

## 1. PROHIBITED DOG AREA (CATHEDRAL SQUARE) DISPENSATION - MISS POLLY ESTER

<b>Officer responsible</b> Environmental Services Manager	<b>Author</b> Mark Vincent, Animal Control Team Leader, DDI 941-7041
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The purpose of this report is to consider a request from Mr Phillip Robinson for a dispensation from the Christchurch City Dog Control Bylaw 1997 to allow his dog to enter and remain in the prohibited area of Cathedral Square.

### BACKGROUND

On 29 May 2000 Mr Robinson adopted a female fox terrier dog from the Council's Animal Shelter at Metro Place, Bromley and named his newly acquired dog 'Polly'.

Mr Robinson soon realised that 'Polly' was no ordinary run of the mill pooch; in fact she was very talented and with little prompting could do a number of clever dog tricks. Mr Robinson, who has an eye for spotting talent, trained and perfected the dog's ability to complete these tricks and finally came up with an entertaining dog routine for all to admire.

Mr Robinson decided to promote this unique entertainment act further and on 8 March 2001 wrote to the Council requesting dispensation for his dog, now known as 'Miss Polly Ester', to be allowed to conduct their entertainment act in the prohibited area of Cathedral Square.

In 2001 the Council resolved:

- “● *That the Council grant Mr Robinson a six month dispensation trial period in accordance with clause 16 of the Christchurch City General bylaw 1990 to allow his dog 'Miss Polly Ester' to enter and remain in the prohibited area of Cathedral Square.*
- *That the dispensation apply for three days per week only, between the hours of 12.30pm and 3.30pm on the same days.*
- *That his dog be kept under control by a leash at all times between the hours of 12.30pm and 3.30pm unless actively involved in the entertainment act with Mr Robinson and that Mr Robinson ensure that all dog faeces be removed forthwith to ensure the area is kept clean.*
- *That the Team Leader Animal Control monitor the entertainment act's effects through the Environment Committee and assess the long-term implications of Mr Robinson's request, upon the completion of the six-month trial period.*
- *That the trial dispensation cease immediately should the Team Leader Animal Control have any concerns as to the act's continuation.”*

### CURRENT DISPENSATION APPLICATION

In Mr Robinson's recent request, he asks that the Council further extend this dispensation to allow his dog 'Miss Polly Ester' to enter and remain in the area of Cathedral Square for a further two years, and that the time be extended from 12 noon (currently 12.30pm) until 4pm (currently 3.30pm). No problems have arisen as a result of this dispensation and staff support Mr Robinson's request for an extension.

The Christchurch City Dog Control Bylaw 1997 prohibits dogs from entering or remaining upon any part of a prohibited dog area except as authorised by the Council by resolution. Cathedral Square is one of the prohibited dog areas.

Clause 16(1) of the Christchurch City General Bylaw 1990 provides that the Council may grant a dispensation from any bylaw to any person.

### Committee

- Recommendation:**
1. That Mr Robinson be granted dispensation in accordance with clause 16(1) of the Christchurch City General bylaw 1990 to allow his dog 'Miss Polly Ester' to enter and remain in the prohibited area of Cathedral Square for the purposes of entertainment for a further five years, namely from 1 August 2004 until 31 July 2009.

2. That the dispensation from the Christchurch City Dog Control Bylaw 1997 only apply for three days per week between the hours of 12 noon and 4pm on the same days.
3. That his dog be keep under control by a leash at all times between the hours of 12 noon and 4pm unless actively involved in the entertainment act with Mr Robinson and that Mr Robinson ensure that all dog faeces is removed forthwith to ensure the area is kept clean.
4. That the Council consider delegating to officers the ability to grant dispensations under the Dog Control Bylaw 1997 when the bylaw is next reviewed.