of dogs any one person can take onto designated land came about as a result of problems associated with high numbers of dogs being exercised in particular by commercial dog walkers. There are concerns in relation to:
- The welfare of the dogs being exercised.
 - The ability of an individual to control high numbers of dogs.
 - The ability for an individual to be able to clear up after high numbers of dogs.
 - The loss or escape of dogs whilst being exercised.
 - An inability to deal with an emergency.
- 4.2 Guidance on DCO as provided by the Department for Food and Rural Affairs, advises that the maximum numbers of dogs taken onto land should not exceed six dogs. The Licensing and Public Protection Committee determined that the number of dogs taken onto open land in Birmingham should be set at no more than four dogs. A public consultation supported this and the Order was made accordingly (Appendix 1). It would seem that most local authorities have set the maximum number at four dogs.
- 4.3 Since the introduction of the DCOs, a minority of commercial dog walkers have complained that the restriction to four dogs compromises their business activities and a formal request has been made for a permit scheme, which, with conditions attached would enable a person to take up to six dogs on certain open public land in Birmingham.
- 4.4 As a result of this request officers contacted some 35 commercial dog walkers that were advertising as providing a dog walking service in Birmingham. Their views were sought on the issue of walking more than four dogs. A total of 11 responses were received, with seven commercial dog walkers not wanting to take out more than four dogs Appendix 2 (1-7), three respondents would like to take out more than four dogs Appendix 2 (8-10) and one was indifferent Appendix 2 (11). Most of the respondents felt that commercial dog walkers should be regulated in some way. Friends of the Park and Birmingham Open Space Forum were also consulted and comments received are outlined in Appendices 3 and 4.
- 4.5 Commercial dog walkers seek to use the City's parks and open spaces to exercise dogs in their care. Birmingham's Parks and open spaces have also been consulted and will support a scheme to allow more than four dogs to be exercised on their land, with conditions and restrictions attached.
- 4.6 The issue for consideration is the balance between public protection issues that may arise from a person exercising more than four dogs and their ability to clean up and indeed supervise these dogs against the wish to support small local businesses.

5. Potential Scheme for Consideration

- 5.1 We are aware of a council who operates a permit scheme to commercial dog walkers. This enables more dogs to be taken out than their DCO permits. There are conditions attached, which includes; a requirement for public liability insurance, measures to ensure that operatives are able to clear up after dogs in their care, restrictions on the land used and the numbers of commercial dog walkers using a particular site at any one time.
- 5.2 Such a permit scheme would be managed by Birmingham's Parks and Open Spaces. There is already a facility for any person wishing to use a city park or open space for a commercial activity to apply on line. In this respect events or activities can be coordinated accordingly.
- 5.3 Any application made to use a park for commercial dog walking would be individually evaluated and assessed. There would be a cost associated for the grant of a permit, which would be in line with the fees and charges already in place. The conditions would be as laid out in Appendix 5.

6. Implications for Resources

- 6.1 The processing and issue of a commercial dog walking licence would generate limited income, which will be retained by Parks and Open Spaces. Currently it is estimated that there are three or four commercial dog walkers who would look to obtain such a permit.
- 6.2 There may well be a requirement for enforcement action to be taken in the event of complaints received about commercial dog walkers or private dog walkers who take more than four dogs into the park without a licence. This would currently be undertaken by the Dog Warden/Enforcement Officers. Officers respond to approximately five complaints each year regarding commercial dog walkers who do not control or clear up after dogs in their care.

7. Implications for Policy Priorities

- 7.1 The issues involved in dealing with stray dogs, uncontrolled dogs and dog fouling in public places are consistent with the City Council's policy priorities associated with helping to create a cleaner, greener, safer city and dealing with anti-social behaviour.

8. Public Sector Equality Duty

- 8.1 Dog Control Orders provide exemptions for registered blind people, deaf people and for other people with disabilities who make use of trained assistance dogs.

SERVICE DIRECTOR REGULATION AND ENFORCEMENT

Background papers: None

The Clean Neighbourhoods and Environment Act 2005
The Dog Control Orders (prescribed Offences and Penalties, etc) Regulations 2006
(SI 2006/1059)
The Dogs (Specified Maximum) Order 2014

Birmingham City Council hereby makes the following Order:

1. This Order comes into force on 1st March 2014.
2. This Order applies to the land specified in the Schedule.
3. On land to which this Order applies, the maximum number of dogs which a person may take onto that land is four.

