

**Committee:** Scrutiny

**Agenda Item**

**Date:** 6 February 2014

**8**

**Title:** **Dog fouling**

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Item for information

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## Summary

1. The committee requested a report enabling it:
  - a. To establish what the current dog bin service is, how this is operated and how many bins we currently have.
  - b. To understand why some parts of Uttlesford have a district council-run system and some have a town/parish provision.
  - c. To ascertain what the costs are for the provision of the UDC service and if this is sustainable.
  - d. To establish the procedure for replacing old/damaged bins and installing new bins if required.
  - e. To understand what the current reporting procedures and campaigns are and if they have had any impact on the prevention of dog fouling.
  - f. To find out what dog control signage is currently offered and if this is effective.
  - g. To understand what happens to current offenders, what the current penalties are and if these are effective.
  
2. This report is intended to address that request.

## Recommendations

3. For information only

## Financial Implications

4. None

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

**Impact**

6.

Communication/Consultation	Limited representation is received on this issue, as indicated in the body of the report
Community Safety	
Equalities	
Health and Safety	Dog fouling is a public health issue
Human Rights/Legal Implications	
Sustainability	Dog fouling detracts from the environmental quality of public spaces
Ward-specific impacts	
Workforce/Workplace	

**Situation**

7. The provision and servicing of dog bins should be considered in the broader context of initiatives to address fouling of public spaces by dogs. This includes trying to raise awareness that fouling is problem, and getting dog owners to keep public spaces clean by removing dog waste. This can be done through initiatives to change behaviours, persuading owners to take waste home with them for disposal in their residual domestic waste bin and action to enforcement the law (Dogs (Fouling of Land) Act 1996).

Issue a): To establish what the current dog bin service is, how this is operated and how many bins we currently have

8. In the past, dog bins have been supplied to Parish Council’s through the Animal Warden, with the Parish being recharged for the cost of providing the bin/s (£110 incl. VAT). Bins are then regularly emptied by Street Services as part of the district council’s street cleansing operations. There are approximately 250 dog bins provided by the district council in this way throughout the District.

9. Servicing an ever growing number of dog bins in response to community requests however diverts resources from other aspects of street cleansing, in particular litter picking. Dog bins are essentially unnecessary as dog waste can be disposed in litter bins or householders’ residual domestic waste bins if dog walkers can be persuaded to carry the bagged waste home with them rather than to a dog waste bin. Unfortunately provision of dog bins does not necessarily persuade walkers to clear up after their dog and consequently can be of limited effectiveness in dealing with the main issue.

Issue b): To understand why some parts of Uttlesford have a district council-run system and some have a town/parish provision

10. The district council has been taking a selective approach to requests for additional bins and limited further provision to sites with a significant fouling problem where a new bin can be readily emptied, such as close to a road which is cleaned of litter relatively frequently. Where town and parish councils have nevertheless locally felt they wish to provide bins, they have supplemented any district council facilities, entering into their own contracts for supply and emptying these bins. This has happened in some newer parts of Uttlesford such as Priors Green and Flitch Green. Some Parishes consequently have both contracted bins and older bins emptied by UDC Street Services. New bins are generally not being installed unless contracted by a Parish. There is a local company which supplies this service.

Issue c): To ascertain what the costs are for the provision of the UDC service and if this is sustainable

11. The costs of dog waste collection are covered by the street cleansing budget, which also includes pavement sweeping, gully sweeping and litter picking. Street cleansing is not disaggregated for budget estimate or monitoring purposes. The direct expenditure budget in 2013/14 is £386,200.

Issue d): To establish the procedure for replacing old/damaged bins and installing new bins if required

12. Old or damaged bins (serviced by UDC) are replaced and the costs recharged (as before) to each Parish. A small stock of dog bins is held for this purpose at Shire Hill.

