

This report may be of interest to: All Members and Parish/Town/ and Neighbourhood Councils

DOG FOULING – DESIGNATION/IMPLEMENTATION PROGRAMME

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1. Purpose

- 1.1 To advise the Committee of the progress that has been made on this issue, with particular reference to an objection received in respect of the Council's proposals to designate land in Milton Keynes.
- 1.2 To seek the Committee's views on the objection, and any impact that it may have on the programme of actions that has been drawn up by officers in conjunction with the Council's 'partners'.

2. Summary

- 2.1 Officers have been working on a number of related issues in parallel to the administrative arrangements for the designation of land in Milton Keynes. A single objection has been received regarding the Council's approach to designating the relevant areas of land in Milton Keynes. A formal written response has been made to the objector but it is still unclear whether the objector considers that the Council should amend its proposals and re-advertise them.
- 2.2 The proposed effective date for implementation of the Dogs (Fouling of Land) Act 1996 in Milton Keynes is 1 April 2000. Any further work necessary on revised administrative arrangements would delay this date by approximately two months.

3. Recommendations

- 3.1 That the original description of the land to be designated as referred to in Annex A, be confined.
- 3.2 That the work undertaken with and on behalf of the Council's 'partners' be endorsed.
- 3.3 That the date for the implementation of the Dogs (Fouling of Land) Act 1996 in Milton Keynes be 1 April 2000.

4. **Background**

- 4.1 The Environment Committee considered the issue of dog fouling in Milton Keynes on 8 November 1994 (Minute EN4/9/95 refers), 6 July 1995 (Minute EN2/96/ refers), and 12 September 1995 (Minute EN47/96 refers). Further the Environmental Protection Committee on 15 January 1997 (Minute EP3297 refers) resolved that the new legislation be implemented to cover the whole of the Borough of Milton Keynes (except for the statutory exemptions) at such time as a high profile education/enforcement campaign could be financed.
- 4.2 The Environment Committee again considered the issue of dog fouling with a particular emphasis on responsible dog ownership on 27 January 1999 (Minute EF89/99 refers). The Committee resolved that the Strategic Director – Environment be authorised to designate the relevant areas of Milton Keynes under the Dogs (Fouling of Land) Act 1996 at an appropriate time in 1999/2000.
- 4.3 The Dogs (Fouling of Land) Act 1996 came into force on 19 August 1996.
- 4.4 The post of Dog Welfare (Advice and Enforcement) Officer in the Environmental Health Division became operational in December 1999.
- 4.5 The publication of the formal notice designating all relevant areas of land in Milton Keynes under the new legislation was published in the Citizen newspaper on 13 January 2000 and a copy was placed on public display along with a map in the front entrance lobby of the Civic Offices on 12 January 2000. Representations regarding the Council's proposals could be made within a 28-day period from the date of publication. One written representation was received on 7 February 2000 which referred to the following issues:
- The interface with historic bylaws
 - Delineation of affected areas
 - Interface with Milton Keynes Parks Trust land
 - Fouling by other animals in urban/rural environments
 - Proposals being too comprehensive and impractical for the scale of the problem.
- A detailed response to these matters was sent on 11 February 2000. Further correspondence was received on 22 February 2000 acknowledging the contents of the response but indicating that further issues may be raised subject to the receipt of further information/statistics by the objector from a third party.
- 4.6 Copies of the correspondence are at **Annex B**.
- 4.7 Officers have continued to move all related issues forward in this interim period particularly through dialogue with the general public and the

Council's 'partners' in the Parish, Town and Neighbourhood Councils, Milton Keynes Parks Trust and British Waterways.

- 4.8 New highway signage has been designed costed and all necessary permissions agreed with the relevant Council departments.
- 4.9 The second meeting with the Council's 'partners' took place on 28 February 2000. This continues to be a very well supported group with considerable enthusiasm to deal with the issues in both traditional and innovative ways.
- 4.10 It is understood that the objector wishes to address the Environment Committee on 21 March 2000.

5. **Issues and Choices**

- 5.1 The Council has been committed to implementing the Dogs (Fouling of Land) Act 1996 in the relevant areas of Milton Keynes at the earliest opportunity. The issues raised by the single objector are not considered to be relevant to the designation process.
- 5.2 The Committee could delay the implementation of the legislation if considered appropriate by amending the proposals and re-advertising them in a public notice with a further 28 days period for representations to be made. If this were to be the case then the operative date of 1 April 2000 would have to be moved back for probably two months. The Council's 'partners' who have contributed £6750 in 1999/2000 would feel extremely concerned that their contribution had not been effectively used.
- 5.3 The Committee may take the view that a single objection to the proposals does not warrant a re-draft of the public notice, publication and any subsequent delays that may ensue.
- 5.4 If the Council does not proceed as previously envisaged then future financial contributions from the Council 'partners' may be prejudiced.

6. **Implications**

6.1 Environmental

Dog fouling has a considerable impact on the environment, not only aesthetically, but also in the cost of cleaning children's clothes, etc. Dogs that are not regularly treated for roundworms can spread the disease toxocariasis which can cause serious medical problems, particularly in children.

6.2 Equalities

Young children, the less able bodied, and those with partial sight are more likely to be affected by contamination from dog waste on footways and in recreational open spaces.

6.3 If the Council designates the whole of Milton Keynes under the Act, except for the statutory exemptions, then there will be an impact in all the communities throughout the Borough.

6.4 Financial

6.5 The Council has committed £18,000 during 1999/2000 to allow for the implementations of the legislation. This has been supported by contributions of £6,750 from 'partners'. The money has allowed the appointment of a Dog Welfare (Advice & Enforcement) Officer, the provision of signs, administrative and legal action necessary to make the legislation effective in this area, and development of a high profile publicity programme to follow designation.

6.6 Legal

The Council is the enforcing authority under the Dogs (Fouling of Land) Act 1996 and may authorise persons who are non-employees to undertake enforcement functions.

6.7 Staff and Accommodation

None

6.8 Cultural

None

7. **Conclusions**

7.1 The Committee must consider the substance of the single objection received and decide whether there should be a material redrafting of the public notice to designate land in Milton Keynes under the Act.

Background Papers: None