Offence

4. (1) A person in charge of more than one dog shall be guilty of an offence if, at any time, he takes onto any land in respect of which this Order applies more than the maximum number of dogs specified in article 3 of this Order, unless—
 - (a) he has a reasonable excuse for doing so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.
- (2) For the purposes of this article a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

Penalty

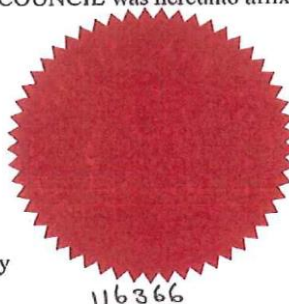
5. A person who is guilty of an offence under article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 13th day of February Two Thousand and Fourteen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this deed in the presence of: -



Authorised signatory



APPENDIX 2 (1)

Hi Vikki,

Do you feel it is appropriate for one person to walk more than 4 dogs? I feel 4 is an appropriate number to be able to take care of at one time,

Is it difficult to exercise more than 4 dogs? The groups we take are very well socialised and play lovely together but more than 4 would be too many to keep an eye on.

Do you feel that someone can be aware of where dogs are fouling and are able to clear up after more than 4 dogs effectively? No, 4 is enough to watch at one time.

Can someone who is walking more than 4 dogs deal with an emergency e.g. should a dog be attacked by a loose dog, or a dog in their charge run off? We had a dog run off recently and our protocol is to get all the others back on the lead, stay in the area for 10 minutes calling the missing dog, then return to our vehicle and see if the dog has returned there which on this occasion she had. We also call the owner to make them aware to stay near a phone in case someone calls the number on the ID tag and we inform dog warden and local vets in case she was handed in or found.

The loose dog situation is more of an issue, I was over Gospel Lane Park with a clients dog and we were chased by a loose staffy x pit bull, the owner wasn't in the park I suspect he had broken free from a garden, this is a bigger issue I feel as people do not keep their dogs safely enclosed and often see pit bull mixes that as far as I am aware are a banned breed, I personally feel tighter regulations on these dogs being bred would be useful but obviously it is a hard thing to police.

Do you have sufficient separate caging facilities in your vehicle to transport multiple dogs? We all have cages and doggy seat belts for proper restraining whilst travelling, we also make a habit of only taking a group out that we know will get along as we obviously do not want any fights between clients dogs.

Are you aware of commercial dog walkers who do not behave responsibly? know Gumtree has a lot of people advertising as private dog walkers and would be interested to know if these people are insured and have had sufficient dog experience to be able to take other peoples dogs out.

Have you had cause to complain about a commercial dog walker? No

Do you feel there is a need for commercial dog walkers to be regulated in some way, to ensure a minimum standard of practice or requirements e.g. insurance? I would think with the obvious laws i.e. no more than 4 dogs, ID tags worn, safely restrained when walking by roads then this should be enough but unfortunately as I mentioned previously the loose dogs we come across or the idiots with 'status dogs' who encourage their dogs to be aggressive are the ones causing the problems and how do you police that?

Kind regards
Branch Manager
XXXXXXXXXXXX
Mob: XXXXXX

Vikki

Do you feel it is appropriate for one person to walk more than 4 dogs? I do not think one person should be allowed to walk more than 4 dogs.

Is it difficult to exercise more than 4 dogs? Yes, if you want to do it properly.

Do you feel that someone can be aware of where dogs are fouling and are able to clear up after more than 4 dogs effectively? No.

Can someone who is walking more than 4 dogs deal with an emergency e.g. should a dog be attacked by a loose dog, or a dog in their charge run off? No.

Do you have sufficient separate caging facilities in your vehicle to transport multiple dogs? I only walk one at a time.

Are you aware of commercial dog walkers who do not behave responsibly? Yes, I have been told by current clients of other people being sent to house without owners knowledge and dogs not being walked for said time but charged for it and dogs being left in vans whilst others are walked if they prove 'difficult '.

Have you had cause to complain about a commercial dog walker? No and I wouldn't know who too.

Do you feel there is a need for commercial dog walkers to be regulated in some way, to ensure a minimum standard of practice or requirements e.g. insurance? Absolutely, but any reputable walker would have this anyway.

