

PROB ITEM 44

Rye Town Council

From: "Monika Partridge" <info@wisteriacorner.co.uk>
To: "Rye Council" <ryetowncouncil@btconnect.com>
Sent: 27 August 2011 16:30
Subject: Dog control
 Mrs. and Mrs. M. Partridge
 47 Ferry Road
 Rye
 East Sussex
 TN31 7DJ
 Tel. 01797 225011

Dear Rye Town Council,

Please see below incidents reported to the police regarding dogs out of control in Rye.

There is a significant problem with irresponsible dog ownership in this area.

We need a bye-law requiring dogs to be put on a lead in Tillingham Avenue where they are certain to come in contact with people (including children) without dogs, many of whom will be very frightened by the dogs. This would significantly reduce the number of dog attacks and dog nuisance in the area even if the law were not enforced in any way due to lack of funds. The police have indicated that this is a good idea enabling them to deal proactively with irresponsible dog owners. The signs would have a significant educational effect. Tillingham Avenue is not cluttered with signs and it is not "a burden" to responsible dog owners to put their dogs on leads when meeting people in public places. It is in no way "draconian" to expect dog owners to do this. It is required by law in all public places in Germany, France and Spain.

Yours sincerely
 Mr. and Mrs. Partridge

Email to the police:

We would like to report the following incidents:

Today at 3.15pm, 27th August 2011, we were attacked by a bull terrier, mainly white with black markings, in Rye Cemetery.

The owner was a blond lady, about 50 years old, wearing a thin beige coat.

She had a second larger dog which started to join the attack but stopped when the bull terrier stopped. (This dog was black and white. We believe it is a mongrel. Maybe cross collie/boxer. It was larger than a collie)

Both dogs were off the lead in the cemetery. It is clearly sign posted that dogs must be kept on the lead in the cemetery.

The bull terrier charged at us and jumped up so that its jaws were level with Mrs. Partridge's face. The dog scratched Mrs. Partridge's left arm.

Mr. Partridge pleaded with the owner to put her dogs on a lead and keep them under control.

She shouted "it's alright, it's only a puppy". It was not a puppy. It was young but fully grown. We repeated our pleas many times while the dog was jumping up. It was very threatening and frightening. The dog then jumped up in the same way at Mr. Partridge growling and barking. We were in great fear.

She said that we were making a fuss and that she does not have to put the dogs on a lead. We replied that this was incorrect and that she was liable for prosecution if caught.

We were so frightened that we diverted from our path and went home. Our legs were shaking and we felt sick with fear.

She continued to shout at us while we hurried away. She was not apologetic or at all concerned about our distress.

She then put the bull terrier on the lead but not the other dog.

This is not the first time that we have been attacked by dogs in this area. It seems to be increasingly common. On a previous occasion when we spoke to police they said that they can only act proactively to prevent these attacks from happening before they happen if there is a by-law requiring the use of a lead in this particular public place. However it is a legal requirement that dogs are kept under control in public places. Now that this dog owner has broken the law and the local bye-law, if she could be identified then the police could caution her.

The problem of dog owners making no attempt to control their dogs is a continuous problem where we live. We would also like to report 3 further incidents. All incidents took place at the dangerous junction between Ferry Road and Tillingham Avenue in Rye. In each case a dog was allowed to run freely in the road, risking a serious traffic accident:

1. Thursday the 4th August 2011 at 10.00am. A Staffordshire Bull Terrier with a male owner aged approximately 60
2. Friday the 12th August 2011 at 11.30am a medium sized mongrel, colour mainly brown, with a female owner aged around 40
3. Tuesday the 16th August 2011 at 5.00pm an Alsatian with a male owner aged approximately 45 years.

Please may we have crime numbers for all 4 incidents.

Yours sincerely
Mr. and Mrs. Partridge

Rye Town Council

From: "Rye Town Council" <ryetowncouncil@btconnect.com>
To: "Monika Partridge" <info@wisteriacorner.co.uk>
Sent: 16 June 2011 13:36
Subject: Re: Dog Control orders
Dear Mr Partridge

I am sorry to learn that you have experienced another dog attack.

The Highway Code specifies that dogs should be kept on a short lead on pavements and roads - or paths shared with cyclists or horse riders (eg bridleways). Generally, dogs do not have to be kept on leads on public paths other than pavements (such as a public footpath) as long as they are 'kept under close control'.

From your description it sounds as though the incident took place on the Environment Agency-owned access road on the periphery of the Reserve. This is not a public highway (I have checked with the County Council) and I recall that the Agency does not approve officially of it being used by cyclists. However, that does not excuse the owners of the Ridgeback who are legally responsible for any damage or injury it causes.

