

DOG FOULING

1 PURPOSE OF REPORT

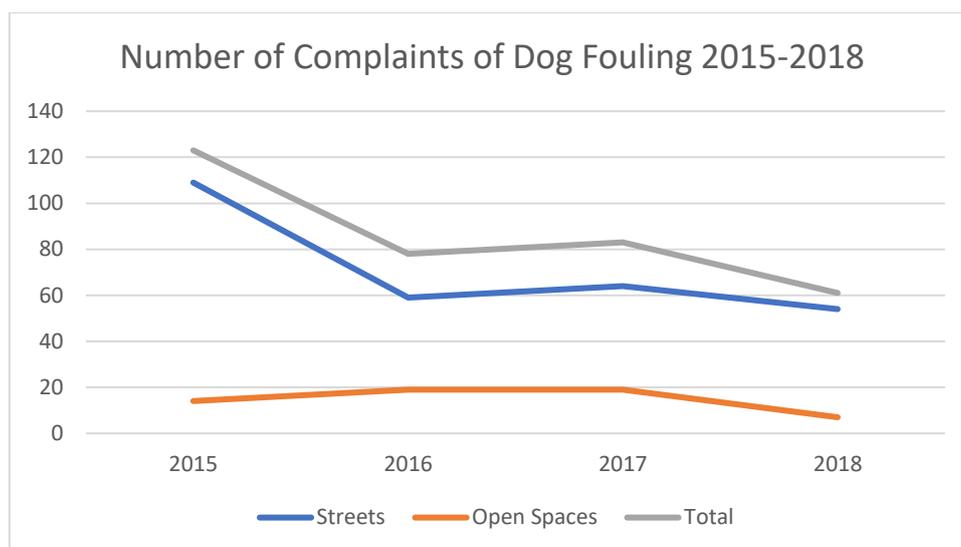
- 1.1 Following a request from the Review Committee, this report updates Members on the issue of dog fouling in the District and ways in which it could be reduced.

2 INTRODUCTION

- 2.1 Keep Britain Tidy (2016) research states that dog fouling is the most unacceptable and offensive type of litter for the UK public. A survey of 2000 UK dog owners found that 47% of adults think dog fouling is one of the most annoying things they experience in public places, and they find instances of dog fouling more annoying than litter, pollution, traffic and smoking. Nearly a quarter of UK residents (24%) find dog fouling in their local city, town or village at least once a day, and 72% experience this once a week, with only 2% of UK adults said they never find dog fouling in their local area.
- 2.2 The table below sets out the number of complaints logged with the Council over the period 2015 to 2018, further broken down into the numbers for those related to the Highways and to Open Spaces.

Year	Number of Complaints		Total
	Highway	Open Spaces	
2015	109	14	123
2016	59	19	78
2017	64	19	83
2018*	54	7	61

*2018 data is incomplete - only up to 11 December



- 2.3 There is a marked decline in the number of dog fouling complaints from 2016 onwards, attributed mainly to a reduction in complaints of dog fouling on the public highway, but the number of complaints relating to Open Spaces has remained constant, but relatively low.
- 2.4 There is no obvious operational reason for the reduction in complaints; the cleansing regime has not altered, therefore, it may be attributed to a genuine drop in complaints, public apathy towards reporting such incidents or, possibly, a failure to capture and record these complaints.

Reducing levels of Dog Fouling

- 2.5 There are three main approaches to reducing incidents of dog fouling; these are: site cleansing; enforcement; and/or education. Each approach is discussed below.

3 Site Cleansing

- 3.1 The frequency of cleansing visits, equipment available, and the nature of the surface being cleaned will determine the effectiveness of the cleansing regime.
- 3.2 Street cleansing is undertaken by the Council's appointed contractor, Suez, who are responsible for the removal of dog fouling upon metalled surfaces, such as the pathways and roads that make up the public highway. The frequency of the visits is determined by a predefined schedule where priority is given to areas with a history of hotspots for detritus and litter, or that have a higher footfall, such as shopping areas or main roads.
- 3.3 Invariably, there is a build up of detritus between visits, and this can also potentially consist of dog faeces. Where specific complaints are made by the public to the Council, the contractor will deploy a small team to address these complaints.

- 3.4 In open spaces, the Council's LATCo, Green Gateway, is responsible for the maintenance of the parks. There is limited ability to cleanse non-metalled surfaces or transport away dog faeces in an efficient and practical manner due to lack of vehicular access across sites.
- 3.5 Usually, removal of dog faeces is only undertaken for specific incidents, such as complaints relating to play spaces, or in preparation for a football match.