Are there any other comments you would like to make or areas of concern that you have?

Sent from my iPhone

APPENDIX 2 (3)

Hi Vikki

This is XXXXX I run XXXXXXXX Walking. I feel that as a dog walker 4 dogs is enough to walk at one time and to be in control of. I feel some dog walking companies see more about the amount of money they can make more than the safety aspect of walking multiple dogs. The dog walkers that I see that walk multiple dogs do have the correct facilities to transport them so I don't think that is too much of an issue.

Thanks XXXXX

Sent from Windows Mail

APPENDIX 2 (4)

Hello Vikki,

I feel 4 dogs is enough to do the job safely and to be responsible for what they do.

APPENDIX 2 (5)

Hi Vikki

Thank you for your email and I am more than happy to give my thoughts/views.

The new dog control order of reducing dogs walked together from 6 to 4 is a good one and does not affect my business in any way. The most dogs I walk at any one time is 3. My reasoning is (1) both mind and the dogs safety is paramount and I do not believe I would have full control over any more than 3-4 dogs at any one time (not matter how big/small the dog (2) I can only transport safely 3-4 dogs at a time and I have a van equipped with a large dog crate and also side separate access.

Although this business is not regulated I think it could be difficult and costly to enforce. I have public liability insurance and a CRB check which I show to all new customers which I believe is good practice. However, I would object to having to pay any further costs to be regulated by some organisation - this is not a high paid industry.

Couple of other points, there has been talk over several months to start charging for using public parks. This would have a massive impact on my business if it did happen as I do not feel I would be able to pass on the cost to customers.

I know this possibly comes under Walsall Council (if you can pass the info on) I see most mornings around 10am a couple (believe are dog breeders) letting 12-14 dogs loose at Barr Beacon park who have little control of the dogs and never pick up the dog mess. I was told by a 3rd party (not sure how true) they have been banned from Sutton Park.

Hope my input is of some use.

Regards

XXXXXXXXXX - XXXXXXX Birmingham.

APPENDIX 2 (6)

Hi Vikki,

No problem at all. I was aware of the changes and have no problem at all giving you my thoughts.

Do you feel it is appropriate for one person to walk more than 4 dogs? In my opinion no-one can exercise four or more dogs and have control of each dog on lead or off lead.

Is it difficult to exercise more than 4 dogs? Yes, on lead is very impractical, tangles etc. Off lead as above, lack of control and awareness.

Do you feel that someone can be aware of where dogs are fouling and are able to clear up after more than 4 dogs effectively? No, not at all, unless you have eight eyes.

Can someone who is walking more than 4 dogs deal with an emergency e.g. should a dog be attacked by a loose dog, or a dog in their charge run off? No, unless you are very lucky. If one of the four dogs is attacked or runs off the persons reactions would just agitate the other dogs, eg running, shouting etc etc

Do you have sufficient separate caging facilities in your vehicle to transport multiple dogs? I do.

Are you aware of commercial dog walkers who do not behave responsibly? I have witnessed it usually at Highbury Park.

Have you had cause to complain about a commercial dog walker? No.

Do you feel there is a need for commercial dog walkers to be regulated in some way, to ensure a minimum standard of practice or requirements e.g. insurance. Yes, I am fully insured and have insurance and am a registered company, should be a check of some sort in place.

Please feel free to contact me again at any time.

Regards XXXXXXXX

Sent from my iPad

APPENDIX 2 (7)

Hi Vikki

In my opinion, 4 (or less) dogs is perfectly reasonable for one person to walk at a time, when they are on a lead, however, if going onto public land and being off lead, 4 is not practical, the reasons being the fouling and safety issues. If all 4 dogs are off lead and fouling in different areas, not always possible to see all locations. If another dog approaches and the dogs with the walker scatter, it would not be easy to gather all 4 dogs. If the 'new' dog is attacking, then the priority of the walker would be to attempt to stop the attack, leaving the other dogs to roam.

I had experience recently when I was walking 3 dogs from the same family (all on leads) and a loose dog approached, intent on attacking all three. As the dogs I was walking were not big dogs, it was fairly easy to lift the two tiniest over a fence and then to gather the third, particularly as by shouting loudly, I had attracted attention from passers-by who chased the attacking dog away. If the dogs being walked were not on leads, the situation could have turned out quite differently.

