

Report To:	CABINET
Date:	21 FEBRUARY 2023
Heading:	SCRUTINY REVIEW: DOG FOULING AND LITTERING
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

The purpose of this report is to present Cabinet with the findings and recommendations of Scrutiny Panel B following the Scrutiny Review: Dog Fouling and Littering carried out between July 2022 and January 2023.

Recommendation(s):

Cabinet is recommended to:

- a. Review the status of the Council's Neighbourhood/Environmental Charter and proactively engage Scrutiny Members in the process.
- b. Continue to target future resources towards reducing dog fouling and littering across the District, including facilitating preventive education measures regarding responsible dog ownership and disposal of litter/waste management within primary and secondary schools as appropriate.
- c. Continue to explore all available options relating to environmental enforcement duties following the discontinuation of the previous Environmental Enforcement Contractor pilot scheme and proactively engage Scrutiny Members in the process.
- d. Explore the possibility of undertaking a light touch review of local businesses and organisations within the Ashfield District, to ascertain and ensure they continue to meet their obligations in respect of keeping sites/curtilages within their jurisdiction clean and free of litter.

Recommendation(s) Continued:

Cabinet is recommended to:

- e. Continue gathering and utilising accurate locational data to identify hotspot areas in the District to enable effective targeted action to reduce dog fouling and littering offences in these areas.

Scrutiny Panel B Members resolved that:

- f. Cabinet, and the wider Teams engaged in this work, be commended for the array of mitigation measures already being undertaken, to address the issue of dog fouling and littering within the District.

Reasons for Recommendation(s)

Dog Fouling and Littering was added to the scrutiny work programme 2022/23 by the Overview and Scrutiny Committee in June 2022.

Alternative Options Considered

Scrutiny Panel B Members could have considered concluding the Scrutiny Review: Dog Fouling and Littering without submitting any recommendations to Cabinet. However, upon reviewing all of the information and evidence, Members have decided to formulate a set of recommendations for the consideration of Cabinet.

Detailed Information

INFORMATION AND EVIDENCE CONSIDERED

Dog Fouling and Littering was added to the scrutiny work programme 2022/2023 by the Overview and Scrutiny Committee at the June 2022 meeting. Members agreed that dog fouling and littering offences remain key issues for the Council to focus on, being the source of a high number of complaints reported to Councillors.

Throughout the review, Members have worked closely with and been supported by the Director of Place and Communities, Assistant Director for Neighbourhoods and Environment, Community Safety Manager, Executive Lead Member for Community Safety and Crime Reduction, Executive Lead Member for Parks, Town Centres, and Environmental Services, and the Leader of the Council.

Terms of Reference

At the first meeting of the Panel, Members agreed the following terms of reference:

Review Topic	Dog Fouling and Littering
Review Group	Scrutiny Panel B

Officer Support	Scrutiny Research Officer, Service Manager – Scrutiny and Democratic Services, Democratic Services Officer
Rationale	Dog fouling and littering issues make up a large number of complaints received by Elected Members.
Purpose/Objectives	To understand the scale of dog fouling and littering issues in Ashfield, how the Council undertakes preventative and enforcement action, and to understand the success of various recent targeted dog fouling and littering campaigns.
Indicators of Success	<p>Panel Members will focus on the following key areas to achieve success through the review:</p> <ul style="list-style-type: none"> • Education/Responsibility/Engagement • Prevention/Enforcement
Methodology/Approach	<ul style="list-style-type: none"> • Examining any relevant Council policy documents such as the Corporate Plan • Up-to-date statistics for dog fouling and littering enforcement action in Ashfield • Site visits across the District • Involvement in the development of any emerging policy documents relating to dog fouling and littering
Witnesses/Experts	<ul style="list-style-type: none"> • Council Officers working to tackle dog fouling and littering issues • Executive Lead Members • Organisations that offer support to local authorities tackling these issues • Residents
Sources of Evidence	<ul style="list-style-type: none"> • Policy documents/Statistics/Hotspot maps/Site visits/National context/Legislation
Site Visits	Panel Members have indicated that following the identification of dog fouling and littering hotspot locations, several site visits may be beneficial to better understand the scale of any issues and the actions the Council is taking.

Previous Scrutiny Work

Members agreed that a good starting point for the review would be to consider any previous scrutiny work carried out regarding similar issues.

Scrutiny has undertaken numerous reviews of dog fouling and littering over past years, particularly regarding the issue of dog fouling.

