

The legality and ability to enforce a dog ban in Edgewell Cemeteries and Highfield Park

On 19th February 2016 Prudhoe Town Council supported the recommendation of the Cemetery Sub Committee to ban dogs from Edgewell Cemeteries; this had always been the case in respect of Highfield Park.

The report of the Cemetery Meeting on 4th February 2016, the Planning, Contract and Works Committee on 10th February and the Ordinary Meeting of 19th February make clear that the advice given was that the law was already on the council's side in that dogs must be kept on a leash and that owners must be responsible and pick up after their dogs, in these public areas.

There appears to be confusion as to whether members believed that banning dogs was 'legal' and 'enforceable', however the decision was taken and the signs were replaced at Edgewell Cemeteries advising that dogs were not permitted and additional signs were put up in Highfield Park.

The Council did receive a letter of complaint regarding the banning of dogs from Edgewell Cemetery and a number of challenges have been made in both areas, but they have not been taken further.

The Local Authority (Northumberland County Council) is the only authority that can legally ban dogs from a public place and the following Public Spaces Protection Order (PSPO) was put in place on 30th January 2017:

Following the introduction of the Northumberland County Council (Dog Control) Public Spaces Protection Order order of 2017, throughout Northumberland dogs are not allowed in

- ***All enclosed children's play areas at any time of the year.***
- ***The section of beach at Newbiggin by the Sea from the breakwater at Church Point to the beach access from the promenade at Sidney Crescent, between 1st May to 30th September each year***
- ***The section of beach at Blyth from the beach access at Beachway to the beach access at the southern end of the Links Road car park, between 1st May to 30th September each year***

Therefore, the actual gated play areas of Highfield Park are included but the field is not. Cemeteries are not included in the ban.

Prudhoe Town Council can continue to display the signs but they are not enforceable and members of the public are at liberty to challenge them.

Alternatively, the Town Council can appeal to Northumberland County Council to have these areas included in the Public Spaces Protection Order but the following conditions must be proven:

- that allowing dogs into these areas has had a detrimental effect on the quality of life in the locality.
- that allowing dogs into these areas will continue to have a detrimental effect on the quality of life in the locality.
- that the detrimental effect is persistent and continuous and justifies the ban.

Liaison with Broomley & Stocksfield Parish Council clerk suggests that it would be very difficult since they are experiencing opposition to banning dogs from the sports field. Mike Jeffries has confirmed that it is unlikely that a dog ban will be put in place at Eastwood Park.

Everything is geared towards encouraging responsible dog owners.