

Report of a Scrutiny Panel on the topic:

DOG FOULING IN THE BOROUGH



Panel Membership:

Councillor Mrs J Lockwood (Chair)
Councillor N Collingridge
Councillor J Dickinson
Councillor C McCormack

For further information on this report, please contact Paul Preston, Overview & Scrutiny Officer, Hyndburn Borough Council (01254) 380129

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1. EXECUTIVE SUMMARY

A Scrutiny Panel was set up in January, 2007 with the remit to undertake a scrutiny on dog fouling in the Borough and report back its findings to the March 2007 meeting of the Communities & Well-Being Overview & Scrutiny Sub-Committee.

Following changes to the Overview & Scrutiny Procedure Rules made by Council at its meeting held on 19th September, 2006, each Overview & Scrutiny Sub-Committee is now allowed to appoint one Scrutiny Panel (a time limited Task and Finish Group) at any time and to determine the Panel's terms of reference, size, membership and duration (provided that the composition of the Scrutiny Panel is the same as the political balance of the Sub-Committee which appointed it).

The Communities & Well-Being Overview & Scrutiny Sub-Committee gave consideration to the appointment of a Scrutiny Panel at its meeting held on 17th January, 2007. At that meeting, a suggestion from Councillor Collingridge for a Panel to be appointed to undertake a scrutiny on dog fouling in the Borough was approved by the Sub-Committee.

The Communities & Well-Being Overview & Scrutiny Sub-Committee agreed a politically balanced membership of two Conservative Members (Councillors Dickinson & Mrs Lockwood); 1 Labour Member (Councillor McCormack) and 1 Independent Member (Councillor Collingridge) to serve on this Scrutiny Panel. Councillor Mrs Lockwood was appointed Chair at the Scrutiny Panel's first meeting.

Scrutiny Panel Members received a Project Plan in February, 2007 outlining details including the terms of reference; objectives; information and timescales for the undertaking of this scrutiny on the topic of dog fouling in the Borough.

The Panel met on four occasions. An inaugural meeting was held on 14th February, 2007 to approve the Project Plan and agree the consultation process and methodology for this scrutiny on the topic of Dog Fouling in the Borough. A second meeting was held on 22nd February, 2007 which received verbal submissions and written evidence from Steve Todd, Chief Environmental Services Officer and Tony Akrigg, Environmental Protection Manager, Hyndburn Borough Council. Research information on this scrutiny topic obtained by a Panel Member from other Local Authorities was also circulated at this meeting. At the third meeting of the Panel held on 1st March, 2007, the Panel received a verbal submission from Steve Wood of K9 (Euro) Ltd (the Contracted Dog Warden to Hyndburn Borough Council) together with further research information obtained by a Panel Member on this scrutiny topic. At this meeting, the Panel also considered their findings and formulated a number of recommendations based on their findings. A fourth and final meeting of the Scrutiny Panel was held on 13th March, 2007 whereby the Panel considered and approved their final report outlining their findings and detailing their recommendations on this Scrutiny topic.

A summary of the findings of the Scrutiny Panel, based on the evidence / verbal submissions / research it received, is included in Section 3 of this report.

Section 4 of the report explains the key factors emerging from the Witness/Documentary/Research evidence considered by the Scrutiny Panel during the course of its work.

The Panel's final recommendations are set out at Section 5 of the report.

These recommendations will now be submitted to the Communities & Well-Being Overview & Scrutiny Sub-Committee meeting scheduled to be held on Tuesday 20th March, 2007 for consideration and approval. Agreed recommendations will then be presented to Cabinet and/or Council as appropriate.

2. INTRODUCTION, TERMS OF REFERENCE AND METHODOLOGY

Background to the Review

The Communities & Well-Being Overview and Scrutiny Sub-Committee, at its meeting held on 17th January, 2007 agreed to the inclusion of this topic in their 2006/2007 Work Programme.

The need for such a review had arisen following a request from an Overview and Scrutiny Councillor who had outlined his reasons and concerns on the topic of Dog Fouling in the Borough.

The Communities & Well-Being Overview and Scrutiny Sub-Committee also noted that one of the Cabinet's identified Priorities in the 2006/2007 was to focus on Environmental Protection matters (which incorporated dog fouling issues). The Panel was also aware that the Controlling Group on the Council had approved an allocation of funding to the Area Councils to help tackle the growing problem of Dog Fouling in the Borough.

