

Subject: Dog Fouling Task and Finish Group **Status:** For Publication

Report to: Cabinet **Date:** 15th April 2009

Report of: Overview and Scrutiny Management Board

Portfolio Environmental Services
Holder:

1. PURPOSE OF REPORT

- 1.1 To submit to Cabinet the recommendations of the Overview and Scrutiny Dog Fouling Task and Finish Group.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.
- Delivering Quality Services to Customers (Customers, Improvement)
 - Promoting Rossendale as a cracking place to live and visit (Economy)
 - Improving health and well being across the Borough (Health, Housing)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

- 4.1 As part of the Overview and Scrutiny Work Programme for 2008/09 it was agreed to look at Dog Fouling. A short lived Task and Finish group was established and had two meetings in November.
- 4.2 The Terms of Reference for the review were as follows –
- To identify problem areas throughout the Borough based on internal information eg complaints, local councillor awareness
 - To determine the role of Town Caretakers/litter pickers in relation to dog fouling

- To determine a way forward to educate and train the public
 - To identify what enforcement is in place
- 4.3 In scoping the review, the Task and Finish Group agreed to seek evidence from the Dog Warden, the Town Centre Caretakers, Area Manager and Area Officer. Information was received about the remit of the Town Centre Caretakers, the Dog Warden Service and the positive reward scheme and also received evidence on the number of complaints the Council received from both Councillors and the public.
- 4.4 The report of the Task and Finish Group is attached at Appendix A..

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 It is assumed that any financial implications arising from the report and its recommendations will be met from existing budget resources.

6. MONITORING OFFICER

- 6.1 No comments.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 No Human Resources implications arising from the report

8. CONCLUSION

- 8.1 That the Cabinet considers the report of the Task and Finish Group and the recommendations detailed within the report.

9. RECOMMENDATION(S)

- 9.1 That the Portfolio Holder for Communities and Neighbourhoods in consultation with the Communities Manager provide a response to the Dog Fouling Task and Finish Group recommendations listed as follows and report back to a future Cabinet meeting:

1. That the Council produces a Dog Fouling Policy.
2. That the Communities Team undertake a full review of the Dog Warden Service (this would not include in the out of hours service as this has already been tendered)
3. That once the Officers have received the Enforcement training, a press release be produced informing the public of the need to clean up after their dog or they could face a fixed penalty notice.

4. That the Communities Manager gives consideration to maintaining the 'Caught Doing Right' reward scheme to see if the budget for this can be maintained over a longer term.
5. That both Councillors and Town Centre Caretakers be provided with Caught Doing Right postcards to hand out to those members of the public that they see cleaning up after their dog.

10. CONSULTATION CARRIED OUT

10.1 Councillors
Neighbourhood Forums

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

Is an Equality Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

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SCRUTINY

REPORT OF THE DOG FOULING TASK AND FINISH GROUP

December 2008

Version Number:	2	Team:	Democratic
Date:	15.12.08	Issued:	
Approval Date:			

1. Purpose of the Report

To outline the findings of the Task and Finish Group, in relation to dog fouling throughout the Borough.

2. Background

- 2.1 Whilst developing its Work Programme for 2008/09, it was agreed that before a decision was made as to whether or not to establish a Task and Finish Group to look at dog fouling throughout the Borough, more information was required.

The Overview and Scrutiny Management Board, who set the Work Programme for the year, indicated that they would first like to meet with the Operations Manager, Communities, to discuss what was already happening and whether or not it would be appropriate to establish a Task and Finish Group.

Following their meeting it was agreed that a short Task and Finish Group should meet with the appropriate Officers to give the Members a brief overview of the issues.

- 2.2 The Task and Finish Group met twice before finalising their report in December 2008.

3. Membership of the Task and Finish Group and Terms of Reference

- 3.1 The Members of the Task and Finish Group were Councillor Thorne, Councillor Cheetham, Councillor Farrington, Councillor Morris, Councillor L. Barnes (Chair) and Councillor C. Pilling.

- 3.2 The Terms of Reference were as follows:

- To identify problem areas throughout the Borough based on internal information eg complaints, local councillor awareness
- To determine the role of the Town Caretakers/litter pickers
- To determine a way forward to raise awareness and educate the public
- To identify what enforcement was in place

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4. METHOD OF INVESTIGATION

In determining how to take the work forward and to ensure they consulted with all the necessary Officers, at its first meeting the Task and Finish Group agreed that the following people should be invited to a meeting:-

- The Dog Warden
- The Officer in Charge of the Town Centre Caretakers/litter pickers
- The Area Manager and Area Officer

5. FINDINGS

5.1 To identify problem areas throughout the Borough based on internal information eg complaints, local councillor awareness

Officers from the Communities Team provided information on the number of complaints which the Council had received over the last 5 years. Complaints had risen considerably over the last 12 months around all areas of the Borough, with a significant number of complaints from Councillors. But it was noted that the method of recording incidences on the 'Flare' computer software system meant that there were better statistics available.

Members raised concern that there was no enforcement at weekend or out of hours, which was due to budgetary considerations.

The public can leave messages on an answer machine and this is followed up by the appropriate members of staff.