Rother District Council (RDC) does have a number of Dog Control Orders - one of which sets out where/when dogs must be kept on a lead. Rye Harbour Nature Reserve is not one of them. When the Order was being drafted RDC asked parish/town councils to tell it which areas they would like covered. I am not sure whether Icklesham Parish Council (within which the Reserve lies) put the Nature Reserve forward.

Although I accept that incidents involving dogs are probably much more common than people generally realise, I would not accept your comment that Rye Town Council is taking a 'head in the approach' - the Town Council participated in the drafting of all of RDC's Dog Control Orders.

Parish and Town Councils do have the power to make bylaws; however, in the case of dog control it was considered that to avoid duplication, inconsistencies and cost it would be preferable for District-wide Orders to be made in Rother

I will ensure your email is considered by the Town Councillors and will advise you of their thoughts in due course.

Yours sincerely

Richard Farhall
Rye Town Clerk

----- Original Message -----

From: Monika Partridge
To: ryetowncouncil@btconnect.com
Sent: Friday, June 10, 2011 2:14 PM
Subject: Dog Control orders

Mr. and Mrs. M. Partridge
47 Ferry Road
Rye
East Sussex
TN31 7DJ
10th June 2011

Dear Rye Town Council

I have been the victim of yet another dog attack in Rye Harbour on Sunday the 15th May 2011. I was cycling with my wife along the road parallel to the beach in the direction of Winchelsea Beach.

The owners of the dog were cycling in the opposite direction. The dog, a Rhodesian Ridgeback, was off the lead running in front of the owners and not controlled in any manner. The dog diverted from its path in order to attack me. The injury is deep and bled a lot.

The owners were not apologetic. In spite of the copious blood running down my leg the male owner behaved very aggressively when I moved to protect my wife and myself. The lady owner claimed that they were responsible dog owners.

I said that they should put their dog on a lead when they meet other people and that it is a legal requirement to keep dogs under control in public places. They said that they thought that this was totally unreasonable and were completely uninterested in my injury. I attach a photograph of my injury.

We reported the incident to the police. A Rhodesian Ridgeback is bred for hunting lions!

We then went to A&E at the Conquest hospital. The medical staff commented that they do not usually stitch dog bites because of the danger of infection, but because my injury was so very deep they gave me sutures. I have been given antibiotics and a tetanus injection. The nurse stressed that it was important for me to return for further examination because of the danger from infection.

I was treated by 2 nurses who commented that the treatment of dog attacks is becoming very common. They treat dog attack victims every day and in their view the wounds seem to be more and more serious. They do not ask whether they will treat the victim of a dog attack today, but rather, how many dog attack victims they will treat and how serious will the victim's injuries be this time?

This is not the first time that I have been attacked in the Rye Harbour Nature Reserve. I have also been attacked on the cycle paths and in Tillingham Avenue in Rye. I was unable to sleep for several nights due to the pain. The pain has been quite considerable and the injury is not healed yet. I have also lost money that I would have earned during the several times that I have attended hospital and GP surgery. When I saw my GP in Rye he commented that he has dealt with 4 other injuries caused by dogs this week alone. He described one of the incidents to me which he said also took place in Rye Harbour Nature Reserve.

There is a danger of dog attack on all the local footpaths but in particular in the Rye Harbour Nature Reserve. The dogs are simply not controlled although the roads are shared with numerous walkers and cyclists without dogs. When the dogs are allowed to run freely they are simply not controlled in any way. A controlled dog would be kept on a short lead and it could also be muzzled. At the moment many people like us feel unable to enjoy the Nature Reserve, cycle paths and foot paths because of the danger from dog attacks. This problem could easily be improved if there were signs explaining the rules for controlling the dogs.

I wrote to Rother District Council in April 2010 and to Rye Town Council following another previous dog attack in which I was injured.

On the issue of signage Richard Farhall, Rye Town Clerk, replied "*The area is the responsibility of Rother District Council. A - <<Please keep your dog under Control sign>> - would be advisory only and I suspect might be resisted by local interest groups and the Town Council.*"

Rother District Council wrote on the 3rd June 2011 that they "*empathise with the desire to see a reduction in the number of irresponsible dog owners and for dogs to be kept under control.*"

Mr. N. Dawson, Senior Environmental Health Officer also writes "*I, like you, believe that everyone should be free to enjoy the wonderful countryside without fear of being attacked by dogs or stepping in dog faeces.*"

"The location of the dog control orders was a matter of public consultation with the actual sites being identified by the various Town and Parish Councils. Where the order exists we are able to place signs

informing dog walkers that they must keep their dog on a lead and that they are liable to a fixed penalty notice or prosecution for failing to abide by the requirements of the order."