As a result, following a meeting of the Communities & Well-Being Overview and Scrutiny Sub-Committee held on 17th January, 2007, it was decided to appoint a Scrutiny Panel to assess the current situation relating to Dog Fouling in the Borough and ascertain what future actions were required.

Terms of Reference of the Scrutiny on Dog Fouling in the Borough

The meeting of the Communities & Well-Being Overview and Scrutiny Sub-Committee held on 17th January, 2007 agreed the terms of reference of this Scrutiny Panel as follows:

1. To undertake a scrutiny on the topic of Dog Fouling in the Borough.
2. To present a report on the Scrutiny Panel's findings to the meeting of the Communities and Well-Being Overview and Scrutiny Sub-Committee to be held in March 2007.

Establishment of Scrutiny Panel

It was decided to establish a Panel of four Non-Cabinet Members to carry out the scrutiny review and report back to the meeting of the Communities & Well-Being Overview and Scrutiny Sub-Committee. All four Non-Cabinet Members appointed to the Scrutiny Panel were Members of the Council's Overview and Scrutiny Committee.

The Scrutiny Panel was also politically balanced, as required by Hyndburn's Constitution.

Meetings of the Scrutiny Panel

The Panel met on four occasions. An inaugural meeting was held on 14th February, 2007; a second meeting on 22nd February, 2007; a third meeting on 1st March, 2007; and a fourth (final) meeting was held on 13th March, 2007.

The Panel received verbal contributions from three persons in total at the meetings held on 22nd February and 1st March, 2007 (Appendix A lists all the witness submissions/evidence considered by the Panel).

The Overview & Scrutiny Officer acted as Clerk and provided research support to the Scrutiny Panel.

The Scrutiny Panel, at its third meeting held on 1st March, 2007 assessed all the evidence received, reached its conclusions and formulated recommendations. A draft final report was then produced which was considered and agreed by the Scrutiny Panel at its meeting held on 13th March, 2007.

Modus Operandi

At the first meeting of the Scrutiny Panel held on 14th February, 2007, as part of their Project Plan, the Chair with other Panel Members agreed the method of working they would adopt.

Thanks

The Scrutiny Panel would like to record its thanks to the individuals / organisations and Council Officers who took part in the consultation on this scrutiny topic.

The Scrutiny Panel would also like to express its appreciation and thanks to the undermentioned individuals who contributed their time and expertise during the information gathering stage of the process:-

Steve Todd, Chief Environmental Services Officer, Hyndburn Borough Council.

Tony Akrigg, Environmental Protection Manager, Hyndburn Borough Council.

Steve Wood, K9 (Euro) Ltd (Contracted Dog Warden to Hyndburn Borough Council).

Ms J Carroll, Senior Enforcement Officer, Environmental Health Department, Barrow-in-Furness Borough Council.

3. THE PANEL'S MAIN FINDINGS

3.1 Local Context – Evidence Considered

The Scrutiny Panel in considering the local context for this scrutiny topic, identified the Council's Environmental Services and the contracted Dog Warden Service (provided by K9 Dog Warden Service) for evidence gathering purposes; and determined to seek their views on the matter of Dog Fouling in the Borough in order to assess the current situation and ascertain what future actions were required. The Panel was aware that one of identified Priorities for 2006/2007 of the Controlling Group of Hyndburn Borough Council was to focus on Environmental Protection matters (which incorporated dog fouling issues). The Panel noted that the Controlling Group had allocated £20,000 funding to the Area Councils to help tackle the growing problem of Dog Fouling in the Borough. The Panel also ascertained that following enquiries made by Members at a meeting of the Resources Overview & Scrutiny Sub-Committee held on 15th January, 2007, the Council had subsequently managed to obtain £8,000 in funding from the Community Safety Partnership to fund the work needed in relation to dog fouling problems in the Borough and that the Chief Finance Officer had indicated that the original £20,000 initially put into this area by the Council was expected to be returned to reserves by the year end.

3.2 Regional & National Context – Evidence Considered

The Scrutiny Panel in considering the regional and national context for this scrutiny topic, and as background information, reviewed and considered a number of leaflets/posters that had been used by other Local Authorities in undertaking anti-dog fouling campaigns.

