

Crime and Disorder Select Committee

A meeting of Crime and Disorder Select Committee was held on Thursday, 22nd September, 2016.

Present: Cllr David Wilburn(Chair), Cllr Paul Rowling(Vice-Chair), Cllr Gillian Corr (Sub Cllr Ken Dixon), Cllr Norma Stephenson O.B.E (Sub Cllr Allan Mitchell), Cllr Stephen Parry, Cllr Matthew Vickers, Cllr Mrs Sylvia Walmsley, Cllr Lynn Hall (Sub Cllr Julia Whitehill), Cllr Barry Woodhouse

Officers: Mark Berry (Principal Environmental Health Officer), Colin Snowdon (Environmental Health Unit Manager), Graham Birtle (Scrutiny Officer), Jenna McDonald (Governance Officer)

Also in attendance:

Apologies: Cllr Ken Dixon, Cllr Allan Mitchell, Cllr Julia Whitehill

CD Evacuation Procedure

24/16

The evacuation procedure was noted.

CD Declarations of Interest

25/16

There were no declarations of interest.

CD Draft Minutes - 21st July 2016

26/16

Consideration was given to the draft minutes of the meeting held on 21st July 2016.

AGREED that the minutes be approved.

CD Scrutiny Review of Dog Fouling Enforcement

27/16

The Committee was presented with a report on the Scrutiny Review of Dog Fouling Enforcement.

Key points from the report were highlighted as follows:

- In 2009, the Environment Select Committee reported on a Review of Dog Fouling and the Animal Welfare Service. It was noted that the Committee made eight recommendations which were agreed by the Councils Cabinet on 16th April 2009.
- Since the review in 2009, dog fouling had continued to be a regular source of complaint.
- It was explained that the Animal Health and Welfare Service dealt with a high level of requests for service involving all animals including all pets, wildlife and livestock.
- The Animal Health and Welfare Team currently employed 7.5 full time equivalent posts with 1 post vacant.
- Tackling dog fouling was predominantly a matter of educating the public to act

responsibly in their dog ownership supported by use of enforcement powers for those persistent offenders.

- Due to staffing issues, General Area Patrols by the Animal Welfare team had fallen in recent years.

- In 2015/16 the service experienced a reduction in stray dogs and dog fouling complaints, it was believed that micro chipping and neutering were some of the factors behind the reduction in stray dogs but not for reducing dog fouling complaints.

- Dog owners had a legal responsibility to pick up after their dog if it fouled in a public place. If dog fouling did occur away from the home, any suitable bag could be used.

- Biodegradable poop scoop bags were available free from three contact centres.

- Dog owners were expected to accompany their dog at all times when in a public place as they had a legal duty to ensure that the dog was under control at all times. If a dog was unaccompanied in a public place it would be classed as a stray dog and may have been removed for its own safety and a fee would be charged for the dogs return.

- Stockton utilised a range of advice and enforcement initiatives aimed at involving Neighbourhood Enforcement Officers and Animal Welfare Officers raising general awareness and targeting persistent offenders and locations.

- With regard to General Area Patrols, it was noted that Animal Welfare Collection/Enforcement Officers routinely carried out patrols of public areas known to have dog fouling problems.

- Animal Welfare Collection/Enforcement Officers worked closely with Neighbourhood Enforcement Officers whose remit covered wider elements of environmental crime. Officers provided one to one advice to dog walkers and issued a £50 fixed fine if a breach of the law was identified.

- The Dogs Fouling of Land Act was in place to assist the Council in dealing with irresponsible dog owners who did not remove the mess by their pet.

- Between February 2002 - May 2003, 7500 permanent signs were installed borough wide on lamppost columns at a cost of approximately £28,000.

- Dog bin provision had increased since 2001 with a total of approximately 445 dedicated dog bins borough wide. All dogs bin provision since 2007 had been provided by ward Members own budgets.

- The Anti-Social Behaviour Crime and Policing Act 2014 introduced powers to create dog control orders within parts of the borough which were referred to as Public Space Protection Orders (PSPO). It was noted that a PSPO was designed to deal with particular nuisance or problem in an area. A PSPO could impose restrictions on the use of an area. The Council could make a PSPO on any public space within its own area but must consult with the Police, relevant

associations and land owners before doing so.

