Report to:	**Overview and Scrutiny Committee (Regeneration and Skills)**	**Date of Meeting:**	8th March 2022
Subject:	Potential to Establish a Working Group to Review the Topic of Dog Fouling in Public Places and Methods to Combat it		
Report of:	**Head of Highways and Public Protection**	**Wards Affected:**	All
Is this a Key Decision:	No	**Included in Forward Plan:**	No
Exempt / Confidential Report:	No		

Summary

This report considers the potential to establish a working group to review the topic of dog fouling in public places and methods to combat such anti-social behaviour.

Recommendation(s):

That the Overview and Scrutiny Committee (Regeneration and Skills) consider the report, the options set out, and determine whether to establish a working group to review the topic of dog fouling and methods to combat it.

Reasons for the Recommendation(s):

A decision is required to determine whether to set up a working group to review this issue.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

There are no financial costs associated with the proposals in this report

(B) Capital Costs

There are no financial costs associated with the proposals in this report

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
Officer time will be needed to support a Working Group, if established

Legal Implications:
None

Equality Implications:
There are no equality implications.

Climate Emergency Implications:
The recommendations within this report will

Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

This is an information only Report and contains no proposals that will alter any impact on climate change

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Dog fouling has a negative impact upon street scene and people's impression of place.
Commission, broker and provide core services: Not applicable
Place – leadership and influencer: Dog fouling has a negative impact upon street scene and people's impression of place.
Drivers of change and reform: Reducing dog fouling will require an attitudinal and behavioural change from people who do not currently clean up after their dog
Facilitate sustainable economic prosperity: Dog fouling has a negative impact upon street scene and people's impression of place.
Greater income for social investment: Not applicable
Cleaner Greener: Actions to further tackle the issue of dog fouling may impact upon local environmental quality

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6734/22.) and Chief Legal and Democratic Officer (LD.4734/22) have been consulted and notes the report indicates no direct financial implications for the Council

The Chief Legal and Democratic Officer has been consulted with regard to any legal implications and any comments have been incorporated into the report.

(B) External Consultations - None

Implementation Date for the Decision

Immediately following the meeting of the Overview and Scrutiny Committee (Regeneration and Skills)

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Appendices:
N/A

Background Papers:

Effectiveness of the Council's Enforcement Activity Working Group Final Report 18th November 2021 (Public Pack)Agenda Document for Council, 18/11/2021 18:30

Introduction/Background

1. Failure to pick up dog fouling and the inappropriate disposal of dog 'fouling bags' (littering) by irresponsible dog walkers are legitimate concerns for Members, residents and visitors to the Borough. These unpleasant and anti-social acts can significantly impact upon the use, appearance, and enjoyment of public spaces.

2. The recent consultation regarding implementation of a Public Spaces Protection Order (PSPO) for dog Control, including dog fouling, saw a 95.95% positive response to the proposal to allow Fixed Penalty Notices to be issued across the Borough for dog walkers who fail to pick up dog fouling forthwith.

3. The Council currently tackles this issue in several ways including:
   - Implementation of a Public Spaces Protection Order (PSPO) for dog Control, including dog fouling
   - provision of infrastructure such as litter bins
   - removal of fouling and 'fouling bags' from the highway and green spaces
   - highly visible enforcement patrols
   - issuing of fixed penalty notices (FPN's) to offenders, and
   - key messaging through the Council's Communications Team/channels.

4. There are many tools available to ensure compliance and change to this anti-social behaviour and these are often categorised as:

- *Education* (promoting and encouraging compliance through an understanding of the benefits and consequences of compliance/ non-compliance, e.g. dog fouling campaigns)
- *Engineering* (designing the environment or processes to make compliance the default option and / or make non-compliance more difficult, e.g. provision of litter bins / improved cleansing regimes) and
- *Enforcement* (securing compliance with specific requirements and standards considered necessary or desirable by society).

5. Enforcement and regulatory activity itself, is generally within the remit of Overview & Scrutiny Committee (Regulatory, Compliance and Corporate Services), therefore any working group set up by the Overview & Scrutiny Committee (Regeneration & Skills) for the purposes of reviewing the topic of dog fouling in public places would need to focus upon the aspects of the issue most pertinent to the remit of this Committee.

6. There is potential to review the topic of dog fouling centred on these 3 E's of education, engineering and enforcement and a working group could explore:
   - The range of activity the Council is responsible for
   - The purpose of these activities
   - The nature of any potential and actual impact (positive or negative) from this activity
   - How negative impacts can be mitigated, or positive impacts maximised

7. A working group could consider:
   - Current Council policies and practices in dealing with dog fouling and disposal of dog 'fouling bags'
   - Areas of good practise within the Council
   - Good practise within other local authorities or similar organisations
   - Areas for improvement within the Council's policies and practice

8. The Effectiveness of the Council's Enforcement Activity Working Group, set up by this Committee, reported their findings in autumn 2021 and considered similar environmental areas of focus. That Working Group initially explored all areas of enforcement within the Council, before exploring similar areas to those outlined in paragraphs 6 and 7 in relation to litter and flytipping. That Working Group made several key recommendations in relation to the issue, including recognising the need for significantly more resource for enforcement. The primary dog control and dog fouling enforcement activity is undertaken by the same workforce undertaking littering enforcement.

9. Considering the issues related to Dog fouling and littering of 'fouling bags', will inevitably cover similar ground and similar issues to those considered by the Effectiveness of Enforcement Working Group. There is a danger therefore that any new working group to review the impact of dog fouling in public places and the methods to combat this may see significant duplication in the matters already considered by the previous, recent Working Group. The Committee could decide to defer the establishment of a Working Group on this issue for 12-24 months to allow some distance between the two Groups and also allow the 2021 PSPO more time to impact on behaviour.

Options

10. There would appear to be two options available for the Committee to consider:

(1) The Committee recognises the negative impact of dog fouling in public places but agrees not to establish a Working Group to consider this issue at this time, in recognition of the potential duplication of work and themes only recently covered by the Effectiveness of Enforcement Working Group.

(2) The Committee notes the work and recommendations already made by the Committee's Effectiveness of Enforcement Working Group, and agrees to establish a Working Group to review the topic of dog fouling in public places and methods to combat such anti-social practice that seeks to explore relevant issues not already fully explored by the earlier Working Group.