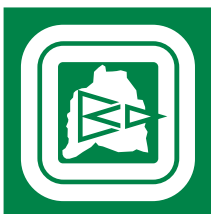


The DogWarden Service



BASSETLAW
DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

Scrutiny is an Independent, Councillor-led Function, Working with Local People to Improve Services.

Foreword

This Review has given all Members involved a much greater understanding of the Dog Warden Service and what is required nationally of local authorities.

Our visit to Ashfield District Council highlighted a clear good practice approach locally and one which Bassetlaw District Council should examine when looking to reviewing its current Dog Warden Service and Kennelling contract. The information gathered in relation to the introduction of Dog Control Orders is particularly valuable as the authority moves forward with this area of enforcement.

The Review highlighted that there needed to be better partnership working with the Police and other frontline officers locally, to ensure that the Council remains aware of local issues and is able to provide the most effective service possible to local residents, particularly where the issue may relate to a dangerous dog/irresponsible ownership. This is also vital in relation to increasing enforcement and use of Fixed Penalty Notices through any future Dog Control Orders.

It is clear that the current service provided by the Authority is adequate, however, we have found areas for improvement. There are issues with the current Kennel contract and consistency of service/paperwork completed. The Authority needs better publicity of the service available and the legislation in place.

Many thanks to all who provided evidence for this review, their information was invaluable to the completion of the report and the formulation of the recommendations which this cross-party Select Panel hope will be implemented as soon as practicable.

**Councillor Gillian Freeman
Chair of Review of the Dog Warden Service**



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1. Executive Summary

1.1 Summary of Findings

Bassetlaw District Council's Select Panel 3 was tasked to review the Dog Warden Service as part of the Annual Work Programme for 2010/11. The topic was approved by Overview and Scrutiny in July 2010. Bassetlaw District Council currently has a contract with Animal Wardens, a Manchester based company, for a Dog Warden and vehicle to cover office hours Monday to Friday. There is also a contract with Carlton Forest Rescue Centre that takes in any stray dogs brought in by the Warden or the public on behalf of the Council.

Members compared the current service offered by Bassetlaw District Council against that of other Nottinghamshire authorities and also assessed the differing approaches to enforcement across the authorities and compared the approach of a number of Arms Length Management Organisations (ALMO). When examining the legislation that the authority must adhere to, it became apparent that the service cannot be delivered without some partnership working with Nottinghamshire Police and other frontline agencies, however this was an area for improvement.

On the whole Members found that while the service provides above the minimum requirement by law, there were areas for improvement. A key recommendation is for the authority to refresh its enforcement processes by bringing new Dog Control Orders in to force and re-tender the existing Kennel contract as per Internal Audit's recommendation. In addition to this, it is vital that a clear joint approach is agreed with Nottinghamshire Police at the earliest opportunity.

An Equality Impact Assessment has been carried out for this review. This can be viewed at www.bassetlaw.gov.uk under the Equality Section or by contacting the Policy and Scrutiny Unit on 01909 533189.

1.2 Scope of the Review

The panel undertook a scoping exercise at the first meeting and the following Scope was agreed:

- Local Dog Wardens and enforcement
- Explore current legislation relating to dogs
- Comparison of costs and approaches across Nottinghamshire
- Explore a protocol for dangerous dogs

The review links to the Councils' Corporate Plan priority of:

- Regenerate the area and improve the environment people live in

1.3 Membership

The following Councillors were appointed to be members of this Panel Review:

- Councillor Mrs V. A. Bowles
- Councillor H. Brand
- Councillor G. Freeman
- Councillor M. Gray
- Councillor Mrs S. Isard
- Councillor S. May
- Councillor Mrs M. W. Quigley
- Councillor Miss M. Stokes
- Councillor S. Toms
- Councillor Mrs C. Troop

1.4 Summary of Recommendations

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
1.	That BDC agree revised Dog Control Orders in accordance with the Clean Neighbourhoods and Environment Act 2005 in relation to all five types of Order.	Julian Proudman, Environmental Health	Officer Time. Costs associated with public consultation and press coverage to be met within existing budgets.	October 2011	The Environmental Health Service will carry out a consultation exercise with Members, Parish and Town Councils, residents' groups and the general public. The results of the consultation will determine the scope and extent of the Orders made. (March 2011)
2.	That BDC re-tender the current Kennel contract to ensure that a best value service is procured, with clear monitoring processes. This should include provision of an efficient, customer focused out of hours service.	Julian Proudman, Environmental Health	The current total cost of the service is £54,541 for a daytime service. Tendering process and revised contract costs to be met within existing budgets.	September 2011	The current contract will be subject to tender. Where possible, the new contract will extend the level of out of hours cover. (April 2011)

