

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
THE TASK AND FINISH GROUP – GOVERNANCE AND PARTNERSHIPS	COMMUNITY OUTLOOK SCRUTINY COMMITTEE	17 SEPTEMBER 2009	6

## DOG FOULING – TASK AND FINISH REVIEW

### Public Item

This item is for consideration in the public part of the meeting

### Summary

A request for scrutiny was submitted to the Scrutiny Management Board in March 2009 regarding the topic of dog fouling, and in particular how it was enforced. It was decided to appoint a Task and Finish Group to investigate and to seek to establish tangible outcomes. This report details the work and conclusions of the Group.

### Recommendations

1. That Cabinet should consider the purchase of identified equipment which will support existing and future Dog Warden/Enforcement staff.
2. That the council adopts a co-ordinated approach to reduce dog-fouling by the introduction of Dog Control Orders under the Cleaner Neighbourhoods and Environment Act, alongside recognised promotional campaigns.
3. That a dedicated Enforcement Officer be appointed at the earliest opportunity.
4. That responsible officers should improve publicity and undertake public consultation with regards to the Cleaner Neighbourhoods and Environment Act.
5. That the council should install additional signage, and improve existing signage in key areas, especially along the promenade and on the approach to beaches and open spaces so that public are aware of restrictions and penalties.

Continued...

6. That the Litter Bin/Dog Bin replacement programme is implemented as soon as possible through the use of efficiency and service savings.
7. That Cabinet endorse the proposal to draw up a timetable of, and allocate resources to, the renewal of Dog Fouling & Dogs on Lead signs on lamp posts.

#### **Alternative options considered and rejected**

Not applicable, as this is the report of a Task and Finish Group

#### **Cabinet Portfolio**

The item falls within the following Cabinet portfolio:

Environmental Wellbeing - Councillor David Eaves

#### **Report**

#### **Background**

1. In March 2009, the Scrutiny Management Board received a Request for Scrutiny from Cllr Tony Ford, regarding dog fouling issues, as a result of bad press publicity and complaints from residents. He asked for the matter to be looked at in more detail.
2. The request covered several points including that there was a public perception that insufficient enforcement was being undertaken - the number of complaints from residents has remained at the same high level for two consecutive years. There were also points raised around the effectiveness/workability of the existing dog bins, insufficient bins and the frequency with which they were emptied.
3. It was additionally noted that the level of dog-fouling may prevent the council from gaining awards such as Green Flag, Quality Coast Award, Classic Resort Status in the future.
4. The Scrutiny Management Board considered and scored the request and came to the conclusion that this was a high priority issue which merited that the matter should go straight to a Task and Finish Group which would ultimately report to the Community Outlook Scrutiny Committee.

#### **Report**

5. The Group consulted with a range of officers who have concerns and responsibilities regarding the subject of control of dogs. The issues surrounding Dog Control Orders, and in what ways they differ from the old byelaws was explained to the Group.

A consultation exercise is underway in respect of Dog Control Orders, which form part of the Cleaner Neighbourhoods and Environment Act.

6. Evidence collected by the Task & Finish Group from various sources indicated: -

### **Prosecutions**

7. There have only been a very small number of prosecutions. Fylde Borough Council staff have to spend a disproportionate amount of time on paperwork/administration before the matter can go to court. Cases going through the Magistrates' Court see the fines accruing to the court system and Fylde Borough Council makes no financial gain.
8. The use of Fixed Penalty Notices (FPNs) arising from the introduction of Dog Control Orders would see income from fines coming back to the council to fund further enforcement and service provision, and is therefore to be encouraged.

### **Staffing**

9. The Dog Warden Service is responsible for enforcing all aspects of the Dangerous Dogs Act, Dog Fouling and Land Act and the Control of Dogs on Roads Order. In addition they have to enforce the Freckleton Dogs on Leads area, the Dog Exclusion Zone and all bye-laws within the borough, together with the collection and detention of any stray dog and transportation to the official pound in Poulton.
10. Currently there are two dog wardens working a total of just 48 hours per week. The staff work Monday to Friday. Paid overtime is not an option under the present budget constraints. Therefore, any extra hours worked at weekends and Bank Holidays have to be taken as TOIL during weekday hours, which affects the overall availability of the wardens and the viability of the service.

