



***STREETSCENE AND ENGINEERING SCRUTINY COMMITTEE***

***10.00 am FRIDAY, 11 JANUARY 2019***

***COMMITTEE ROOMS A/B - NEATH CIVIC CENTRE***

**PART 1**

1. Declarations of Interest
2. Minutes of Previous Meeting (*Pages 3 - 6*)
3. Dog Fouling Information Report (*Pages 7 - 14*)  
Report of the Head of Streetcare
4. To select appropriate items from the Cabinet Board Agenda for pre-scrutiny (Cabinet Board reports enclosed for Scrutiny Members).
5. Forward Work Programme 18/19 (*Pages 15 - 18*)
6. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Section 100B (4) (b) of the Local Government Act 1972

**S.Phillips**  
**Chief Executive**

**Civic Centre**  
**Port Talbot**

**Friday, 4<sup>th</sup> January, 2018**

## **Committee Membership:**

**Chairperson:** Councillor S.M.Penry

**Vice** Councillor S. ap Dafydd

**Chairperson:**

**Councillors:** A.R.Aubrey, N.J.E.Davies, R.Davies,  
W.F.Griffiths, C.James, A.McGrath, J.Warman,  
R.W.Wood, J.Hale and C.Galsworthy

## **Notes:**

- (1) If Committee Members or non-Committee Members wish to have relevant items put on the agenda for future meetings, then please notify the Chief Executive/Chair eight days before the meeting.*
- (2) If non-Committee Members wish to attend for an item of interest, then prior notification needs to be given (by 12.00 noon on the day before the meeting). Non-Committee Members may speak but not vote, or move or second any motion.*
- (3) For pre scrutiny arrangements, the Chair will normally recommend forthcoming executive items for discussion/challenge. It is also open to Committee Members to request items to be raised - though Members are asked to be selective here in regard to important issues.*
- (4) The relevant Cabinet Board Members will also be invited to be present at the meeting for Scrutiny/ Consultation purposes.*
- (5) Would the Scrutiny Committee Members please bring the Cabinet Board papers with them to the meeting.*

## STREETSCENE AND ENGINEERING SCRUTINY COMMITTEE

(Committee Rooms A/B - Neath Civic Centre)

**Members Present:**

**30 November 2018**

**Chairperson:** Councillor S.M.Penry

**Vice Chairperson:** Councillor S. ap Dafydd

**Councillors:** A.R.Aubrey, W.F.Griffiths, C.James, A.McGrath,  
R.W.Wood and J.Hale

**Officers In Attendance** M.Roberts, Mr. S Cook and J.Davies

**Cabinet Invitees:** Councillors E.V.Lathan and A.Wingrave

**Observers** E.Bradfield

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### 1. Parking Services Annual Parking Report 2017/18

The Committee received information in relation to the Parking Services Annual Parking Report 2017/18 as contained within the circulated report.

Officers informed the committee that the total balance stated on page 15 of the Parking Services Annual Report 2017/2018 was incorrect, and should read as a deficit of £32,225.

Members queried whether there were any plans to reduce expenditure for car parks. Officers stated that the current staffing levels for enforcement officers was still necessary. Members questioned whether the service was likely to return to profit in the following year. Officers explained that the service had made a large capital investment in the Neath multi-storey car park in the current financial year, and that was a contributing factor to the high expenditure.

Members queried how the budget had been spent during the current financial year. Officers stated that the money had been spent on maintaining car parks and pay and display machines.

Members commented that enforcement appeared to be working well as figures for contravening traffic orders were relatively low. Officers stated that there were ten enforcement officers currently employed across the county borough. Officers reported that in 1999 the Authority had issued around 25,000 parking tickets, but this had now reduced to 12,000 which demonstrated that compliance levels were relatively high.

Members queried whether it was possible to expand enforcement to other areas, particularly as the town centres were proving to be compliant. Officers stated that expanding enforcement to wider areas would require additional officers and further investment in the service.