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
3.	That BDC work with Nottinghamshire Police to agree a Protocol for dealing with Dangerous Dogs.	Julian Proudman, Environmental Health Sgt. O'Connell, Dog Legislation Officer, Nottinghamshire Police	Training for frontline Police staff – associated costs to be met by Police. BDC/Police Officer time to produce a joint protocol.	December 2011	<p>BDC Environmental Health Comment</p> <p>The Service has drafted a suggested protocol and is carrying out those elements likely to fall within the scope of the service. The Dog Warden Service would be happy to work with the Police to agree a protocol. (April 2011)</p> <p>Nottinghamshire Police Comment</p> <p>I have no issue with a Dec '11 deadline for the procedure to evolve with BDC. One consideration may be that together with five other dog section Sgts we are facing de-selection from the post of Dog Sgt and I am the only Dog Legislation Officer for Notts Police. If I am deselected then this process may have to be put on hold whilst replacement/other measures are put in place. (April 2011)</p>

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
4.	That BDC write to the Chief Constable regarding the issues of sharing information and a partnership approach with a view to agreeing a Memorandum of Understanding between the Police and local authorities.	Chair of Overview and Scrutiny Committee	Officer/Member time to produce letter. Environmental Health Officer time to support production of the Memorandum of Understanding.	September 2011	The letter can be sent to Nottinghamshire Police once Cabinet have approved the recommendations of the Review. The letter will make reference to the additional recommendation regarding the agreement of a protocol for dealing with dangerous dogs. Any Memorandum of Understanding should take account of the different approaches to service delivery across Nottinghamshire authorities. (April 2011)
5.	That additional training is given to the Dog Warden, Parish Councils, PCSOs, A1 Housing Officers and ASB Officers to issue Fixed Penalty Notices for dog fouling.	Julian Proudman, Environmental Health	The initial "train the trainer" cost will be approximately £250 - to be met from within existing budgets.	October 2011	An officer within the Environmental Health Team is to be trained to give this training to officers, Parish and Town Councils as appropriate. Training beyond this will be at no extra cost. (April 2011)

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
6.	<p>That Environmental Health redesigns the current Fouling of Land Designated Areas leaflet to reflect the new Dog Control Orders, highlighting the dangers to children, and including relevant contact information.</p> <p>Note: to include a School poster competition for KS2 age group to produce a poster for inclusion within the leaflet, with a prize for the winner.</p>	<p>Julian Proudman, Environmental Health</p> <p>Nigel Barton, Dog Warden</p>	<p>Cost of redesign and print of leaflets and prize for school competition winner to be met within existing budgets.</p>	<p>November 2011</p>	<p>The redesigned leaflet and poster competition will follow the successful introduction of the new Dog Control Orders. (April 2011)</p>
7.	<p>That following the re-tender of the Kennel contract, BDC should submit an application for a RSPCA Community Animal Welfare Footprint Award – Stray Dogs Award.</p>	<p>Julian Proudman, Environmental Health</p>	<p>Officer time to complete and submit application.</p>	<p>March 2012</p>	<p>The application will be made within the 2011/12 financial year. (April 2011)</p>

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
8.	That Environmental Health improves their pages of the Website and other published material, including reference to local animal sanctuaries and publicity of the Lost Dog Service, and clear guidance on out of hours support.	Julian Proudman, Environmental Health	Officer time to complete Website refresh. Printing costs for public material/ Bassetlaw News to be met within existing budgets.	September 2011	Redrafting of the web pages has now commenced. A leaflet explaining the services provided will also be produced. (April 2011)
9.	That an advisory note be included in all A1 Housing tenancy agreements, where the keeping of a pet is permissible, regarding the chipping of the animal (where appropriate) and consequences of irresponsible pet ownership on the tenancy.	Rachel Burton, A1 Housing Bassetlaw Ltd.	Cost of promotional material to be included in information pack to be met by existing Environmental Health budgets. A1 Officer time to explain that it is a recommended action for a prospective tenant.	October 2011	The first meeting of the Tenancy Agreement Working Group took place week commencing 28.03.11. A1 agreed to take the recommendation forward as part of this piece of work. Cllrs Troop, Hart and Pugsley are members of the group, and any proposals re changes to the agreement could be considered by the group. We can confirm that the timescales for the working group mirror that of the Scrutiny Review – consultation during August/September, Cabinet in October/November and January 2012 for implementation. (March 2011)

