

REPORT TO: Cabinet Member Environmental
Cabinet
Council

DATE: 30th June 2010
8th July 2010
8th July 2010

SUBJECT: Dog Fouling and Enforcement

**WARDS
AFFECTED:** All

REPORT OF: Leisure and Tourism Director, Graham Bayliss

**CONTACT
OFFICER:** Head of Coast and Countryside, Dave McAleavy
0151 934 2961

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To ask the Cabinet Member Environmental to support a proposal to enhance the Council's ability to deal with issues relating to dog fouling and litter through a partnership approach between the Environmental Protection and Leisure & Tourism Departments.

To ask that Cabinet note the decision of the Cabinet Member for Leisure and Tourism relating to Dog fouling and enforcement and approve the draft Leisure and Tourism Enforcement Policy with a recommendation to Council that the Responsibility For Functions of the Constitution be amended.

REASON WHY DECISION REQUIRED:

Strategic Intelligence Assessments (SIA's) produced by the Sefton Safer Stronger Communities Partnership identify residents concerns about dog fouling and litter and to enhance the Council's ability to deal with these issues additional personnel require authorisation and training. The Council's Constitution will require amending to reflect the delegation of powers to the Leisure and Tourism Director on behalf of the Cabinet Member for Leisure and Tourism in respect of the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

RECOMMENDATION(S):

RECOMMENDATION(S):

1. That the Cabinet Member for Environmental supports the proposal to

develop a coordinated approach to dealing with dog fouling and litter.

2. That Cabinet note the resolution of the Cabinet Member for Leisure and Tourism on the 21st April 2010 relating to Dog Fouling and Enforcement;
3. That Cabinet approve the draft Leisure and Tourism Enforcement Policy and recommend to Council that the Responsibility For Functions of the Constitution be amended by addition of the following:

“Environmental

**Cabinet Member
Delegations**

E. Leisure and Tourism Director

‘Power to appoint authorised officers under the Environmental Protection Act 1990 and Clean Neighbourhood and Environment Act 2005’”

KEY DECISION:	Yes
FORWARD PLAN:	Yes
IMPLEMENTATION DATE:	July 2010

ALTERNATIVE OPTIONS:

There is no alternative option for the Council due to personnel in Leisure Services not having the authority or training to carry out enforcement or issue FPN's for dog fouling and litter.

IMPLICATIONS:

Budget/Policy Framework: None

Financial:

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: Yes

Risk Assessment: None

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

Environmental Protection
Legal Department

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

1. BACKGROUND:

1. The Cabinet Member for Leisure and Tourism considered the report of the Leisure and Tourism Director on dog fouling and enforcement on the 21st April 2010, seeking approval to enhance the Council's ability to deal with issues relating to dog fouling and litter through the creation of a partnership approach between Environmental Protection and Leisure and Tourism Departments, indicating that a decision on the matter was required in order to amend the Council's Constitution to reflect the delegation of powers to the Leisure and Tourism Director on behalf of the Cabinet Member - Leisure and Tourism in respect of the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

It was resolved that:

- (i) the Leisure and Tourism Director be requested to authorise operational staff who, following training, would apply and enforce dog fouling and litter legislation in a partnership with the Dog Wardens and Enforcement Officers;
- (ii) the Cabinet Member - Environmental be recommended to support the proposals to develop a coordinated approach to dealing with dog fouling and litter; and
- (iii) Cabinet be requested to approve the draft Leisure and Tourism Enforcement Policy and recommend to Council that the Responsibility For Functions of the Constitution be amended by addition of the following:

“Environmental

Delegations

E. Leisure and Tourism Director

“Power to appoint authorised officers under the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005”.

2. Cabinet Member for Environmental is asked to support the resolution of the Cabinet Member for Leisure and Tourism. Cabinet is asked to note the resolutions of the Cabinet Member for Leisure and Tourism and approve the draft Leisure and Tourism Enforcement Policy and, recommend to Council that the Responsibility for Functions of the Constitution be amended as above.