Insurance is vital as if someone is being paid to look after/walk another person's dog, that makes them the responsible person should anything happen.

I very rarely take the dogs in my vehicle for exercise purposes and on the odd occasion that I have, they are in separate caged areas within the van.

Thanks and Kind regards

XXXXXXX

XXXXXXXXXXXXXXXXX Ltd

Tel: XXXXXXXXXXXXX

Mob: XXXXXXXXXXXXX

email: XXXXXXXXXXXXX

web: XXXXXXXXXXXXX

REFERRALS AVAILABLE XXXXXXXXXXXXX

APPENDIX 2 (8)

Dear Vikki,

Thank you for your email. Unfortunately, I was unable to attend the meeting but would like to respond.

1. Yes, I do feel it appropriate for one person to walk more than four dogs given their relationship with dogs, safety of situation and have adequate insurance.
2. I personally run sessions where we exercise 12 dogs at the same time however, there are 3 of us. Not all dogs are off lead and we have a system where each team member is responsible for their dog so the situation is controlled.
3. Yes, I do and in fact we pick up dog poo which has been left by other people.
4. Yes, however, a professional will make the right decision regarding their relationship with each dog and how all the dogs react together to make sure it is safe at all times. Taking into consideration size of breed, temperament etc. just because you can walk more than 4 dogs doesn't mean you should!
5. Yes, my vehicle has professional cages and I have a DEFRA licence.
6. I am not currently aware of any commercial dog walkers that act inappropriately.
7. No, I have never made a complaint.
8. Yes, I do believe commercial dog walkers should be regulated. I think it is really important that every company should have insurance and appropriate licences.

I hope that the information above has been of some use to you, however, should you need anything further please do not hesitate to contact me.

Kindest regards

XXXXXX

XXXXXX

XXXXXX

APPENDIX 2 (9)

Evening Vikki

5/6 dogs will give us that little bit of flexibility. I personally would NOT have 5/6 dogs off the lead if they were boisterous & have poor recall.

Currently with 4 dogs I mix personality where they are comfortable with each other & where their level of busyness is mixed too, so the walks are evenly balance, & enjoyable; I'm sure that the other walkers are doing the same as it would be too problematic to do it otherwise. I would do the same with 5/6.

Currently if necessary I will walk 4 dogs on the lead if their recall is poor.

Walking 6 dogs would be the extreme circumstance.

Currently with 4 I also mix dogs on & off the lead & it works fine. This enables me to control also where they do their business. They tend to relieve themselves in any case within 5 minutes or so after jumping out of the car.

This week I had to pick a dog poo off our drive. The culprit would have been on a lead & doubtfully walked by a professional walker. Good job I have an endless supply of poo bags :-).

I only carry small dogs so they are fine in the car; the larger ones I have will be walked from their house to the park & so no need to be carried in the car. I stay very local to Moseley & Kings Heath so the longest that the dogs will be in the car is about 1 mile or so.

About dogs being attacked, I guess 1 person walking 1 dog can be just as vulnerable as 1 person walking 2/3/4/5/6 dogs.

Regardless of how many dogs you have if they are confronted by a vicious dog that should not be off the lead, you stand very little chance. All my dogs are very friendly, the ones that are not so comfortable towards other dogs are walked on the lead & round the streets of Moseley / Kings Heath & so I remain in control of any possible unwanted situations. & my customers are happy with that as they know their dogs still get a good walk, sniff & remain safe.

I am fully insured but I can never afford to be complacent.

I have grown up with dogs which certainly doesn't make me an expert but I apply a lot of common sense & carefulness with all my dogs & I always have at the front of my mind the fact they are someone's baby.

Kind regards

XXXXX
XXXXXXX

Vikki

The answers to your questions are as follows:

Do you feel it is appropriate for one person to walk more than 4? (i) as a dog walker who has been doing it for 10 years the answer is yes. Providing the person is fully experienced in dog walking and also there should be an upper limit on the number of dogs that can be walked i.e. 6. Most dog walkers insurance set a limit of 6.

Is it difficult to exercise more than 4 dogs? (ii) This depends on the dogs under your control. Some dogs that are walked do not get on or cannot be let off the lead which can make it difficult to walk more than 4. It is the responsibility of the dog walker to determine this. The initial assessment with the owner will determine this. I have a helper who will walk singletons if they do not get on with other dogs. There are dogs I have been to see and after an assessment and have refused to walk.

