



**OVERVIEW AND SCRUTINY'S REVIEW OF DOG  
FOULING TASK AND FINISH GROUP**

**PHASE 1**

## 1. BACKGROUND

The Pet Food Manufacturing Association (PFMA) indicates that in 2015, 8.5m owned dogs in the UK representing 24% of the UK households.

Whilst a vast majority of dog owners are responsible there are a small minority who allow their dogs to foul and do not take responsibility for this by clearing up. As a consequence, pavements, alleyways, parks, sports pitches can be blighted by dog mess, which is not only unpleasant but potentially dangerous, particularly to young children.

Dog faeces left anywhere can be a serious health risk. All faeces contains bacteria that can cause stomach upsets if ingested, however, the greatest risk to public health from dog faeces is toxocariasis - which can cause epilepsy, asthma and even blindness.

Local authorities spend millions of pounds each year clearing up dog mess and many communities are suffering the consequences of the minority of those irresponsible dog owners.

Dog fouling is a serious issue but is difficult to enforce.

## 2. INTRODUCTION

Following a presentation to Overview and Scrutiny by an Officer of the Council on the current level of service and enforcement activities around dog fouling in Rossendale, it was agreed that a review of the service was needed.

In 2009 Rossendale Borough Council adopted 4 Dog Control Orders (under Clean neighbourhoods and Environment Act 2005).

- **Fouling of Land by Dogs Order** – This Order makes it an offence for anyone in charge of a dog to fail to pick up the dog's faeces after allowing the dog to foul on any land in the open air, unless they have a reasonable excuse or the consent of the landowner.
- **Dogs on Leads Order** – This Order means that a person in charge of a dog is guilty of an offence if they do not have the dog on a lead in areas specified by the Order. These include Cemeteries, Allotments, Council Car Parks and Formal Gardens.
- **Dogs on Lead by Direction Order** – This means that an officer of the local authority can require a person in charge of a dog to put the dog on a lead if it is thought reasonably necessary to prevent a nuisance or behaviour by the dog which is likely to cause annoyance or disturbance by any other person or the worrying or disturbance of any animal or bird. Any person who fails to do so will be guilty of an offence.

- **Dog Exclusion Zone** – Dogs Exclusion zone - A person in charge of a dog will be guilty of an offence if they take or permit a dog to go on to and remain on land to which the order applies. This includes Children's Play Areas, Sports Facilities, Sports Pitches, Multi Use Games Areas, Bowling Greens, Tennis Courts, Skate Parks, Bike Tracks and Cemeteries.

### **3. TERMS OF REFERENCE**

At the first meeting a suggestion was made that it would be best to look at what the group wanted to achieve and consider the background information provided in order to define the terms of reference. The following issues/points were raised/discussed:

- Achieve fewer complaints/less contact from constituents as an outcome
- About people having a voice and being a part of this group
- Reduce the amount of negative feedback
- Reduce the amount of complaints
- To keep the issue separate to litter
- Identifying whose role within the Council this belonged to
- Enforcement was a major issue, it was important to know how problem areas were identified
- From constituents' complaints, it was noted that the main problem area was pavements as opposed to parks and other areas of open space. It was important to know who enforces these areas
- It would be useful to know which officers had the training and the number of officers that could enforce
- Professional dog walkers – this would be classed as a separate issue
- Option of a bag disposal unit to be located at key areas. It was noted that this had been trialled before and was unsuccessful as the bags were completely removed from the dispensers
- Press release in order to gain feedback from the public
- Dog exercise areas. It was noted that there was one at Clowbridge Reservoir in Burnley
- Exclusion zones were a good idea
- To ascertain what signage the Council currently use.
- Write to the professional dog walking groups to inform them of this group, to give them the opportunity to provide their views

### **4. WHAT WE FOUND OUT**

#### **4.1 GENERAL**

To ensure the task group were kept up to date on the issue and what the Council was doing, it was agreed to invite Officers from the Operations Team to attend the meeting to give members an insight of local issues. It transpired that one of the highest sources of complaints by the public to local councillors concern dog fouling but these complaints are not taken into

account in the formal complaints the council receives. Between April 2014 and March 2015, 22 complaints about dog fouling were made to the Operations Team directly.

- 4.2** Members also noted that there was a particular issue with some professional dog walkers as they take many dogs out at a time and could not possibly watch all the dogs and walkers could feel intimidated by a great number of dogs. A letter was sent on behalf of the group to the professional dog walkers around Rossendale and received responses from 3 of the 9 that we approached.

## **5. KEY AREAS FOR ACTION**

A number of areas that required action were agreed, some of these areas had already been identified by the Operations Team as a priority and information was brought to the group on how the Council would expedite these.

### **a) Education/Engagement /Responsibility**

A leaflet had been produced (attached as Appendix A) by the Operations Team and it was agreed that they should be sent to all households along with the refuse calendar.

It was suggested that the leaflet could be sent to local vets within the valley and hand out to customers who, as from April 2016 would have to have their dogs micro-chipped.