4 Enforcement

- 4.1 Previously, the Council made Dog Control Orders that came into force on 11 August 2008. These Orders were rescinded in November 2017 and new Orders ("2014 Act Orders") were created under the Antisocial Behaviour, Crime and Policing Act 2014. In that period, no Fixed Penalty Charges were issued, or prosecutions undertaken, relating to dog fouling. It should be noted that the Council did not have any specific resource for dog-fouling enforcement at that time.
- 4.2 Public Space Protection Orders (PSPOs) can be created under the Antisocial Behaviour, Crime and Policing Act 2014 and are intended to deal with any nuisances or problems in a defined area that are detrimental to the local community's quality of life. They can help by giving local authorities and police additional powers to tackle anti-social behaviour. The aim is to stop individuals or groups committing anti-social behaviour in public spaces by introducing restrictions on the use of an area.
- 4.3 Of the five 2014 Act Orders introduced by the Council in November 2017, four related to the control of dogs and dog fouling (the remaining order related to congregation of vehicles in Websters Way car park). These orders are summarised below:
- Dog Fouling - If a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land.
 - Dogs on leads in specified areas - you must keep your dog on a lead at all times in specified areas, for example, adjacent to roads.
 - Dog exclusion in specified areas - it is an offence to allow a dog onto Rochford District Council owned land which has been designated to exclude dogs:
 - All fenced children's playgrounds and areas which are designated and marked for children's play
 - All fenced games areas e.g. tennis, ball courts, skate parks
 - Marked playing pitches - when in use for playing sports

- Failing to produce a receptacle for picking up dog faeces - you must produce a means to pick up your dog's waste when asked to do so by an authorised officer
- 4.4 A breach of a 2014 Act Order is a criminal offence; enforcement officers can issue a fixed penalty notice if appropriate. The local authority has discretion to set a fixed penalty of up to £100. The Council issues a £100 fixed penalty, reduced to £50 for payment within 14 days. There is a fine on conviction of up to £1000.
- 4.5 Presently there are six staff who volunteered to be delegated and trained to enforce littering and dog-fouling offences. These posts are:
- Civil Enforcement Officers x 2;
 - Open Spaces Ranger;
 - Street Scene Officer; and
 - Principal Open Spaces Officer.
- 4.6 The duty to enforce these orders has not been formally adopted within the job descriptions of these posts, as the posts already have primary functions to deliver, and the enforcement powers were introduced to allow the 'tools' to be available should a specific dog-fouling issue arise.
- 4.7 To minimise the risk of verbal or physical abuse, it was agreed that any potential intervention with a member of the public would be undertaken with two staff. The logistics of freeing up two staff to undertake an enforcement patrol has proved problematic, and rarely can two staff be freed up when there are pressing operational matters to address across the service.
- 4.8 Presently, only one Fixed Penalty Notice has been issued relating to dog-fouling. This was not contested and was promptly paid. This is due to dog-fouling patrols generally being ineffective as an enforcement method, combined with no specific resource for patrols.
- 4.9 Staff resource, specifically dedicated to enforcement, is expected to demonstrate a performance outcome, but can be an intensive undertaking. For example, Enforcement Teams (such as at Maldon District Council, and Denbighshire Council) will often work 6 to 7 days a week, from 7am to 5pm, extending to 10pm in the summer, on a two-shift system.
- 4.10 Examples of the efficacy of enforcing dog-fouling can be noted in the Denbighshire campaign, where dog fouling was specifically targeted in the month of May 2016. However, only 10 dog fouling fixed penalty notices were served, in comparison to 266 for littering. The team consisted of 6 staff.

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- 4.11 A similar review of dog fouling enforcement by Nottingham City Council in 2012 noted that there were only 46 dog-fouling fixed penalty notices issued in that year by their team of 100 Community Protection Officers in the City.
- 4.12 A review on a litter and dog fouling enforcement trial undertaken by Hart District Council, from June 2017 to November 2017, noted that although 516 fixed penalty notices were served for littering, none had been issued for Dog Fouling.
- 4.13 The low levels of fixed penalty notices issued for dog-fouling across different Councils highlights the difficulty in tackling this issue through enforcement.

Use of Private Enforcement Companies

- 4.14 Private enforcement companies are now well established to support local authorities to meet the challenges of environmental enforcement and now support a significant number of local authorities across the UK.
- 4.15 Such companies deploy fully trained uniformed officers into identified 'problem areas' in order to deal with littering, dog fouling issues, and other environmental enforcement issues at no net cost to the local authority.
- 4.16 The model usually works on the principle of the enforcement companies' costs being recovered by the income from the Fixed Penalty Notices (FPNs) that are issued.
- 4.17 Where the payment rate of these FPN issued is relatively good (circa 75%) it is possible for the company to share generated revenue with the council. In previous discussion with a private enforcement company, they anticipated for a Council such as Rochford a modest revenue of £10,000 per year could be generated.
- 4.18 A common approach is to undertake a trial enforcement initiative covering the service of fixed penalty notices for litter and dog control legislation provided to the Council by the private enforcement company.
- 4.19 Usually the company will apply a 'zero tolerance' approach to maximise the number of fixed penalties issued, with the majority of FPNs being issued for dropping of cigarette butts and disposal of chewing gum. It is therefore likely that the number of FPNs for dog fouling would be very low whilst the actual issue of dog fouling in areas could remain high, with enforcement tending to concentrate on areas of high footfall.