Do you feel that someone can be aware of where dogs are fouling and are able to clear up after more than 4 dogs effectively? (iii) Once again it is the responsibility of the dog walker. Whether you have 1 or 6 you should be responsible for collecting dog poo.

Can someone who is walking more than 4 dogs deal with an emergency e.g. should a dog be attacked by a loose dog, or a dog in their charge run off? (iv) Dogs which are prone to run off should be kept on the lead that should be agreed with the initial assessment with the owner. As regards dogs attacks having experienced 3 over the past 10 years yes it is difficult to control but that can happen if you got 1 or 2 dogs. It should be the responsibility of the walker not to go to areas where one is likely to encounter vicious dogs. I personally got to areas where you have the space to move away if you encounter another walker.

Do you have sufficient separate caging facilities in your vehicle to transport multiple dogs? (v) I have van with cages split into 4 compartments. Though I make sure if 2 dogs are sharing a cage they get on. There have been incidents in the UK where dogs have attacked each other in the same cage.

Are you aware of commercial dog walkers who do not behave responsibly? (vi) I try to go where there are no dog walkers. Though there are more doing it now than when I first started.

Have you had cause to complain about a commercial dog walker? (vii) My gripe is I pay a yearly licence fee to board dogs. A lot of these commercial walkers advertise boarding and don't pay the fee. Also some say they are insured and not. I pay a lot of money out each year for van insurance, tax, dog walking insurance etc.

Do you feel there is a need for commercial dog walkers to be regulated in some way, to ensure a minimum standard of practice or requirements e.g. insurance. (viii) There is a need for some form of regulation as a result of the numbers of commercial dog walkers, I think some London Boroughs are now taking this stance. How you police this is another matter.

The only problem I tend to get is people who walk bitches on heat. If you want to potentially loose a dog having someone who has a bitch on heat nearby.

APPENDIX 2 (11)

Hi Vikki

I can see there are two sides to the dog control act, with my experience as a volunteer for the Blue Cross, I know how hard it is to control more than 4 dogs but as a dog walker, I can see the need to take out multiple dogs. I think if they want to take out multiple dogs they would need to get a licence from BCC and keep them on leads at all times and have place for the person so they can let off the dogs in this close area.

I would like to volunteer to become an animal welfare officer to help out as I do one 2 one dog walking around Birmingham and I observe offences that go unnoticed. I think the contact number for BCC for animal welfare should be on all welcome signs in the park. I would like to work together to make Birmingham best place to live and walk dogs and I hope soon to get more dog walkers to help out and their a eyes open. Also I was thinking of offering a check service for microchips and offer free microchip after April 2016.

From
XXXXXXX
XXXXXXX
XXXXXXX
XXXXXXX
XXXXXXX

APPENDIX 3

Response from Friends of the Park through Birmingham Open Space Forum:

Dog Control Orders - Birmingham

The question about Dog Control Orders was discussed at the BOSF Committee meeting and a number of the members did have comments that they would like to add:

Friends of Perry Hall Park

To open a dog walking business they must have...

Specialist Pet Business insurance, covering public liability, as a legal requirement before they walk their first dog. Perhaps they should register this with the parks department and the park they intend using in case of any incident there will be a record of the insurer handy.

Apart from that there don't seem to be any other legal requirements. It is suggested they have D.B.S - Disclosure and Barring Service, formerly known as the Criminal Records Bureau - A check is recommended, as this valuable document will reassure people of their good character. Also a Pet First Aid certificate is suggested, although not compulsory. A certificate will demonstrate their responsibility to the safety of dogs in their care. Don't know if parks could insist on that but could be noted if they have it, are on site and there is an incident they perhaps could help.

I agree four dogs, anymore and I doubt they could control and clean up after them.

We do have one of two people who come in but only walk between one and three dogs usually. They are friendly and no trouble. To charge might be difficult for the small individuals trying to make a living as they have vans to upkeep and probably only do a few local dogs so don't make a lot. If it is a big company with lots of people and dogs might be a different matter but it does seem to be a few locals trying to make a living. I think to charge as you would a club or organisation would be hard.

