

**Crime and Disorder Select Committee
Scrutiny Review of Dog Fouling Enforcement**

Findings	Possible Recommendations
<p>Legislation</p> <p>Under the Dogs (Fouling of Land) Act 1996 authorised Council Officers can issue a £50 Fixed Penalty Notice to anyone that is seen to allow their dog to foul in a public place and not clean up after it. Failure to pay the fixed penalty could result in prosecution that may lead to the offender being fined up to £1,000.</p> <p>The Anti-Social Behaviour Crime and Policing Act 2014 introduced powers to create dog control orders within parts or all of the borough. These are now referred to as Public Space Protection Orders (PSPO) and failure to comply can be dealt with via:</p> <ul style="list-style-type: none"> • £100 on the spot (a 'Fixed Penalty Notice') • up to £1,000 if it goes to court <p>The introduction of a PSPO must firstly be consulted and if introduced appropriate signs erected.</p> <p>New permanent dog signs (required to replace existing or for areas considered for a PSPO – average of £3.50 per sign). 200 signs - £700.00 or 7,500 signs - £26,250.00</p> <p>Other councils response</p> <p>Daventry District Council has introduced a Public Space Protection Order (PSPO) that makes it an offence should dog walkers fail to carry a poop bag or other means of clearing up after their animal. The council also enforces three dog control orders that make it an offence for people to fail to pick up after their dog, allow their dog into a designated children's play area and to fail to put their dog on a lead when directed to do so by a council officer.</p> <p>Carmarthenshire County Council introduced a (Dog Control) Public Spaces Protection Order that deals with dog fouling on 1st July 2016</p>	<p>SBC continue to use all means possible to counteract the problem of dog fouling subject to resource availability.</p> <p>Review dog fouling education support materials to encourage the public to provide more detail of offending dog owners, where possible, to more effectively target enforcement activity</p> <p>To consider introducing a borough-wide PSPO covering dog fouling related issues, taking account of pilot schemes elsewhere in the Country and resource constraints.</p> <p>Consider the provision of permanent signage required in the borough if a PSPO is introduced.</p>

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<p>which will remain in force for three years. The Order applies to all public places which means any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. (New evidence)</p> <p>A concern of the Committee is to introduce PSPO's if we don't employ people to enforce them.</p>	
<p>DNA testing use in dog fouling enforcement</p> <p>The London Borough of Barking and Dagenham Council have begun a voluntary pilot scheme to test the viability of using DNA profiling.</p> <p>Small samples of dog faeces are sent off for analysis (£80 per sample) in order to hopefully match the DNA against registered dog owners on a database. If a match is made then the evidence will be used to serve a fixed penalty on the dog owner for a fouling offence.</p> <p>They are providing free DNA registration for the first 1000 dog owners (at a cost of £30,000 to the authority) in three specific areas of the borough. The intention is that if a dog owner wants to walk their dog in one of the designated areas their dog will have to have been DNA profiled otherwise they risk a fine via a fixed penalty ticket for non-compliance.</p> <p>They intend to try and enforce this via eventually designating the three pilot areas as PSPO's where it will be compulsory to have your dog DNA profiled.</p> <p>The progression to a fully declared PSPO requiring such a positive requirement on dog owners is being eagerly watched and anticipated by many in terms of whether it will stand legal challenge. Ultimately the positive act of DNA registration in itself does not fit the criteria specified in the legislation.</p> <p>If DNA profiling was linked to a national licensing scheme and was an additional requirement to microchipping then the science would undoubtedly make a huge difference in tackling dog fouling and irresponsible owners.</p>	<p>To continue to monitor the use of dog DNA profiling and consider introduction if found to provide a cost effective dog fouling reduction measure.</p> <p>To support the introduction of a national licensing scheme in order to support the effective use of DNA profiling.</p>

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<p>Funding</p> <p>All dog bin provision since 2007 has been provided by ward Members' own budgets, approximately £55,800 from 07/08 through to 14/15.</p> <p>Some dog bins are beginning to show their age and if they were needed to be replaced would cost £800 each, however dog waste can be disposed of in ordinary public waste bins. CFYA have tried sponsorship of bins but apart from vets there are not many who want to be associated with a dog bin.</p> <p>Environmental Health are currently progressing through a Service review, as are the Enforcement service and Care for Your Area, in order to identify significant budgetary savings.</p>	
<p>Stray Dogs</p> <p>Most of the stray dogs picked up are usually under the control of a member of the public and are collected by an officer or brought to the Security Centre.</p> <p>It is hoped that the numbers have peaked as owners appear to have got rid of their pet(s) due to the recession in the recent past. We hope that the numbers do not rise again with the neutering campaigns that are ongoing.</p> <p>The service accepts the handover of dogs no longer wanted or able to be cared for as a way of alleviating the number of strays put out. With the microchipping of dogs we hope to return the dog within possibly an hour if the details recorded are correct.</p> <p>If we come across a dog that isn't microchipped we will do it free of charge. We can't update details for an owner that is their responsibility. We have been telling people for 10 years to update their details. The microchip is a radio transponder providing a 15 digit reference. We identify the database and telephone number that owners need to provide their details. A small cost (£10-£16) is charged.</p>	

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Approximately 40% of dogs picked up are microchipped even though we have provided this service for free for the past 5 years. Of the ones that are microchipped almost 60% have incorrect details.	Continue to work in partnership to support campaigns to get dogs micro chipped.