

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Streetscene & Engineering Scrutiny Committee

11th 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.
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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.