

Introduction

A dog can become a nuisance when it barks excessively. The dog owner can be taken to court if he does nothing to stop the nuisance, and be prosecuted under Section 79 (1) (g) of the Environmental Protection Act 1990.

The only time barking can really be called reasonable is when the dog barks for acceptable reason i.e., when someone knocks on the owners door. Barking for long periods of time is not acceptable, especially during the night.

Why dogs bark

There are many reasons why a dog may bark but the most common causes are:

- loneliness,
- boredom and frustration,
- attention seeking,
- defending the territory
- medical reasons.

How to solve the problem

Most dogs bark when they are left alone and it is often the owner that is the last to know. You may find that the owner genuinely does not know that the problem exists.

Try approaching the dog owner in a friendly, neighbourly way, explaining with details what is happening. Try not to make the owner feel defensive. It may well be that the owner does not know how to cure the dog. If this

appears to be the case, suggest that they contact the Dog Warden for advice. The Dog Warden Service aims to help with ALL dog problems, not just the obvious ones.

What to do if the owner is unhelpful

The Council's Dog Wardens have to establish whether a statutory nuisance exists. Therefore it is helpful if you keep a diary noting the dates, times and duration of the barking. Contact the Dog Warden who will make a point of visiting the dog owner.

If the owner is unwilling to solve the problem voluntarily, a full investigation will then be carried out.

Legal action and alternatives

If an investigation proves a statutory noise nuisance exists the dog owner will be served a notice requiring the abatement of the barking. If they fail to comply with the notice, without reasonable excuse, they will be guilty of an offence and can be prosecuted.

You might wish to resolve the matter informally, and mediation could help work out a solution which is agreeable to yourself and the dog owner. Mediation is impartial, confidential, independent and free to residents in the Braintree district. Your local mediation service is:

SEAMS 01376 331511

What you can expect

Braintree District Council undertakes to:

- Respond within 3 working days to complaints about dogs.
- Make visits, at appropriate times, in an attempt to substantiate your complaint.
- Keep you informed about progress of the investigation.
- Advise you of the outcome of the investigation and action taken to resolve your complaint.

For all dog related problems
contact your Dog Warden

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Living next door to a barking dog



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