A review titled ***The Effectiveness of the Dog Fouling Control Service in Ashfield*** concluded in February 2004 presented Cabinet with the following set of recommendations:

- Continued work on the introduction of responsible dog ownership education packages into schools.
- The implementation of the proposed anti dog fouling slogan/cartoon competition during 2003/04.
- Statistical information in respect of the dog control service being reported via the 'Members Room' (or equivalent) on the Council's internet site and the expansion, if successful, of the current trial using the 'FLARE' complaints software system to allow Members to track progress in removing abandoned vehicles, to cover progress in dealing with dog control complaints.
- The continuation of joint dog control officer / park ranger patrols to allow park rangers and other staff to gain practical experience of issuing fixed penalty notices.
- Investigation of the appropriateness of training the neighbourhood wardens to issue fixed penalty notices.
- The continuation of investigations into the feasibility of CCTV evidence being incorporated into the Council's range of dog fouling/dog control measures.
- A monitoring report of the Dog Control Services being submitted to this Panel (or a replacement Panel) in 12 months' time.
- A representative from the Nottinghamshire authority with the highest score in the Benchmarking scheme be invited to talk to this Panel (or a replacement Panel) in 12 months' time.

A review titled ***Dog Fouling Scrutiny Review*** concluded in April 2010 presented Cabinet with the following set of recommendations:

- An information pack be produced for dog owners advising them of the dangers of dog fouling (to be made available on the website and hard copy on request);
- When a clean-up operation is carried out in 'hot spot' areas the surrounding neighbourhood is informed of this activity. Individuals also be given an avenue to report persistent offenders confidentially;
- Dog fouling education be included as part of the Clean Neighbourhoods Charter encouraging schools to sign up to it. Furthermore, appropriate signage warning people that dog fouling is an offence be provided around the District;
- When a person is prosecuted or issued with a fixed penalty notice a press release be prepared to highlight the message that this kind of act will not be tolerated;
- Dog owners found to be not in possession of a 'poop scoop bag' be issued with a warning that the Council will take action if that person is identified as an offender;
- Free promotional material from the 'Keep Britain Tidy' charity be acquired and distributed throughout the community;
- A central point for the recording and handling of dog complaints be established.

National and Local Campaigns

Panel Members have also gained further knowledge of the various campaigns targeting dog fouling and littering that have run both nationally and locally. These have included, amongst others:

Keep Britain Tidy – Dog Fouling Policy

Keep Britain Tidy support and develop campaigns and initiatives with the aim to see dog fouling all but eradicated by 2030. They focus on dog owners' responsibility and supporting the concept of 'any bin will do'.

Keep Britain Tidy support local authorities in incentivising action or implementing new rules under PSPOs requiring dog owners to carry waste bags. Keep Britain Tidy also lobby for sufficient finance to support local authorities in effective investigation and enforcement.

Keep Britain Tidy want all local authorities to provide an effective network of bins in known dog walking areas and dog fouling hot-spots, capable of receiving dog waste and ensure they are serviced regularly. Furthermore, Keep Britain Tidy want local authorities to maintain an effective enforcement service and make full use of current controls, such as PSPOs, to ensure that dogs and dog waste are effectively controlled.

Council Campaign

The Council launched the 'don't drop litter' campaign in early June 2022. The campaign aims to highlight the amount of litter and dog fouling that the Council picks up that has been dropped and left by the public, with the overall aim of encouraging a positive change in behaviour and attitude towards making decisions on what to do with litter and dog foul.

As part of the campaign, four dog fouling trees have been created and placed in Brierley Forest Park, Kingsway Park, Selston Country Park, and Titchfield Park. The trees have been placed to raise awareness of the problems associated with people failing to pick up dog waste or hanging waste bags on trees.

Reporting Mechanisms

Members have worked to understand the mechanisms Ashfield residents can use to report dog fouling and littering offences to the Council.

As set out on the Council's website, it is an offence if a dog owner doesn't clean up after their dog immediately in public places and dispose of it responsibly. A fixed penalty notice can be issued to anyone caught failing to clean up after their dog's waste.

Furthermore, forgetting bags to dispose of dog waste is not an acceptable excuse. Dog waste bags are available at the entrance of various parks and green spaces in the District.

Dog fouling incidents can be reported to the Council through the Ashfield 24/7 portal.

The Council has a duty to clear litter and waste, as far as possible, from public land and places which the Council is responsible for. Litter that hasn't been collected can be reported to the Council through Ashfield 24/7.