A further suggestion was made that laminated copies be distributed to all Councillors to allow them to target specific areas within their wards.

The Officer supporting the task group had produced a poster to circulate to all primary schools to encourage education from a young age (attached as Appendix B).

The task group heard that Stacksteads Countryside Park Group had secured funding to create a video aimed at Primary School in Stacksteads, covering issues such as litter, street cleansing and dog fouling. It was suggested that other groups could borrow the video to enable other primary schools throughout the Borough to educate and inform youngsters.

### **b) Intervention/Enforcement**

The report already highlights in Section 2 the different types of enforcement and the fact that as from April 2016 all dogs had to be micro-chipped. Therefore, a recommendation of the group should be

that if someone was caught not picking up dog fouling could the dog be scanned to find out the owners details and a letter be sent highlighting the fact that they could be fined. The Legal Officers within the Council are pursuing enforcement cases and this would benefit them immensely.

Dog Control Orders, now known as Public Space Protection Orders, (PSPOs) allow for signs to be erected in specific areas to highlight that dogs must be on a lead.

### **5.3 PROFESSIONAL DOG WALKERS**

As explained in 4.2, a letter was sent to the professional dog walker in the Borough and members felt that conflicting comments had been received in relation to dog poo bags/bins, indicating that some felt that the Council should provide this service and others disagreed that the responsibility was with the Council.

Having received comments from 3 professional dog walking companies, one indicated that formal registration/licensing would be ideal, with a requirement to prove insurance, have DBS checks and carry ID

Another comment received indicated that the number, placement and frequency of bins (general bins, not just dog poo bins) is a key factor to encourage people to pick up.

A further view queried why should the council have to provide for dog owners. However concern was raised due to the lack of enforcement officers on patrol.

Fundraising had previously enabled poo bags to be provided in some of parks, however, the dispensers were emptied almost immediately they had been filled and therefore had not been replaced.

### **5.4 CONTRACT WITH BURNLEY BOROUGH COUNCIL**

Between 2012 and 2014, options for delivery of the range of dog warden services were explored, both with partner local authorities and private companies. In 2014, a report was presented to Senior Management Team with options for delivery of the service in the future, focused around separate delivery of stray dog collection services and dog control order enforcement. It was then agreed that the Council should enter into a contract with Burnley Borough Council on a 12 month trial basis to deliver proactive Dog Control Order enforcement patrols for one full day every two weeks, at a cost of £4,875 per year.

The Contract with Burnley BC commenced in October 2014. Dog Control Order service requests are logged and then collated into those requiring a patrol and times of day and issued to Burnley Council. Burnley Council's enforcement officers carry out patrols on a rota basis and report back on their day's patrols and action taken, providing any intelligence gathered during the day requiring follow up work, e.g. further patrols, warning letters, signage.

Since starting the patrols on 16th October 2014, the following is a summary of the work carried out up until September 2015.

- 20 days of patrols (148 hours)
- 218 sites patrolled (including repeat sites)
- Average of 10 patrols carried out per day
- 3 fixed penalty notices issued – 2 for dogs off the lead in a cemetery and 1 for dog in an exclusion area (sports pitch).
- All fixed penalties paid within 14 days (discounted fine), £150 received.
- 1 caution issued for dog off lead
- 2 warnings given for suspected dog fouling – not witnessed

## **6. CONCLUSIONS**

- 6.1** More information should be made available on the Council's website highlighting PSPO and the fact that the public will be fined for allowing their dogs to foul on these areas.
- 6.2** It was accepted that providing additional dog bins was not the issue, it was the staffing costs of emptying these bins, due to budget restraints within the Council.
- 6.3** The Council's Legal Team were supportive of pursuing any enforcement cases.
- 6.4** The group were made aware that some people who allow their dog to walk without a lead were not approachable and could appear intimidating.
- 6.5** Dogs should be kept on a lead in town centres, cemeteries and parks.
- 6.6** Additional signage and the use of the stencil around the borough would remind dog walkers to pick up after their dog has fouled.

## **7. RECOMMENDATIONS**

- 7.1** That signs be erected in the Town Centres to reinforce the fact that dogs should be kept on a lead.

- 7.2** That education plays a key role in ensuring people pick up after their dogs and therefore, work should be undertaken with schools as highlighted in point **5a**.
- 7.3** That procedures and contact details of officers are identifiable when reporting dog fouling related issues.
- 7.4** That the website be looked at to ensure the information provided is clear and up to date with current legislation and contact details are included.
- 7.5** To encourage professional dog walker to adhere to the guidelines of the code of conduct provided by the Professional Dog Walking Association.
- 7.6** To encourage members to contact the Operations Team to inform them of Dog Fouling hot spots so that the stencil can be used and/or signs erected.
- 7.7** Due to the change of Management within the Operational Services, it was unclear at this stage what the new manager would want to propose, if anything, for this service. It was therefore agreed that before any further work is undertaken by the group, a period of 3 months should be given for the manager to be in post and then the group would revisit this piece of work, seeking further information on budgets and internal structures.