

Pollution Control and Animal Licensing Officer at South Hams District Council

Question I asked

We own two multiple dog welcoming holiday homes and have always welcomed all dogs of all breeds to stay, with XL bullies going on the exempted list I want to be sure that we are giving potential guests and guests who have already booked the correct advice regarding if their dogs can be muzzle and lead free in the gardens for both houses.

Each house's garden is just for our guest's exclusive use during their stay and no one else has access.

This is all the info I can get from the government www.gov.uk/guidance/prepare-for-the-ban-on-xl-bully-dogs#keeping_an_XL and it says

"kept on a lead and muzzled at all times when in public and kept in a secure place so it cannot escape"

What is the position for XL bullies regarding boundaries for gardens please? I am trying to establish if we have guests with dogs who are defined as exempted will be able to be lead and muzzle free in the gardens of either house as you can see the Dogs Trust have advised that I ask our local authority.

Response I was given on 20th Nov 2024

When looking at the interpretation of the term "public place" for the purposes of the Dangerous Dogs Act 1991, to which the XL Bully type will be added, it defines the term as "any street, road or other place (whether or not enclosed) to which the public have or are permitted to have access whether for payment or otherwise and includes the common parts of a building containing two or more separate dwellings".

Therefore, I would interpret that as, if the gardens are secure and for the sole use of the occupiers of the holiday accommodation, then you would not have to insist that owners muzzle and lead their dogs as it would not be considered a public place. They would however have to muzzle/lead the dogs in any communal areas on your premises if more than one household will have access to it.