Apart from that I can't comment as we don't have an issue with it at Perry Hall

Westley Vale Millennium Green

Following this evening's meeting here are my thoughts re dog control orders :

As far as I'm aware there are no commercial dog walkers using out site. However, if there were then I do feel they should be charged for use of the facility however this will be very difficult to introduce/administer.

Four controlled dogs (whatever their size) per person is the absolute limit. I feel three is more than enough if they are let off the leads. Three loads of poo to clear up is also difficult if they all run off in different directions.....!

I agree that the responsible dog walkers (who hopefully influence others that are not so diligent) would be an asset to the local groups and should certainly be encouraged to join the group if possible.

We have a strange old easement attached to our Millennium Green which allows a local kennels to exercise their dogs on part of our land. They have been allowed to have a gate onto the area but also need to maintain their access point which is not being adhered to. BCC don't want to know about it but I feel sure if we were allowed to charge a fee for any exercising it might help us get certain issues solved.

Response from Birmingham Open Space Forum:

Hi Vikki

Yes, we did manage to discuss it and two of the group have sent me in their comments, which I enclose for you.

As a committee, it was agreed that a charge should be given if they are using the park for commercial purposes as all other groups who do the same are charged, so why would this be an exception to the rule? It was also stressed by XXXX that all the volunteer groups like the Friends of Cotteridge Park do follow BCC guidelines, fill out booking forms and make sure they have insurance and do risk assessments and work very hard to stick to them, so why should these people be let off.

The number of dogs does depend on the size of the dog and how much under control of the person they are, but too many would cause a problem and they all must clean up after their dogs, as this is a big problem across all open spaces. Is there any way to regulate this at all?

My personal thoughts on your questions are:

- I feel that one person could not easily control more than 4 dogs at a time, but it does depend on the size of the dog.
- If they are not responsible or in control then they should not be doing the job. If they are in control and clean up after themselves then they are a good example to other dog owners.
- I have no cause for complaint
- If these commercial dog walkers are making money walking the dogs, then they should pay for the use of the park, as other commercial bodies do.
- It would be good for the responsible walkers to be involved with the local groups, as they are regular users of the park.

I hope this gives you some response from local groups on this issue and if I get any more responses in I will forward them to you.

Thanks a lot for including us in this issue and we look forward to hearing the outcome.

Please let me know if there is anything we can do to help.

Thanks

MULTIPLE DOG WALKING LICENCE

CODE OF CONDUCT

The following Code of Conduct will be introduced as licence conditions for any multiple dog walker, who wishes to apply for a licence take more than four dogs onto the City's parks and open spaces to exercise their dogs:

- (a) A licence is required if a dog walker wishes to walk more than four dogs at any one time. Even with a licence, the maximum number of dogs that can be walked by an individual at any one time is limited to six.
- (b) All dogs shall be kept under tight control at all times.
- (c) All park and open spaces bye-laws or legislation in relation to dogs shall be strictly observed at all times.
- (d) All dogs shall wear suitable dog collars with separate identity tags at all times, displaying both the contact details of the multiple dog walker and the owner's name and address.
- (e) All dogs shall be kept on leads whilst in public car parks.
- (f) All multiple dog walkers shall carry sufficient and suitable 'poop scoop' dog fouling bags for the number of dogs that are being exercised.
- (g) All dog fouling waste shall be picked up and disposed of in the appropriate dog fouling bins.
- (h) All multiple dog walkers shall produce their multiple dog walking licence, on request from any Council Officer.
- (i) All multiple dog walkers shall provide evidence of suitable and sufficient public liability insurance, on request from any Council Officer.
- (j) All multiple dog walkers shall walk independently of each other. Contact with other multiple dog walkers shall be permissible, but dog walkers shall ensure that they meet only in a very open space.
- (k) When not meeting, all multiple dog walkers shall be responsible for avoiding other dog walkers using the Borough's parks and open spaces wherever possible and ensure that any such other dog walkers are given right of way at all times.
- (l) All multiple dog walkers shall be responsible for avoiding groups of children using the City's parks and open spaces wherever possible and

ensure that any such groups of children are given right of way at all times.

- (m) All multiple dog walkers shall be responsible for avoiding main public thoroughfares, choke points and narrow pathways wherever possible and ensure that members of the public are given right of way at all times.
- (n) All multiple dog walkers shall be responsible for reporting any persons breaching the code of conduct to Birmingham City Council's Dog Warden/Enforcement Officers.