Following scrutiny, it was agreed that the report be noted.

## 2. **PRE-SCRUTINY**

The Committee chose to scrutinise the following items:

### Cabinet Board Proposals

#### 2.1 Key Performance Indicators 2018/2019 – Quarter 2 Performance (1<sup>st</sup> April 2018 – 30th September 2018)

The Committee received information in relation to Key Performance Indicators 2018/2019 – Quarter 2 Performance (1st April 2018 – 30th September 2018) as contained within the circulated report.

Members praised officers for achieving a good level of performance during difficult financial times.

Members referred to page 18 regarding the number of complaints upheld, and queried what the nature of the complaints were. Officers explained that they did not have the information to hand. Members requested for the information to be circulated to the committee. Officers agreed to circulate the information to members via e-mail.

Following scrutiny, it was agreed that the report be noted.

#### 2.2 Highway Maintenance - New code of practice

The Committee received information in relation to Highway maintenance and new code of practice as contained within the

circulated report.

Officers informed the committee that the new code of practice was focused on a risk based approach to maintaining road networks. Officers explained that an all-Wales response to the new Code was being developed via CCS Wales and, for example, going forward the number of inspections required for individual roads would likely be linked to usage. Officers stated that the Authority's current practice for maintaining road networks had been externally audited relatively recently and taking account current performance and claim repudiation rate it would be reasonable to continue with current arrangements until all-Wales guidelines were finalised. Members praised officers for their work in maintaining the road network to a good standard during difficult financial times. Officers informed members that the service area had been intentionally protected during budget proposals.

Members queried whether officers were looking at using alternative materials to fill pot holes, as the current materials being used were not always durable. Officers stated that where materials were deteriorating within a short period of time there were usually underlying drainage problems. Officers added that they were looking at pot holes which were repeatedly causing issues in order to attempt to identify other factors which were causing the problems.

Following scrutiny, the Committee was supportive of the proposal to be considered by the Cabinet Board.

### **3. FORWARD WORK PROGRAMME 2018/19**

The committee received a sample map identifying Council and Tai Tarian owned land and property as requested by members previously. Officers informed the committee that maps could be provided for each ward in the county borough; however the information held by the Authority for Tai Tarian land was only up to date as far 2011 at the point at which the housing stock was transferred out of Council ownership. The committee confirmed that it was satisfied with the map, and requested for the maps to be circulated via e-mail to the relevant ward members when they were available.

The committee referred to the item on the work programme regarding the location map of drainage systems affected by Tree Preservation Orders, and requested for the item to be removed as this was a local issue that should be taken up with the relevant officer.

The committee noted the work programme.

## **CHAIRPERSON**

## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Streetscene & Engineering Scrutiny Committee

11<sup>th</sup> January 2019

### Report of the Head of Streetcare

M. Roberts

#### Matter for Information

**Wards Affected:** All

#### Dog Fouling

#### 1. Purpose of Report.

- 1.1 To provide scrutiny members with information in relation to dog fouling and associated action.

#### 2. Executive Summary.

- 2.1 Dog fouling is a concern to the public. It is a problem experienced by the majority of Local Authorities nationally and associated enforcement is difficult. Whilst over the years NPT officers have issued several hundred Fixed Penalty Notices to irresponsible dog owners who have failed to clean up their dogs, our officers also report a significant increase in the number of dog owners who now pick up after their dogs.