- PSPOs could be challenged by an interested person on two grounds which included; the Council did not have the powers to make the order or that the requirements had not been complied with.

- The Committee was informed that compulsory micro chipping of dogs became law on 6th April 2016. If a dog did not have a microchip, or the current details were not recorded on an approved database, animal welfare staff had the power to serve a notice giving 21 days to comply. Non-compliance with a notice could result in a fine up to £500 on conviction.

- The Animal Health and Welfare Service continued to provide a fortnightly microchipping surgery to all dog owners and was fully booked up to December 2016.

- The London Borough of Barking and Dagenham Council had begun a voluntary pilot scheme to test the viability of using DNA profiling as a means to identify irresponsible dog owners that did not pick up after their dogs. The pilot scheme involved collecting small samples of dog faeces left behind by irresponsible dog owners and sending it off for analysis in aim of matching the DNA against registered dog owners on a database which was being created. The normal cost for DNA registration for a dog owner was £30 per dog however, the pilot provided free DNA registration for the first 1000 dog owners in three specific areas of the Barking and Dagenham area.

- There were significant cost implications to initiate the pilot scheme and it was noted that unless there was a large proportion of dog owners that registered their dog, the likelihood of a positive match was slim.

- Members noted that if DNA profiling was linked to a national licensing scheme and was an additional requirement to microchipping, there was likely to be a significant difference in tackling dog fouling and irresponsible owners.

Members raised the following points/questions:

- Members heard that a group of children from Harrogate Primary School volunteered to assist Ward Members in the clearing up of dog mess in the Hardwick area.

- Concerns were raised around inequality with regard to accessing poop scoops. It was noted that only three contact centres across the borough held a stock of poop scoops to hand out to the public. It was suggested that bags should be provided to Ward Members as and when it was felt that they were needed in the ward.

- Members requested information on the number of fines that had been issued. In response it was noted that 12 fines were issued in 2013, 5 fines in 2014, 7 fines in 2015 and 0 fines to date in 2016.

- Concerns were raised around the low number of fines issued. It was heard that this was often due to not being able to use CCTV as evidence. It was noted that in order to issue a fine, an officer must witness the offense. It was explained that

low numbers of fines could also be a result of education and high profile patrols.

- Clarification was sought around the individual considered to be responsible for a dog, i.e. the owner of the dog or the individual in charge of the dog at the time. It was highlighted that the person in charge of the dog was responsible for the dog unless under 16 years of age in which case, the owner of the dog was considered to be the responsible person.

- Questions were raised around those dog owners that picked up the faeces and then went on to leaving the bag in a nearby bush etc as opposed to using a bin. It was noted that if a bag of faeces was not disposed of correctly, this would be considered as littering or statutory nuisance if linked to a property.

- Members were keen to understand the level of information which was taken at the time of a dog being micro chipped. It was heard that the information recorded included; the name, full address and telephone number of the owner in addition to the name, breed, age and sex of the dog. Whether the dog had been neutered was also recorded.

- Concerns were raised around the high costs associated with DNA testing.

- Discussions took place around the exercising of dogs on sporting fields.

- Members agreed that the £800 cost of a bin was a significant amount of money. Officers were asked to report back to the Committee on the cost of the glow in the dark posters as detailed in the report.

- In order to raise awareness, it was suggested that SBC work together on a publicity campaign to raise awareness and educate the public on dog fouling.

- Members commended the work carried out by the Animal Health and Welfare Service. It was noted that the Service featured in a National RSPCA article.

AGREED that the information be noted.

CD 28/16 **Work Programme**

Consideration was given to the work programme 2016-17.

Members requested an additional Select Committee meeting for the Scrutiny Review of Dog Fouling Enforcement.

Members briefly discussed the remit of the Committee, particularly referring to the future Review of Membership of Local Government Bodies.

AGREED that:-

1. An additional meeting be arranged.
2. The work programme be noted.
3. A conversation take place outside of the meeting regarding the remit of the Committee.

CD
29/16

Chair's Update

The Chair provided no update.