The Panel also considered research information provided by a Member of the Panel, with specific reference to an example of a highly focussed and successful educational, poster and enforcement anti-dog fouling campaign undertaken by Barrow-in-Furness Borough Council. The Panel also reviewed an Information leaflet for the public entitled "tackling dog fouling in the Borough – A Problem for everyone" produced by Ribble Valley Borough Council. Further research in this matter included reviewing website information produced by ENCAMS (www.encams.org) on Dog Fouling & the Law; Barnsley MBC (Dog Fouling, AV's, Flytipping & litter and an Envirocrime scene document); Exeter City Council – Combat Dog Fouling On-Line Document; Blyth Valley Borough Council – Task & Finish Group on Dog Fouling; information from the Improvement & Development Agency (IDE&A) detailing dog and other animal primary faeces primary legislation; and Defra – Environmental Protection – Local Environmental Quality: Dog Byelaws.

4. FACTORS EMERGING FROM THE WITNESS/DOCUMENTARY EVIDENCE CONSIDERED BY THE SCRUTINY PANEL

The Scrutiny Panel reviewed and examined in detail witness/documentary evidence submitted on the current issues relating to Dog Fouling in the Borough and considered a number of factors emerging from the Scrutiny on this topic. These are discussed below. The Panel's recommendations are summarised in section 5 of the report.

- 4.1** The Chief Environmental Services Officer and the Environmental Protection Manager, Hyndburn Borough Council reported that the dog warden service was provided by tender and the current holder was K9 (Euro) Ltd which was contracted to provide a suitably qualified dog warden as per an agreed work rota.
- 4.2** The contracted duties of the Dog Warden included daily tours of inspection; collection of stray dogs plus associated administration; investigation of stray dogs worrying livestock; liaison with Police over stray dogs; collection of bodies of dogs or cats found dead on a highway or in a public place; school visits to demonstrate the benefits of responsible dog ownership; enforcement of dog related laws plus erection of signage, including dog fouling; to assist in the prosecution of offenders; to assist under Emergency Planning to deal with any outbreak of rabies in the Borough; and the kennelling service provision plus associated administration.
- 4.3** Budgetary provision for the Dog Warden Service is included within the Environmental Services Budget. This budget provision provides for the basic Dog Warden service as per the agreed contract. The Panel also noted that the service was greatly added to by the further pro-active work carried out by the current Dog Warden. Additionally, other areas of work of note were presentations that had been given to Area Councils on the Clean Neighbourhoods & Environment Act during 2006 centering on the new provisions contained in the Act in relation to Dog Control Orders (DCO's) and exclusion of dogs/dogs on leads etc. Replacement of the Dogs (Fouling of Land) Act 1996 with the new Dog Control order had also been highlighted.
- 4.4** The educational work undertaken by the Dog Warden Service on responsible dog ownership, particularly in the Primary Schools in the Borough was found to be very worthwhile. It had resulted in informative discussions in raising awareness and promoting the message of responsible dog ownership.
- 4.5** In terms of enforcement, the provision and use of a high tech portable telephoto camera for enforcement work and evidence gathering purposes by the Dog Warden service had proved extremely successful. It was also noted that a number of Police Community Support Officers had recently been authorised to serve Fixed Penalty Notices (FPN's) for Dog Fouling and had been provided with Hyndburn Borough Council Dog Fouling ticketing books.

- 4.6** In terms of publicity and education, examples of good practice obtained from other Local Authorities had demonstrated the positive effects of targeted and sustained educational leaflet/poster anti-dog fouling campaigns, combined with high profile enforcement and prosecutions for dog fouling offences. This had not only raised the awareness of the health hazards/problems associated with dog fouling; but resulted in positive publicity of the work of the Local Authority in undertaking its Community Leadership role in pro-actively tackling the problem of dog fouling in an area.
- 4.7** Extra funding was applied for through the Community Safety Partnership (CSP) with an original £8,000 for dog fouling enforcement. This funding from the Community Safety Partnership has had positive results in the high profile enforcement of target areas at weekends and evenings resulting in 47 Fixed Penalty Notices (FPN's) being served during the period 1st April, 2006 to 19th February, 2007 inclusive. A further £5,000 was applied for (£3,000 for enforcement and £2,000 for cameras, including replacement CCTV cameras). A further £6,000 was then found from Area Council budgets to be spent in March/April, 2007.
- 4.8** In terms of funding, research with other Local Authorities had found an example of a sponsorship scheme with a local business in exchange for advertising on dog fouling bags and that the income generated from such sponsorship was used to devote greater resources to that Local Authority's dog warden service.
- 4.9** In terms of funding, the Panel welcomed the funding provided by the Community Safety Partnership (CSP) during the current Financial Year and felt that the possibility of obtaining further funding for the Dog Control Service from the CSP for the 2007/2008 financial year and beyond should be explored. Additionally, it was also felt that further enquiries should be made as to whether any other external sources of funding were available to support dog fouling reduction work in the Borough.
- 4.10** In terms of education/publicity, it was also agreed that consideration should be given to improving Residents awareness/coverage of the important work being undertaken by the Dog Warden Service, including on the Council's website and by further enhancing links with the local media in promoting the positive educational and enforcement work undertaken by the Dog Warden Service at Hyndburn Borough Council.

