

# Dog barking

## How to deal with the problem

**You have contacted the Council because noise from a neighbour's dog barking or noise from another type of animal in their care is giving you cause for concern.**

This guidance talks about noise from dog barking but this advice may also apply to other annoying or dangerous creatures which are under control of another person and which give rise to annoyance such as noise from geese or other domesticated birds.

**You may wish to try and remedy this problem by one of the following methods:**

- Talking to your neighbour calmly to advise them that noise from their dog barking is concerning you. Many people who contact the council with regard to dog barking are uncomfortable with doing this, as they do not want to fall out with their neighbour or for their neighbour to know that they are complaining. However, by speaking to the dog owner, the matter can be brought to their attention and addressed, without the dog owner feeling that they have been complained about to the authorities. For a number of reasons, it may not be possible for to speak to your neighbour. If this is the case, you may wish to put your complaint to them in writing, in polite terms, pointing out that the dog barking is causing annoyance and asking them to takes appropriate action. It is good practice to keep copies of correspondence for future reference.

If you would like some help to approach your neighbour about this issue, contact the Community Safety Officer Team on 0800 013 0076.



- Formal action under the Civic Government (Scotland) Act 1982. Section 49 allows aggrieved individuals to apply to the Justice of the Peace Court to make an order requiring the owner of any creature, causing annoyance to take steps to prevent this occurrence. This application is by way of a Petition to the court and a hearing takes place in which you will be required to present your case in court before a Justice of the Peace. If, after the hearing, the Court is satisfied that, by barking, the dog is giving you reasonable cause for annoyance, the court may make an order requiring the person keeping the dog to take such steps to prevent the annoyance from continuing. To take such an action, you will require to prepare a Petition and serve it on the owner/ keeper of the dog. Contained within this pack are details of how to prepare a Petition, including a sample form for guidance, and helpful hints and tips about evidence you may provide in court to support your case. In addition, blank forms which you can use to submit a Petition to the Justice of the Peace Court are included. Our Community Safety Office Team may be able to assist you with gathering evidence of the noise levels being experienced.