Areas that the Council is responsible for mainly includes:

- Public highway (verges, pavements, and to some degree the road itself)
- Council owned car parks
- Play areas
- Pedestrian areas
- Parks and open spaces

Question and Answer Meeting

At the October 2022 meeting, Panel Members welcomed attendance from the Council's Director of Place and Communities, Assistant Director for Neighbourhoods and Environment, Executive Lead Member for Community Safety and Crime Reduction and Executive Lead Member for Parks, Town Centres, and Environmental Services. Attendees took part in a question and answer session. During this session, Panel Members and attendees discussed a wide array of issues relating to dog fouling and littering, including:

- The Council's previous use of Environmental Enforcement Contractors
 - Is the Council considering a replacement for the previous service?
 - How can the Council replicate the service without cost?
 - What were the key issues with the methods used by previous contractors?
- Street washing and cleaning
- The importance of collecting and maintaining data for hotspot areas in Ashfield
- The role of CPOs in dog fouling and littering offence enforcement
- Is analysis carried out after targeted campaigns to understand usefulness?
- Funding opportunities
- Educating/prevention work through primary and secondary schools

RECOMMENDATIONS AND RATIONALE

- a. *Review the status of the Council's Neighbourhood/Environmental Charter and proactively engage Scrutiny Members in the process.*

Cleaner and Greener is one of the Council's key corporate priorities as established in the Corporate Plan 2019 – 2023, where the Council aims to create a cleaner and greener Ashfield, enabling communities and businesses to thrive in a clean and tidy District, minimising waste and recycling more. Within this priority, the Council is committed to delivering against the Environmental Charter.

The Charter establishes the Council's commitment to waste collection, street cleansing, parks and open spaces, community involvement, and environmental crime. Scrutiny Panel B Members recommend that Cabinet undertake work to reinvigorate and reintroduce the Charter, ensuring that residents are fully aware of the Council's obligations and objectives, as well as understanding what level of service can be expected in each area, and what enforcement powers the Council can utilise.

Members would like to see the Council's scrutiny function involved in this process in the new municipal year.

- b. *Continue to target future resources towards reducing dog fouling and littering across the District, including facilitating preventive education measures regarding responsible dog ownership and disposal of litter/waste management within primary and secondary schools as appropriate.*

Throughout the review, Members learned of how the Council continues to work to utilise all available resources to tackle persistent dog fouling and littering issues. Members were pleased with the efforts undertaken by the Council and would like to see particular emphasis placed on preventative work, most notably early education in the District's schools.

- c. Continue to explore all available options relating to environmental enforcement duties following the discontinuation of the previous Environmental Enforcement Contractor pilot scheme and proactively engage Scrutiny Members in the process.*

A significant discussion point through the course of the review was the previous Environmental Enforcement Contractor pilot scheme. Panel Members discussed the scheme with Senior Officers and Executive Lead Members, looking to understand the benefits achieved, the ways in which the scheme did not align with the Council's corporate priorities, and the lessons the Council will take forward following the discontinuation of the scheme.

Members are aware that the Council is actively working to explore all available options relating to environmental enforcement duties that can be utilised in place of the previous pilot scheme. Again, Members would ask Cabinet that the Council's scrutiny function be involved in this process in the new municipal year.

- d. Explore the possibility of undertaking a light touch review of local businesses and organisations within the Ashfield District, to ascertain and ensure they continue to meet their obligations in respect of keeping sites/curtilages within their jurisdiction clean and free of litter.*

Members discussed throughout the review how local businesses, particularly food outlets, can often be a source of increased litter throughout the District. Members have been assured that the Council works with all local businesses to maintain an open discourse regarding any waste/litter issues, and that the Council is also exploring if there are any opportunities regarding waste/litter management for local businesses. Panel Members recommend that a light touch review be carried out that can outline obligations local businesses and the Council have, as well as identifies any of the aforementioned opportunities.

- e. Continue gathering and utilising accurate locational data to identify hotspot areas in the District to enable effective targeted action to reduce dog fouling and littering offences in these areas.*

Members have been presented with various forms of information and data that the Council collects relating to dog fouling and littering throughout the review. Members believe that having up to date locational data is vitally important to allow the Council to undertake targeted action where necessary across the District. Panel Members recommend that the Council continues to enhance collection and utilisation of this data.

Scrutiny Panel B resolved that:

- f. Cabinet, and the wider Teams engaged in this work, be commended for the array of mitigation measures already being undertaken, to address the issue of dog fouling and littering within the District.*

Finally, Panel Members wished to commend both the Cabinet and all of the Council Teams working to tackle dog fouling and littering issues across the District. It is clear that these are issues that will always be persistent and a key concern for residents. However, Members have been impressed by

the number and variety of steps the Council continues to take and the proactive approach that underpins all efforts is clear to see.

Implications

Corporate Plan:

The Scrutiny Review: Dog Fouling and Littering has been undertaken in accordance with the Council's established Cleaner and Greener corporate objective.

Legal:

There are no legal issues identified in relation to the recommendations. [RLD 02/02/2023]

Finance:

No direct financial implications arising from this report. [PH 02/02/2023].

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Any risks identified have been outlined in the body of the report.

Human Resources:

There are no direct HR implications resulting from the recommendations within this report.

Environmental/Sustainability:

There are no direct environmental or sustainability implications resulting from the recommendations within this report.

Equalities:

There are no direct equalities implications resulting from the recommendations within this report.

Other Implications:

None.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

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