



Forest of Dean
— DISTRICT COUNCIL —

Press Release

Forest of Dean District Council
High Street, Coleford, GL16 8HG

31 August 2007

Post Conviction ASBO for Noisy Dogs' Owner

Nadia Carlyle of Dechmont Cottage, Lydbrook, Gloucestershire received a criminal conviction and was fined for failing to comply with a noise abatement notice following a prosecution by the Forest of Dean District Council on Thursday 30th August 2007.

Miss Carlyle pleaded guilty to three (3) breaches of the noise abatement notice under Section 80 of the Environmental Protection Act 1990 and was fined a total of £300.00 and was ordered to pay costs of £500.00 to the Council.

Environmental Protection Officers from the Forest of Dean District Council initially received complaints in March 2006 from local residents about excessive dog barking and howling noise from up to 30 dogs kept at Dechmont Cottage.

The premises were monitored by Officers and local residents and on 1st August 2006 a statutory noise nuisance was witnessed following which Miss Carlyle was served with a noise abatement notice. This required Miss Carlyle to exercise control over the dogs, to prevent the further recurrence of excessive barking and howling.

Between August 2006 and May 2007, it was witnessed that Miss Carlyle breached the notice on no less than five occasions to the detriment of local residents. These five offences were brought before Cheltenham Magistrates Court for prosecution whereupon Miss Carlyle initially pleaded guilty to three of the offences with the Council agreeing to offer no evidence to the remaining two.

In the light of the conviction, the Council requested that the Magistrates consider issuing a post conviction Anti-Social Behaviour Order. The Order was subsequently granted for a period of two years and allowed for Miss Carlyle to keep no more than two dogs of the same sex within the Forest of Dean District.

“The officers involved in the case devoted considerable time and effort trying to help Miss Carlyle understand what she was required to do to comply with the Notice. However, she did not communicate at all with the Officers despite repeated attempts to establish any form of dialogue. The noise persisted over a long period of time, and we felt that as Miss Carlyle was not responding, nor complying with the conditions of the notice, then there was no option but to commence prosecution proceedings for the protection of other local residents in Lydbrook” said Matt Kirby, Divisional Environmental Protection Officer for the Forest of Dean District Council.

Mr Kirby further went on to say that “We felt that the only way to practically control the excessive noise from dog barking and howling was to restrict the number of dogs kept by Miss Carlyle, and the post conviction Anti-Social Behaviour Order should secure this”.

“This is the first post conviction Anti-Social Behaviour Order of its kind in Gloucestershire.” Said Roger Garbett, Head of Environmental Health at the Council. “Whilst we will make every effort to assist people to comply with the law, we are quite prepared to take the necessary steps to protect the excellent quality of life our residents enjoy.”

ENDS

Notes to Editors

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