The Dangerous Dogs Act does require owners of dogs to keep them under proper control at all times in a public place, but this does not specify that this must be accomplished by the use of a lead and / or muzzle. I believe that such a legal definition is long overdue. The dogs can only be controlled by the use of a short lead or a muzzle. This represents no hardship to the dogs.

I thought I would list some costs involved in this one incident, as this aspect is often neglected when considering the issue:

The cost of the various trips (transport, time and loss of earnings) to receive medical attention,

A tetanus injection

A course of antibiotics

Saline solution

Antiseptic

Anaesthetic

2 syringes

2 sterile needles for injections

Sterile sowing needles and thread

Numerous sterile dressings

Bandages

Considerable time from 2 doctors, 3 nurses and 3 administration staff,

Considerable time on the part of the police with all of the expenses that this entails.

The reason why I am listing this is because one incident involves greater cost than a set of deterrent signs and I hope that this information will be useful when considering the need to take action.

It is no wonder that the doctors and nurses who are at the receiving end of the tip of the iceberg have such strong feelings that appropriate preventative action should be taken and that dog owners should be paying for the treatment of dog bites.

Speaking to the police about the incident we were told that dog attacks are very common. Both of the police that we spoke to had been bitten by dogs.

Dr. Barry Yates, manager of Rye Harbour Nature Reserve also expressed the view that in his experience this is an issue that needs attending to. He mentioned his own recent experience with other dogs.

The "head in the sand" approach of local interest groups and Rye Town Council to this important issue means that they are part of the problem and not part of the solution. Surely some signs are preferable to the extraordinary expense and suffering caused by regular dog attacks. It is no hardship for a dog to wear either a muzzle or be walked on a lead. A dog will quickly associate a lead and muzzle with going out for a walk and is pleased and excited when its owner reaches for these.

I frequently see dogs off the lead and not being controlled in any way, not only on footpaths and cycle paths but also in the roads in Tillingham Avenue and Ferry Road. I observe the owners attempting to use verbal commands to control their dogs with absolutely no success whatsoever. The dogs simply ignore their owners.

Dogs "thinking" is very simple because they do not employ symbols and therefore cannot be said to be reasoning. Some people attribute high intelligence to dogs, a principle recognised in the study of psychology and called Lloyd Morgan's Canon. Lloyd Morgan warns against reading human qualities into animal behaviour. Psychologists see such personification of animals as a modern throwback to primitive man's anthropomorphism, a self-centred tendency to see human motives at work in every natural object, organism and event. Dog behaviour should not be seen as motivated by the feelings animating Walt Disney's Pluto the Pup. It is completely pointless trying to reason with the dog and having a long conversation with it as to why it should not do the various things that it is doing which are nuisances or present a danger to people or to the dogs themselves.

I have witnessed a number of near accidents and an actual accident at the junction of Tillingham Avenue

and Ferry Road where dogs have run into Ferry Road. They were not on a lead.

We cannot understand how a responsible dog owner can object to putting their dog on a lead. Every time that I have been attacked by a dog, the dog owner has stated that the dog has not done it before. You cannot predict when a dog will attack someone or cause an accident. A responsible dog owner is aware of the possibilities of an attack or an accident and will prevent this by putting their dog on a lead. A well-fitting, properly designed muzzle will prevent a dog from biting. A short lead, used appropriately will prevent the dog causing traffic accidents or making a nuisance of itself.

Most people do not want to be sniffed by other peoples' dogs. The dog owners usually say "Don't worry, he will not bite you". Our local police man told us of a recent local incident when a dog bit off a part of a man's private parts. It's very unpleasant being sniffed even if you are not attacked.

Some dog owners cannot appreciate that other people do not feel the same way about their dog as they do. They show no concern for other peoples' safety or privacy and think that other people should love their dog the way that they do, even when their dog is being a nuisance.

Why are these people so reluctant to put their dog on a lead? For some owners we are quite certain that the owners are simply not able to control their dog on a lead. They have not made sufficient effort to train their dogs and to establish themselves as pack leader. These types of dog owners urgently need dog training classes. The dogs are then much easier to handle. The owners, the dogs and all the people that they meet would be much happier.

The only way that walkers and cyclists can be safe is to take a dog of their own to distract other dogs from them! The irresponsible dog owners who object to putting their dog on a lead in public places simply cannot appreciate what it is like for the people without dogs!

When one considers how regularly people are bitten and bothered by dogs, it seems very worthwhile to be proactive about the issue and negligent not to do so.

We implore you to include all public foot paths, cycle paths around Rye in the dog control orders and display signage requiring dog owners to keep their dogs on a short lead. In this way these areas could be enjoyed by everyone and not just dog owners.

The signage with regard to dog faeces has improved the situation enormously wherever they have been placed. Signs requiring dogs to be kept on a short lead would have the same effect.

Yours sincerely
Mr. and Partridge