

## **TACKLING DOG FOULING**

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### **1.0 EXECUTIVE SUMMARY**

1.1 This report is to advise members of the Councils 'Don't give a dog a bad name' campaign to combat dog fouling.

### **2.0 BACKGROUND**

2.1 A series of reports were previously considered by Members during 2006/7 outlining dog fouling enforcement issues and presenting a range of potential initiatives to combat dog fouling for members consideration.

2.2 Members were advised that following designation of the Borough under The (Dogs (Fouling of Land) Act 1996 Council embarked on an extensive 'one off' 12 month 'Dogwatch' Campaign aimed at promoting responsible dog ownership and reducing the level of fouling in the Borough.

2.3 The Campaign was acknowledged for its success and received a 'Best Community Awareness' People and Places Award from The Tidy Britain Group. Enforcement was increased over the period of that campaign and a noticeable change in behaviour of dog-owners secured. The campaign was not maintained because no permanent funding was identified and members were advised that a similar exercise at current costs would be £40,000 per annum.

2.4 Committee were asked to note the reports and to subsequently make recommendations to the Cabinet for improving the effectiveness of Wirral's anti dog fouling measures through a combination of enforcement, public information and education campaigns.

### **3.0 CABINET RESOLUTION**

3.1 Cabinet on 19 February 2007 resolved:

3.1.1 That a sum of £20,000 be used to target the principles of the previous award winning Dogwatch campaign that was so successful in the late nineties in raising awareness of the dangers and environmental unacceptability of dog fouling.

3.1.2 That enforcement levels be increased over the longer summer days, including early morning, evening and weekend officer hours as appropriate, and that irresponsible dog owners are challenged over their behaviour and recognise that they will be named, shamed and prosecuted.

3.1.3 That this reflects Corporate Objective 1, "Protecting and Improving our Environment Street Scene", 1.1.4, "Taking action to discourage dog fouling", and Objective 4, "Improving the Health of Wirral People"

## 4.0 **CAMPAIGN PREPARATION**

4.1 Following Cabinet resolution Officers from Corporate Services Marketing PR and Tourism section, Community Safety, Cultural Services, and Environmental Health Sections worked together to outline a suitable campaign that would:

- a) make best use of the allocated budget, and
- b) promote the message of responsible dog ownership to maximum effect.

4.2 Officers considered campaign and staffing options and identified locations of concern. After informal consultations with Cabinet and Scrutiny Committee members officers focussed activity around Birkenhead Park, Central Park Wallasey, Eastham Country Park and along the length of the Wirral waterfront including Hoylake and West Kirby. The activity was planned to give as wide a coverage across the Borough as possible whilst still focussing resources on the identified problem areas. PR officers designed the campaign message and poster format.

4.3 Other opportunities to promote responsible dog ownership at existing community events taking place in the Borough during the period of the campaign were also taken up as those opportunities arose.

4.4 Immediately prior to the campaign the Senior Community Patrol Officer and Senior Dog Warden delivered a series of training days to Community Patrol Officers on the Dogs (Fouling of Land) Act.

## 5.0 **CAMPAIGN LAUNCH**

5.1 The campaign 'Don't give a dog a bad name' was launched with a photo call at Wallasey Town Hall on 21<sup>st</sup> August. The launch was supported by Cllr Gardiner Cabinet Member for Environment, local members from the Seacombe area, and a range of enforcement officers from the Council. Articles and photographs reporting the campaign appeared in the local press and an article, supported by a full page colour photograph showing Council and Cabinet members walking their own dogs and accompanied by both a uniformed Dog Warden and a Senior Community Patrol Officer, appeared on the Councils web site and in the Councils 'One Council' magazine.

## 6.0 **INCREASED PRESENCE BY OFFICERS**

6.1 During late August, September, and early October an increased on street presence by over 30 officers, both uniformed and non-uniformed, was shown in the targeted areas particularly during early mornings and early evenings when dog walkers were more likely to be encountered. Animal Control and Welfare staff, Dog Wardens, Community Patrol Officers, Technical officers and Environmental Health Officers were all deployed to support the campaign.

6.2 During the period of the campaign close to 1000 early morning and early evening walkers were approached and spoken to in the targeted areas. Officers also distributed information leaflets and posters in the areas and handed out 'poop scoop bags' to reinforce the responsible dog ownership message.

6.3 Officers reported that whilst they had observed fouling taking place in the majority of instances those dog walkers observed 'cleaned up' after their dog when the officer was present. Four offenders however who failed to clean up were served fixed penalty notices and this was reported in the local media.

## 7.0 FOULING OFFENCES

7.1 The fixed penalty notice scheme allows a person to pay a fixed penalty of £50 within 14 days of issue of the penalty notice in lieu of prosecution.

7.2 The effect of accepting a fixed penalty notice is to acknowledge that behaviour to a criminal standard has occurred. It is therefore essential to establish beyond all reasonable doubt, that the person has committed an offence. If a person provided with the notice chooses to go to court rather than pay a fixed penalty charge there will be a need to demonstrate that an offence has occurred to the same standard as for prosecution. This requires gathering suitable evidence to prove the offence "beyond reasonable doubt". The chain of evidence requires identifying a particular dog, under the control of a person who is also identified and then of the dog being seen to foul in a designated area and the person in charge not clearing up.