Issue e): To understand what the current reporting procedures and campaigns are and if they have had any impact on the prevention of dog fouling

13. The Animal Warden relies on members of the public to report instances of dog fouling and, if the culprit can be identified, a warning letter can be issued. While dog fouling is an issue that causes public disquiet and attracts media interest, the actual number of complaints made to Environmental Health is in fact quite low.
14. Reported incidences of fouling are passed to Street Services for a clean up to be carried out where possible.
15. About 2 to 3 calls are received a week especially in the winter regarding dog fouling but most are advisory calls stating where fouling has occurred rather than offers from members of the public willing or able to make an official report and of an incident and provide evidence. These calls are followed up by the Animal Warden and if she detects a problem area, or is asked to visit and post notices or leaflet drop, then she records the call as a complaint. For the year 2012/13, there were 24 recorded complaints, with 12 owners being identified and letters sent out. The remaining complaints had no culprit identified. Street Services raised 6 requests/tickets last year relating to cleaning dog mess but it is acknowledged that this probably under records the situation as other instances will have been passed directly to the street cleaner at the time.
16. 2013/14 has seen a similar number of complaints so far and 11 letters have been sent out by way of warning.

17. Information on dog fouling and the control of dogs including how to make a complaint is published on the Council's website at <http://www.uttlesford.gov.uk/article/1986/Areas-of-Environmental-Enforcement>
18. Recent campaigns (2013) have included a poster competition in local schools. While the number of schools and posters entered was small (two primary schools and 12 posters) it did result in the winning poster being used in Thaxted and a radio interview by Essex Radio about fouling in 'Dog Poo Alley'.
19. Patrols of 'hotspots' are carried out weekly by the Animal Warden but it is almost impossible to be in the right place at the right time when covering the whole District.
20. Dog poop scoop bags are available free of charge from the Saffron Walden Offices, Thaxted CIC and Dunmow Library. We usually supply around 40,000 bags a year at a cost to the Council of approximately £600 pa. The rationale for providing free bags on a regular basis on request may be an issue that the Committee wishes to consider.

Issue f): To find out what dog control signage is currently offered and if this is effective

21. Signage is mainly provided in the form of adhesive 'No Fouling' signs that can be used on metal lamp posts, and these can be effective. Where these cannot be used, laminated A4 posters are provided but are affected by fading, vandalism and the weather. Consequently they need replacing on a regular basis and as such are not as effective.
22. Where regular complaints or hotspots are identified, a local signage campaign and leafleting of dog walkers and neighbouring residents is carried out. Anti-dog fouling information has also been promoted at events attended by the Animal Warden such as micro-chipping events and Fun days or Road shows organised by the council or outside organisations.

Issue g): To understand what happens to current offenders, what the current penalties are and if these are effective

23. Fixed Penalty Notices can be served for failing to clean up dog fouling in a dog control area but require the incident to be witnessed either by an officer authorised to issue FPNs, or a signed statement to be obtained from a witness prepared if necessary to take part in magistrate court proceedings. Authorised staff have been trained to issue Fixed Penalty Notices. Unfortunately though the likelihood of an officer directly witnessing an incident is low. Designated Dog Control Areas in Uttlesford comprise:

All land within the administrative area of the District of Uttlesford which is open to the air, including covered land which is open to the air on at least one side, and to which the public are entitled or permitted to have access with or without payment, and which falls within the following categories and descriptions:-

- a. All carriageways with a speed limit of 40 mph or less;
- b. All footpaths, verges and land adjacent carriageways with a speed limit of 40 mph or less;
- c. All public footpaths, and land adjacent to public footpaths, and any other footpath, footway, walkway, access way, back street, road or

carriageway whether privately maintained or adopted to which the public have access

24. The Fixed Penalty Notice fine is £75.00 (reduced to £40 for prompt payment). No such Notices for failing to clean up dog fouling have been issued in 2013/14. If a FPN is issued and not accepted, or if there are circumstances which would justify it, a prosecution could be brought which carries a fine of up to £1000.
25. Further information on dog control orders and environmental enforcement is published on the council's website at <http://www.uttlesford.gov.uk/article/1986/Areas-of-Environmental-Enforcement> and <http://www.uttlesford.gov.uk/dogcontrolorder>

### Risk Analysis

26.

Risk	Likelihood	Impact	Mitigating actions
None			

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.