5. THE SCRUTINY PANEL'S RECOMMENDATIONS

RECOMMENDATION 1:

PUBLICITY/EDUCATION:- That consideration be given to undertaking a high profile anti-dog fouling leaflet/poster campaign in the Borough.

RECOMMENDATION 2:

PUBLICITY/EDUCATION:- That consideration be given to a targeted anti-dog fouling education programme in the Primary Schools in the Borough promoting responsible dog ownership in conjunction with the proposed high profile anti-dog fouling leaflet/poster campaign.

RECOMMENDATION 3:

PUBLICITY/EDUCATION:- That consideration be given to improving Residents awareness/coverage of the important work undertaken by the Dog Warden Service on the Council's website and by further enhancing the links with the local media in promoting the positive educational and enforcement work undertaken by the Dog Warden service in Hyndburn.

RECOMMENDATION 4:

ENFORCEMENT/FUNDING- That consideration be given to the Council purchasing a further portable digital camera (with a high zoom lens for distance work) for use by the Dog Warden Service.

RECOMMENDATION 5:

ENFORCEMENT/FUNDING:- That consideration be given to the Council purchasing several digital cameras for use by Police Community Support Officers (PCSO's) with the specific primary purpose of gathering evidence for use in dog fouling enforcement / prosecutions cases.

RECOMMENDATION 6:

FUNDING:- That the possibility of obtaining further funding from the Community Safety Partnership for the 2007/08 financial year and beyond be explored and that enquiries be made as to whether any other external sources of funding are available to support dog fouling reduction work in the Borough.

RECOMMENDATION 7:

FUNDING:- That consideration be given to the possibility of introducing an appropriate sponsorship scheme(s) with local business(es) in exchange for advertising on dog fouling bags in the Borough. Income generated from such sponsorship to be used to devote greater resources to the Dog Control Service.

The Scrutiny Panel requests that the Chief Environmental Services Officer reports back to the Communities & Well-Being Overview & Scrutiny Sub-Committee upon progress made in achieving the above recommendations six months from the date this report is considered by Cabinet.

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APPENDIX 'A': List of Evidence Considered by the Panel

Written/Research evidence:

1. Report of the Blyth Valley Sustainable Communities Review Commission Task & Finish Group – Dog Fouling in the Blyth Valley – October 2004.
2. Barrow-in-Furness Borough Council Anti-Dog Fouling Campaign website information and information provided by the Senior Enforcement Officer, Environmental Health Department, Barrow-in-Furness Borough Council. Copies of Posters/Leaflets used in their anti-dog fouling campaign by Barrow-in-Furness Borough Council.
3. Ribble Valley Borough Council – Information Leaflet for the Public – “Tackling Dog Fouling in the Borough – A problem for everyone”.
4. Extract from the Improvement & Development Agency (IDE&A) detailing dog and other animal faeces primary legislation – website information.
5. Defra – Environmental Protection – Local Environmental Quality: Dog Byelaws – website information.
6. Barnsley MBC – Dog Fouling, AV's, Fly-tipping and litter and Envirocrime Scene website information documents.
7. Exeter City Council – Combat Dog Fouling On-Line document.
8. ENCAMS – Dog Fouling & the Law website information.
9. Background information submitted by the Chief Environmental Services Officer and the Environmental Protection Manager including details of Budgets & Funding; enforcement work and further/on-going Initiatives – Dog Warden Service. Details of Dog Fouling Complaints 2004-2006 K9 Dog Warden Service Duty Rota – Hyndburn Council – December 2006; and Dog Warden – Additional Pro-Active work: January – December, 2006

Verbal evidence:

The Panel considered verbal evidence from the following witnesses:-

10. Steve Todd, Chief Environmental Services Officer, Hyndburn Borough Council
11. Tony Akrigg, Environmental Protection Manager, Hyndburn Borough Council
12. Steve Wood, Contracted Dog Warden, Hyndburn Borough Council