



Belfast City Council

Report to: Health and Environmental Services Committee

Subject: **Consultation on Proposals to Change Dog Control Legislation**

Date: 18th January, 2010

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Relevant Background Information

In November 2007, following a number of high profile dog attacks and concerns that existing legislation governing the control of dogs had not had the desired effect, the Minister of Agriculture and Rural Development announced a wide-ranging review of all aspects of dog control in Northern Ireland. As part of the review the Minister met with a broad range of stakeholders, including Council officials, and has considered submissions from them. On 23 November 2009 the Department of Agriculture and Rural Development (DARD) subsequently published a consultation paper setting out proposals for changes to the legislation governing the control of dogs. Despite the wide-ranging nature of the review, the consultation does not cover dog fighting, dog breeding or dog fouling. Dog fouling was a specific issue which this Committee has raised with the Minister on a number of occasions.

The Minister claims that the review has highlighted a serious problem with dog attacks on people and she is concerned that there is a real risk that a child or a vulnerable adult could be killed or seriously injured or disfigured. She is also concerned about the unacceptable number of stray dogs compared to the south of Ireland, England, Scotland or Wales.

The consultation document asks a number of specific questions relating to proposed changes to legislation.

The Minister has proposed to:-

- support responsible dog ownership through compulsory micro-chipping and a more robust and effective dog licensing regime;
- focus on prevention through earlier intervention to reduce the number of dog attacks on people;
- make it an offence to allow a dog to attack another dog; and
- increase penalties for offences.

The Minister also proposes to increase the licence fee to £12.50 to meet a greater proportion of the costs of dog warden services but with specific incentives for responsible dog owners and protection for the elderly and those on benefits. A copy of the consultation document can be obtained from:

www.dardni.gov.uk/.../consultations/...consultations/dog-control-consultation.htm

Key Issues

The draft Council response to the Minister's proposals is specified in the attached document and the key issues are summarised below:-

- The consultation should address options related to dog fouling such as "having the means to lift and dispose of dog excrement while in control of a dog in a public place";
- The Council agrees that micro-chipping should be a compulsory condition of a dog licence, the cost of which should be borne by the dog owner;
- The Council considers that DARD should manage, or regulate management of, a statutory micro-chipping data base;
- The specification of control measures on licences for individual dogs would make enforcement difficult and resource intensive;
- The Council agrees that the licence fee should be increased in line with inflation with protection and concessions for certain vulnerable groups;
- In respect of dangerous dogs, DARD should not legislate by reference to breed but according to the likely degree of danger to the public;
- The Council agrees that fixed penalties for no licence and straying should be increased to £50 for each of these offences;
- The Council should be able to retain the income from fixed penalties to offset against the costs of working to promote responsible dog ownership whether through enforcement or other means;
- The Committee would caution against legislating to outlaw dog on dog attacks except in very specific cases, such as on guide dogs, as this would create significant enforcement difficulties.

Resource Implications

Financial

In 2008-2009, the Council issued 11,140 licences of which 651 were concessionary (concessionary licences at £2.50 are for people over 65 and living alone). As the standard licence fee is currently £5, this equates to income of £52,445 for full licences and £1,627 for concessionary licences making a total of £54,072.

Under the Department's proposed changes to the licence fee it is not possible to anticipate the impact of the proposed concessions in relation to people over 65, those on benefits and those whose dogs have been neutered as the Council does not currently hold all this information. As an estimate, however, if half the licences were at £12.50 this would provide £69,625 and if half of the remainder were at £5 this would provide a further £13,925 income making a total of £83,550, and providing additional annual income of around £30,000.

Est. additional annual income from proposed £50 Fixed Penalty for straying - £29,000

Est. additional annual income from proposed £50 Fixed Penalty for no licence - £8,500

Staff

Should changes be made to the licensing regime as suggested, there may be an increase in administration requirements. This would potentially have a small impact on administrative staffing levels, however, if this transpires, then a separate report will be brought to Committee.

Recommendation

It is recommended that the Committee agrees the attached draft response to the DARD consultation on proposals for changes to dog control legislation.

Decision Tracking

The Committee will be updated, as appropriate, on the progress of the legislative proposals. The Head of Environmental Health will submit the Council's response to DARD.

Key to Abbreviations

DARD - Department of Agriculture and Rural Development

Document Attached

Draft Committee response to the DARD consultation on proposals for changes to dog control legislation

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