

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 17 June 2014

BY: Depute Chief Executive - Partnerships and Community Services

SUBJECT: Dog Fouling Enforcement Update

1 PURPOSE

This report provides the Committee with an update on dog fouling enforcement activities and complaints during the period April 2013 to March 2014.

2 RECOMMENDATIONS

- 2.1 The Committee is requested to note the content of this report.

3 BACKGROUND

- 3.1 Members called for a report on the number of dog fouling complaints received by the Council and the level of enforcement activities and fixed penalty fines issued.
- 3.2 The Council currently has one designated Amenity Protection Officer (APO) with primary responsibility for enforcement of dog fouling legislation and one budgeted for vacant post of Amenity Protection Assistant (APA). Within the Safer Communities Team all of the Community Wardens are also authorised to issue Fixed Penalty Fines to offenders as are a number of Amenity Services staff. However, these duties are in addition to their substantive roles and only result in occasional fines following ad hoc witnessing of an offence rather than programmed enforcement patrols or direct response to witnessed offences.
- 3.3 As a result of the Council restructure, on 29 November 2014, the Safer Communities Team transferred under the management of the Customer Services Team and the post of Amenity Protection Officer was transferred into the Safer Communities Team with effect from 1 December 2013. An Assistant post to the Amenity Protection Officer is due to be transferred in the near future. This will allow greater

opportunity for co-ordinated working between those officers and the Community Wardens.

- 3.4 Since February 2004 the Council has issued a total of 197 Fixed Penalty Fines for dog fouling, 7 of which were issued during the period April 13 to March 14. 8 of these fines have been issued by the Police, the remainder by Council officers. The Police and Council officers do undertake joint enforcement patrols when resources allow and in response to specific requests from CAPS groups.
- 3.5 In the period April 13 to March 14 the Council recorded 175 complaints of dog fouling being present on public open spaces and a further 172 reports through Dogwatch of witnessed offences. However, most of the Dogwatch reports failed to carry sufficient information to allow the case to be investigated through to fixed penalty or warning letter issue.
- 3.6 In April 2011 the Council also took on responsibility for enforcement of legislation relating to the Control of Dogs (Scotland) Act. This legislation requires the Council to investigate claims of dangerous or out of control dogs that have or may cause injury or alarm to members of the public. Given the potential implications of failing to deliver an effective service in this regard, the APO has had to prioritise this responsibility over dog fouling enforcement.
- 3.7 The Council currently has 31 active Dog Control Notices / Agreements in place with owners of dogs deemed to require specific controls. All of these have required detailed investigation and continued monitoring for compliance, leading to a detrimental impact on time available to enforce dog fouling legislation.
- 3.8 Accurate statistical analysis of the scale of dog fouling problems is impossible to deliver as the analysis has to recognise that, in line with any actual reduction of the problem is an equal and opposite reduction in public tolerance. Results from the Keep Scotland Beautiful - Local Environment Audit Management System (LEAMS) show the number of sampled transects of pavement in the County with a presence of dog fouling to have gradually fallen from a high of 26% in 2003 to a current average of 7%. Anecdotal evidence from officers following up on complaints and servicing bins suggest a significant swing from presence on the ground to bagged deposits in litter bins and where a presence is noted on the ground this is light and occasional.
- 3.9 Further anecdotal evidence suggest that the problem of dog fouling in urban areas falls significantly during the summer months and complaints rise during the period of dark evenings. This reinforces the belief that most dog owners know their legal and moral responsibilities but are less likely to demonstrate good dog ownership when there is less likelihood of their being witnessed offending.
- 3.10 The Dogwatch initiative launched by the Council in 2010 has allowed a co-ordinated approach towards signage, enforcement and reporting to be delivered however, the online reporting vehicle does need reviewed to

ensure the quality of data submitted by the public will produce better intelligence leading more efficient allocation of staff resource to areas of greatest need.

- 3.11 During May 2014 the Council procured a variety of different types of publicity material relating to the Dogwatch initiative. These include banners, posters, stickers and key rings. During the summer months it is the intention of the Safer Communities Team to set up a marquee and stall at various community events and in areas where a high incidence of dog fouling has been reported.
- 3.12 The Council is also investigating the possibility of providing a free micro-chipping service for dog owners. The micro-chip would allow officers to trace the owner of stray dogs.

4 POLICY IMPLICATIONS

- 4.1 None

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - None
- 6.2 Personnel - None
- 6.3 Other – None

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