7.3 In practice, enforcement is more difficult than it might at first appear. The level of proof typically demanded by the court effectively requires officers to be standing in very close proximity to a dog and its owner in order to observe an offence at the moment it is committed. The close presence of the officer in those circumstances is in itself then a deterrent to the owner, even when the officer is in plain clothes. Past prosecutions have failed when officers have only witnessed a likely offence from a distance.

7.4 Officers taking part in the campaign reported that whilst they had observed fouling taking place in the majority of instances those dog walkers observed 'cleaned up' after their dog when the officer was present. This result was not entirely unexpected during the campaign as offences were less likely given the increased level of publicity and increased officer presence in the targeted areas.

7.5 Despite the increased publicity and the increased presence of officers four offenders who failed to clean up after their dogs were observed. Each were served with a £50 fixed penalty notice all of which were subsequently paid. The offences were reported in the local media.

## 8.0 ADVERTISING AND POSTERS

8.1 Large 'Don't give a dog a bad name' advertisements were displayed at bus stops and 1000 A4 and A5 size posters were distributed and displayed in the target areas. Further posters were supplied to 'friends' groups associated with local parks. A number of laminated posters were also provided on request for display at specific locations where members of the public identified a particular concern.

8.2 Officers continue to develop the idea of deploying 'Tri-signs'. The tri-signs are designed to be displayed on a temporary basis and can be moved from area to area as required. The tri-signs have the potential to display new, varying and targeted messages where and when prudent, hopefully to greater effect. The signs are larger than previous metal 'no fouling' signs which were previously displayed across the Borough following the original 'Wirral Dogwatch' campaign but which are now out of date and no longer provided.

8.3 Responsibility for provision of dog fouling signage has previously been made the responsibility of Streetscene Services. The Director of Technical Services had recently identified resources to purchase self adhesive signs, that can be applied to street furniture, to respond to service requests received through the Streetscene Call Centre. Regeneration will continue to respond to service requests concerning the enforcement of dog fouling legislation.

## 9.0 **POOP SCOOP BAGS**

9.1 In addition to those handed out by officers a supply of biodegradable poop scoop bags printed with the campaign message have been made available for a limited period (while stocks last) at Council One Stop Shops, Libraries, and Country Parks. A photo call to promote the availability of the bags was attended by enforcement officers and Cabinet Members at Vale Park, Magazine Promenade in October and was reported in the local press.

## 10.0 **OTHER CAMPAIGN OPPORTUNITIES**

10.1 During the period of the campaign Dog Wardens also attended the Jelly Bean appeal dog walk in Arrowe Park, the Seacombe Community Awareness day, and The Anti Social Behaviour Teams 'Respect' week to help reinforce the campaign message and to raise awareness about the anti-social nature of dog fouling. Additional monitoring visits have also been undertaken by Wardens on and around Bidston Hill. This has been carried out in support of combined multi-discipline initiatives to tackle anti-social behaviour, littering and dog fouling in that area in response to local community concerns.

## 11.0 **REDUCING COMPLAINT NUMBERS**

11.1 Whilst the subject of dog fouling continues to be an issue of concern there is general consensus that more and more dog walkers are now carrying plastic bags and acting responsibly. The actual numbers of complaints received by the Council on this issue have also been steadily reducing year on year. The Animal Control and Welfare service for example received 243 complaints in 2000/2001 compared to only 124 in 2006/2007.

## 12.0 **CONTINUING INITIATIVES**

12.1 The training and subsequent increased authorisation of Community Patrol Officers has resulted in an additional 20 plus officers who are able to monitor and when necessary take enforcement action under the Dogs (Fouling of Land)Act. Community Patrol Officers and Environmental Health enforcement staff will provide increased vigilance and will continue to tackle irresponsible dog ownership as a function of there ongoing activities and 'on street' presence.

## 13.0 **FINANCIAL IMPLICATIONS**

13.1 The campaign was delivered using 'one-off' resources made available as part of the Budget making process for 2007/08.

## 14.0 **STAFFING IMPLICATIONS**

14.1 The campaign was undertaken using existing staff resources, however additional enforcement staff have been created by the authorisation of Community Patrol staff.

15.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

15.1 None arising from this report.

16.0 **COMMUNITY SAFETY IMPLICATIONS**

16.1 The Animal Control and Welfare service is responsible for removing stray dogs and dangerous dogs from the streets of Wirral.

17.0 **LOCAL AGENDA 21 IMPLICATIONS**

17.1 None arising from this report.

18.0 **PLANNING IMPLICATIONS**

18.1 None arising from this report.

19.0 **ANTI-POVERTY IMPLICATIONS**

19.1 None arising from this report.

20.0 **SOCIAL INCLUSION IMPLICATIONS**

20.1 None arising from this report.

21.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

21.1 The report is relevant to all areas of Borough.

22.0 **BACKGROUND PAPERS**

22.1 None.

23.0 **RECOMMENDATIONS**

23.1 The Overview and Scrutiny Committee is asked to note the report.

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This report was prepared by Phil Dickson who can be contacted on 691 8474.