5.2 To determine the role of the Town Centre Caretakers/litter pickers

There are four Town Centre Caretakers, one each for Waterfoot, Haslingden, Rawtenstall and Bacup. All have been in post since January 2008. Their role includes; litter picking, fly tipping, bins, dog fouling and minor painting work. They are also qualified in weed killing.

The Town Centre Caretakers explained that dog fouling was an issue and whilst walking around their areas each day they would clean up dog fouling on a regular basis.

If 'grot spots' were identified, they would take photographs, download them and forward them to the Dog Warden to follow-up.

Members asked what would happen in areas where there were no town centre caretakers and the Area Manager confirmed that there were arrangements in place for Operations to react to any incidences of dog fouling that were reported to them.

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There is a caretaker for Edenfield, who works one day a week – currently he spends half a day in Stubbins and half a day in Edenfield.

In Whitworth there is a full-time Caretaker employed by Whitworth Town Council, who has been in post since summer 2007. His main duties are to remove litter from all public areas around the village, and to report any problems back to the Town Clerk.

5.3 To identify what enforcement was in place

At the present time the only person who can enforce penalty notices for dog fouling is the Dog Warden, but training is being provided in January to the Town Centre Caretakers, Area Manager, Area Officers and Police Community Safety Officers (PCSOs).

The Council do more target monitoring of 'hot spots' but following the training in January, Officers would be more pro-active.

There is no enforcement out of hours or at weekends due to budgetary considerations.

5.4 The Dog Warden Service

This service aims to deal with a number of issues associated with dog ownership including:-

- Noisy dogs
- Aggressive dogs
- Dog fouling
- Straying dogs

The Dog (fouling of land) Act came into force on 1st May 1997. This Act means that it is illegal to fail to clear up after your dog if it fouls any land which is open to the air and to which the public have access. The penalty for contravening the Act is an "on the spot" fine of £50 or prosecution in the magistrates court which you could then incur a fine of up to £1000.

The Dog Warden service also deals with the enforcement of dog fouling legislation on designated highways. Dog fouling on the street can be removed fast and efficiently by contacting the Council.

If a stray dog is reported, the Council would provide a service for members of the public to take the dog to Aspen Valley in Oswaldtwistle.

Members asked that if they report a stray dog they would like feedback as to what has happened.

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The Council has initiated a positive reward scheme called 'Caught Doing Right', aimed at encouraging owners to clean up after their dog. Some Council Officers hand out postcards to Rossendale residents who are 'caught doing it right and carrying the bag'. Anyone witnessed taking positive action and cleaning up after their dog in a public place will be given a postcard which, if returned to the Council would be entered into a free draw to win a prize sponsored by a local business.

Members suggested that they should be provided with the postcards to enable them to hand them out in their wards to people they see cleaning up after their dog whilst walking their wards.

Officers indicated that additional budget would be required to maintain the reward scheme on a longer term.

5.5 Litter Bins

The Area Manager informed the Task and Finish Group that the Council would be phasing out dog bins and replacing these with normal litter bins with the "Pride in Rossendale" logo and a "dog fouling waste permitted" message on them. Ninety freestanding new bins will be provided in the borough before April 2009 and then the proposal is to look at providing new pole mounted bins to be phased in throughout 2009/10

5.6 Education

The Area Manager indicated that arrangements were being made to go into 10 primary schools and 2 High Schools in May-June 2009 to educate pupils on issues such as litter, dog fouling etc. Greenvale Homes are looking at getting involved in these visits to talk about the Respect agenda, which aims to ensure that local agencies tackle unacceptable behaviour and help build stronger local communities.

Members were informed that the Council does not have a separate Dog Fouling Policy, which they feel would be beneficial once more Officers are able to enforce fixed penalty notices to the public.

When members asked for a breakdown of the towns where complaints had been received, they were informed that they could not capture this information.

Although there is a separate out of hours contract for the service, it was felt that the whole Dog Warden Service needed to be reviewed.

Once all appropriate Officers have received enforcement training, it would be worthwhile for some media coverage to make it known to the public that they could be fined if they did not clean up after their dog.

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It was apparent that both Members and Town Centre Caretakers were not aware of the Caught Doing Right reward scheme and it would be beneficial if they could also hand out postcards to people they see cleaning up after their dog. They felt that consideration should be given by the Communities Manager to ensure that the scheme could be maintained on a longer term, to be met within existing budget.

6. RECOMMENDATIONS

1. That the Council produces a Dog Fouling Policy.
2. That the Communities Team undertake a full review of the Dog Warden Service (this would not include the out of hours service as this has already been tendered)
3. That once the Officers have received the Enforcement training, a press release be produced informing the public of the need to clean up after their dog or they could face a fixed penalty notice.
4. That the Communities Manager gives consideration to maintaining the Caught Doing Right reward scheme to see if the budget for this can be maintained over a longer term.
5. That both Councillors and Town Centre Caretakers be provided with Caught Doing Right postcards to hand out to those members of the public that they see cleaning up after their dog.

The Task and Finish Group would like to thank the following people for their contributions to this report.

Dave East, Dog Warden
 Jason Foster, Operations Manager
 Julie Jackson, Area Manager
 Claire Angus, Area Officer
 Town Centre Care Takers – Edward Whittle, Ghulam Ahmed, Susan Fagan and Paul Birt

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