5 Education

- 5.1 Influencing behaviour sees a subtler policy approach in comparison to the punitive measures undertaken through enforcement; encouraging responsible dog ownership as a social norm, developing a peer group of responsible dog owners to be part of the solution.

Dog Fouling Social Experiment March 2014

- 5.2 In partnership with Keep Britain Tidy, Rochford District Council took part in a social experiment to test the effectiveness of 'We're watching you' posters, which were made from glow in the dark material displaying menacing eyes and a message aimed at dog walkers.
- 5.3 Posters were displayed at eight separate locations, five posters per location for a total four weeks. The posters were displayed on lamp posts so that they were out of reach of the public but still highly visible to dog walkers.
- 5.4 Monitoring took place before, during and after the campaign to test the effectiveness and in the Rochford District an overall 75% improvement was seen, and some locations suffered no dog fouling whatsoever during the campaign. Overall, the campaign saw a reduction of 46% among all 17 land managers taking part.
- 5.5 Although a relatively low cost campaign, there is still a required resource to co-ordinate and erect the signage (it should be noted that at that time of the 2014 trial the Waste and Street Scene Service consisted of 6.5 FTE; the service currently consists of 3 FTE to oversee all aspects of Waste and Street Scene Management). Therefore, although another short term trial could be instigated, it is unlikely that existing levels of resource could sustain a permanent campaign. There is also a lack of certainty whether the initial effectiveness of the trial would continue as residents became accustomed to the posters.

Provision of dog bins

- 5.6 An additional survey by Keep Britain Tidy of 2,000 UK dog owners in 2017 found that 13% of dog owners admitted to leaving bagged dog waste behind, either accidentally or deliberately. Of those, 54% said that they had done so because there were no bins nearby. 40% of those said they forgot to collect it on the way back, and 26% said the bins nearby were too full
- 5.7 The Council provides 76 dog bins, and 362 litter bins on the streets; and provides a further 109 dog bins and 84 litter bins in open spaces. These are usually emptied at least weekly, or more often where required; however, the location of the bins must for logistical reasons be located within a reasonable distance of vehicular access. This limits the distribution of bins in open spaces mainly to the entrances and can result in larger parks with limited dog bin coverage.
- 5.8 To increase coverage of dog bins, other Councils have moved away from the specific provision of dog bins, pushing an 'any bin will do' campaign, encouraging dog-walkers to use the nearest available public litterbin.
- 5.9 A further approach to addressing this issue, has seen the Dogs Trust partner Keep Britain Tidy's Centre for Social Innovation design and pilot a behavioural intervention, which aimed to reduce instances of dog fouling by changing the

behaviour of dog walkers. With a perceived lack of bins appearing to be a leading factor in dog owners not correctly disposing of their dog's waste, the chosen intervention was one that made it easier for dog walkers to find and use bins. The intervention aimed to encourage dog owners to dispose of their dog's waste by nudging them along specific routes where bins are provided.

- 5.10 Dogs Trust and Keep Britain Tidy worked in partnership with six local authorities and park managers to establish dog walking routes in six parks and coastal walking routes across the UK, using signage, maps, and colour-coded route markers. A map placed at the site entrance displays the walking routes and suggests different route options for different purposes; for example, based on the dog's age, fitness level or size, or the owner's sense of adventure. Bin stickers transformed bins into directional route markers and acted as a reminder to dog owners that any bin can be used to dispose of their dog's waste. The intervention aims to encourage dog owners to dispose of their dog's waste by nudging them along specific routes where bins are provided.
- 5.11 Results show that, on average, the dog walking routes initiative reduced dog fouling instances by 38% across all target sites, with all six partners seeing a reduction in dog fouling. The results vary from a 15% reduction to one site finding an 89% reduction in dog fouling as a result of the dog walking routes initiative.
- 5.12 Such an approach may be suitable for the Council's larger sites, such as the Cherry Orchard County Park, where involvement of the active Friends Group would allow delivery of the scheme at a relatively low cost.

6 CONCLUSION

- 6.1 There is no single solution that will remove the issue of dog fouling; rather, there is a suite of solutions on offer that are not mutually exclusive and would require further consideration to understand any resource or policy implications.

7 RESOURCE IMPLICATIONS

- 7.1 There are no resource implications arising directly from this report. Any further actions agreed in relation to this issue would need to be costed and built into the Medium Term Financial Strategy before implementation.

8 LEGAL IMPLICATIONS

- 8.1 None

9 EQUALITY AND DIVERSITY IMPLICATIONS

- 9.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

10 RECOMMENDATION

10.1 It is proposed that the Committee **RESOLVES**

- (1) To note the contents of the report.
- (2) To identify any issues on this topic for further consideration and discussion by the Committee.



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Background Papers:-

None.

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