***There are insufficient staff to patrol the borough, to undertake effective enforcement under present bye-laws and to do the job effectively.***

11. Four other Fylde Borough Council officers are authorised to issue FPNs. In addition, twenty-four Police and Community Support Officers (PCSOs) are authorised to issue Penalty Notices but with the exception of one FBC officer, no other tickets have been issued. A lack of remuneration and a range of administrative reasons regarding authorisations are cited. The committee may wish to consider whether they also want to formulate a recommendation which would encourage PCSOs to use their powers to assist in enforcement.
12. The LSP Community Warden has just taken up his post and will have the powers to issue Fixed Penalties for Dog Fouling.
13. In the view of the Task and Finish Group, there is a need for improved reporting and monitoring, and a review of roles and titles. It seems that a lack of clear lines of responsibility prevents more effective work being undertaken to enforce penalties against dog fouling.

## Resources

14. Existing staff do not have appropriate equipment (i.e. video & digital still cameras, binoculars, PDAs) to enable them to quickly and efficiently collect evidence to support prosecutions.
15. Money spent on cleaning up dog mess could be better spent on providing services for local people if only more dog owners acted responsibly and cleaned up after their pets. More pro-active and high-profile enforcement would act as a deterrent.

## Dog Bins

16. Currently FBC has approximately 200 dedicated dog waste bins and 600 litter bins. New waste collection arrangements from 2010 mean that in order to provide an affordable and effective service, waste (ordinary litter and dog waste) will have to be mixed. In this way the council can avoid the costly recycling of waste from dedicated dog waste bins.

Therefore the intention is that dog waste bins will be phased out and replaced by litter bins. This will increase the number of litter bins available overall by about 200.

FBC are to re-designate all of the existing litter and dog bins as 'Litter Bins' with a sticker on the front to advise the public that bagged dog waste can be deposited in the bin. This will increase the number of bins available for depositing dog waste by 400%.

17. The Task and Finish Group were advised that an LCC directive has been issued that dog waste bins attached to lamp posts have to be removed. The council is still negotiating with LCC over this issue.
18. Options exist to use unused funds to support the purchase of replacement bins. With improved collaboration and rationalisation across departments it is estimated that there will be cost and efficiency savings to fund the purchase of the additional bins in the short term, resulting in the provision of a better service across the borough.

## Signage & Publicity

19. It was felt that there was insufficient signage of the right size to inform the public about restricted dog-walking areas, especially along the promenade, on the approach to beach access points and by public open spaces. More signs are needed. They need to be larger/more obvious, better located and provide a clearer indication/explanation regarding the council's approach to and sanction for dog fouling.

Faded and broken '**Dog Fouling**' and '**Dogs on Leads**' signs on lamp standards and at the entrance to public open spaces need replacing.

20. Significantly more work needs to be undertaken to publicise the council's intentions across a range of media and formats so that the general public and dog owners support proposals and actions. The adverse media coverage of objections resulting from the consultation regarding Dog Control Orders needs addressing through improved public relations, clearer public messages and meetings with residents so that the public are better informed and more likely to support actions by the council. Higher profile needs to be given to campaigns such as Pooch/Scoop and 'Bag it tie it bin it' etc.

## Conclusion

21. The conclusion of the Task and Finish Group is that a co-ordinated effort needs to be made to encourage the public to comply with existing bye-laws, and the new Dog Control Orders. This effort needs to be targeted at much improved signage, better availability of waste bins, information and publicity, and enforcement against those who act in an anti-social way by neglecting or refusing to pick up, bag, and bin their pets' waste.

IMPLICATIONS	
Finance	There are no implications arising directly from this report
Legal	There are no legal implications arising directly from this report
Community Safety	There are no implications arising directly from this report
Human Rights and Equalities	There are no implications arising directly from this report
Sustainability	There are no implications arising directly from this report
Health & Safety and Risk Management	There are no implications arising directly from this report

Report Author	Tel	Date	Doc ID
CLlr Tony Ford		11 September 2009	3.0 Dog Fouling TF Review

List of Background Papers		
Name of document	Date	Location