#### 3 Background

- 3.1 In 2016/2017 there were 34 complaints logged by the Contact Centre specifically for Dog Fouling Investigations and in 2017/18 there were 46, although others may have been logged under general street cleansing requests but these cannot be readily analysed.
- 3.2 The Council has seven Waste Enforcement Officers who deal with all aspects of Environmental Crimes including the enforcement of dog fouling, littering and the investigation and enforcement of fly tipping. The role is extremely diverse and as a consequence the amount of time available to dedicate to each specific area of work is limited. Notwithstanding this, Officers have over the years

always actively enforced the “Dogs Fouling of Land Act 1990” and have issued hundreds of Fixed Penalty Notices to irresponsible dog owners who were seen to fail to pick up after their dogs. The majority of offenders have elected to discharge their liability by paying the designated fine; however, there have been a small percentage of people who failed to pay the fine and were subsequently prosecuted in the magistrates court. Some of the offences were witnessed by officers whilst dealing with other service requests in their designated areas, and/or whilst they were travelling to or from their dedicated areas on a daily basis. The enforcement of dog fouling is extremely difficult as authorised officers have to witness the offence and generally dog owners do not commit offences when they are aware of others in the vicinity. On occasions our officers have also used witness statements provided by members of the public to take action against offenders.

- 3.3 Dog fouling has inevitably been high on the agenda in local PACT meetings and as a consequence our Enforcement Officers have developed a close working relationship with the local PCSO’s who co-ordinate these meetings. This relationship has resulted in Officers arranging “Whole Team” dog fouling enforcement exercises in local villages throughout the County Borough. These exercises are arranged in specific areas, almost weekly, either in response to specific requests from members of the public or from Local Members. During the exercise all available Enforcement Officers work in a specific area for three or four hours at a time and the exercise is supplemented with the presence of the local PCSO/s. Our officers have been adopting this approach for many years and it has proved to be highly effective, particularly in the early years, with up to six/seven Fixed Penalty Notices regularly issued during an exercise. More recently our officers are reporting that they are seeing a significant increase in the numbers of dog owners cleaning up after their dogs, which has correspondingly reduced the numbers of tickets being issued. This is encouraging but the continued presence of dog fouling indicates there are still significant numbers of irresponsible dog owners who fail to clean up after their dogs.
- 3.4 During enforcement exercises it has also been noticeable that the number of loose/stray dogs has drastically reduced. It is now extremely unusual to see dogs roaming unattended and this is



- confirmed with the significant reduction in the number of stray dogs service requests being logged for our dog wardens.
- 3.5 Our officers have also regularly been involved in partnership working with external organisations in an attempt to encourage dog owners to act more responsibly; these organisations include “Paws on Patrol” and “The Dogs Trust.” Our work with these groups has included the promotion of responsible dog ownership and the micro chipping of dogs as now required by legislation.
- 3.6 Streetcare Services maintain “No Dog Fouling” signage at numerous locations throughout the County Borough with the regular 200x150mm signs now being supplemented with large triangle lamp post signs, together with large banners that have been placed outside of schools.
- 3.7 All our enforcement activities in relation to dog fouling are publicised through our dedicated Social Media on [Twitter](#) and [Facebook](#) as NPT Waste Crime and our successes have received positive public reaction.
- 3.8 To combat dog fouling consideration may be given to the creation of additional Public Space Protection Orders (See Appendix 1), however the introduction of these orders are subject to public consultation and have proved controversial in some Local Authorities. Most recently Cardiff City Council decided to withdraw their plans to create Public Space Protection Orders throughout their County Borough after public pressure from local residents and adverse publicity via the press and social media. There is currently only one Public Space Protection Order within Neath Port Talbot which is a seasonal order at Aberavon Beach. One argument is that whilst the introduction of such orders may prohibit dogs from certain public spaces or, for example, require dog walkers to carry bags for faeces, it will not necessarily reduce dog fouling which persists despite our officers already have the necessary legislation available to them (with the Dogs Fouling of Land Act 1990) to deal with this offence. The introduction of any further orders would also increase public expectation towards enforcement which may prove to be undeliverable.
- 3.9 During the last four financial years the number of Fixed Penalty Notices issued for dog fouling by our Waste Enforcement Officers are comparable and in most cases better than most other Local Authorities in Wales. This is despite some of these authorities

using external contractors to specifically enforce littering and dog fouling. The table below illustrates the numbers of FPN's issued by ourselves and neighbouring authorities during this period.

Year	Bridgend	Cardiff	Carms	Neath	Powys	Swansea
2014/15	0	30	35	52	3	15
2015/16	0	51	30	25	1	5
2016/17	0	28	34	34	2	3
2017/18	0	13	33	34	0	8
Total	0	122	132	145	6	31

During the same four year period 21 people were prosecuted for not paying their fines:

#### **4. Financial Impact**

4.1 There are no financial impacts associated with this report.

#### **5. Equality Impact Assessment**

5.1 There are no equality impacts associated with this report; the report is for information purposes only.

#### **6. Workforce Impact**

6.1 There are no workforce impacts associated with this report.

#### **7. Legal Impact**

7.1 There are no legal impacts associated with this report.

#### **8. Risk Management**

8.1 There are no risk management issues associated with this report.

#### **9. Consultation**

9.1 There is no requirement under the Constitution for external consultation on this item

#### **10. Appendices**

10.1 Appendix 1 – Public Space Protection Orders

## **11. List of Background Papers**

11.1 Nil

## **12. Officer Contact**

12.1 Mr Andrew Lewis, Waste and Neighbourhood Services Manager.  
Tel: 01639 686021 or email:[a.lewis@npt.gov.uk](mailto:a.lewis@npt.gov.uk)



**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**  
**CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

Appendix 1

**Waste and Neighbourhood Services**

**BRIEFING NOTE**

**Controls on Dogs/Dog Fouling**

**Public Space Protection Orders**

Background

The Anti-social Behaviour, Crime and Policing Act 2014 introduced powers for local authorities in consultation with others to make Public Space Protection Orders (“PSPOs”).

Before making a PSPO the Council must be satisfied that activities in a public space:

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.

The activities may include:

- Owners not controlling their dogs
- The use of alcohol / psychoactive substances
- Uncontrolled access
- Gated lanes
- Gathering in large numbers

By way of example, in relation to dogs and their owners, a PSPO could:

- Exclude dogs from designated areas
- Require dog faeces to be picked up by owners
- Require dogs to be kept on leads
- Restrict the number of dogs that can be walked by one person at any one time
- Require dog owners to carry “poo bags”.

Before making a PSPO the Council must consult with the local police and relevant community representatives and special interest groups.

#### Public Expectation and Enforcement

Communities affected by anti-social behaviour covered by a PSPO would reasonably expect that the Order is enforced in order to address the anti-social behaviour.

#### Financial Impact

There is an initial financial impact associated with making a PSPO, in particular undertaking consultation.

There is a potential ongoing financial impact associated with additional resources to enforce PSPOs.

#### Existing PSPO's

The Council has implemented controls on dog owners at Aberavon Seafront as follows:

- Seasonal dog exclusion zone
- Seasonal requirement for dogs to be kept on leads

These controls are covered by a Public Space Protection Order which replaced the previous Byelaw.

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**Streetscene and Engineering Scrutiny Committee  
Forward Work Programme 2018/19**

Date of Meeting	Agenda Item	Officer
21 May 2018	Forward Work Programme Workshop	Stacy Curran
25 May 2018		
6 July 2018- MOVED to 20 <sup>th</sup> July 2018	Community Transport/Information on Bus Services	Peter Jackson
7 September 2018		
19 October 2018		

30 November 2018	Parking Services Annual Report (incl. Traffic Warden data)	Steve Cook
11 January 2019	Dog Fouling Information Report	Mike Roberts
22 February 2019	Programme of Maintenance of Bus Shelters	Dave Griffiths/Mike Roberts
5 April 2019		
24 May 2019		



### **To be programme in / information requested**

- Fly Tipping – To be included in the Performance Reports on Cabinet Agenda
- Ownership of property – Council and Tai Tarian breakdown – In progress
- Customer Contact Centre Information Report
  - What systems
  - How to utilise
  - How to report
  - What is an emergency
- Japanese Knotweed – Management and Treatment Annual Update (Nicola Pearce)

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