	Recommendation	Responsible Officer	Financial Implications	Delivery Timescale	Risks to delivery/Officer Comment
10.	That A1 Housing considers the necessary actions to submit an application for a RSPCA Community Animal Welfare Footprint Award – Housing Footprint.	Rachel Burton A1 Housing Bassetlaw Ltd.	Officer time to complete and submit application.	TBC	We will consider this but cannot be committed to a timescale at this stage. (May 2011)
11.	That a review of signage and bin provision in designated areas takes place, including an increase in the size of warning stickers used to A5.	Julian Proudman Environmental Health Ian Roebuck Environment Services	Current cost of stickers at A5 size is £1.20 each. Based on approximate number of bins this equates to £1200 (1000 bins).	November 2011	A new stock of larger stickers (A5) will be ordered and held in stock for all new bins, and to replace any found missing from bins. (April 2011)

2. Background

2.1 Current service provision in Bassetlaw

In Bassetlaw, the Dog Warden Service is contracted out to a private company, Animal Wardens, based in Manchester, whilst the kennelling of strays is contracted out to a local kennels, Carlton Forest Rescue Centre. The Contract with Animal Wardens includes a Dog Warden for Monday to Friday during office hours and a vehicle. The contract is flexible so that the Dog Warden is able to cover other elements such as prevention information, chipping and erecting of signage in problem areas. There is currently no formal out of hours service, but through an informal agreement with our contracted kennels, there is a reception point for finders of stray dogs at Carlton Forest Rescue Centre.

The cost of the Dog Warden Service is just over £54,000. This is broken down as follows:

- Animal Wardens Contract – £25,021
- Kennel Contract (24 hour reception point) – £3,000
- Kennel Costs – £17,125
- Veterinary Costs – £5,250
- Out of hours Transport – £2,125
- Bonus for re-homing dogs – £2,020

The owners of the kennelling centre carry out all necessary transactions with residents regards reclamation of fees and, where appropriate, advice on chipping etc. They have a scale of charges provided by Environmental Health to advise residents of the costs to be covered.

There are currently two Designation Orders under the Dogs (Fouling of Land) Act 1996, both of which refer to maps detailing specific areas covered, plus a number of areas designated by description e.g. Highways. The areas are listed in the leaflet *Paws for Thought! & Keep Bassetlaw Clean*. The Council do have access to a stencil which can be used to spray paint an anti-dog fouling message on the pavements owned by Bassetlaw District Council, but this requires permission from Nottinghamshire County Council Highways. The Council has a policy of not providing separate waste bins and encourages owners to use normal street litter bins. This saves on the cost of providing separate bins for dog waste and removes any excuse that an owner could not clean up after their dog because there was no dedicated dog waste bin. Usage of general

litter bins is currently highlighted by an A6 size sticker noting the maximum fine for not clearing up dog waste. It should be noted however, that some organisations have provided their own dedicated bins such as Parish Councils, National Trust, Wildlife Trust and British Waterways.

At present the authority does not use Fixed Penalty Notices for dog fouling as a standard means of enforcement. Although some notices have been issued in the past they haven't been used in the last two years. In comparison with other Nottinghamshire Districts, all have actively used this mechanism with Mansfield using this method of enforcement most often.

2.2 Current Legislation

The Dogs Act 1871 made it possible for a Magistrate to order the destruction of a dangerous dog. They could order an owner to control their dog and issue a fine if the order was broken. There have been a number of Acts of Parliament passed in the last few years that impact on local authorities' responsibilities with regard to dogs. The key themes are still the same as they were back in the 19th century – the control of stray dogs; dangerous dogs; and fouling.

Animal Welfare

The Environmental Protection Act 1990 placed a duty on the Council to appoint an officer to discharge the Council's responsibilities with respect to stray dogs. The basic legal requirements are that the Council take in or seize any dog believed to be a stray, arrange for the dog to be kennelled pending collection by its owner and to arrange its disposal if not collected.

The Clean Neighborhoods and Environment Act 2005 made local authorities fully responsible for the handling of strays. This had previously been a shared responsibility with the Police. The introduction of the Animal Welfare Act 2007 placed a duty of care onto the local authority to ensure that the five basic needs of dogs were met. These are:

- somewhere suitable to live
- a proper diet, including fresh water
- the ability to express normal behaviour
- for any need to be housed with, or apart from, other animals, and
- protection from and treatment of, illness and injury

Dangerous Dogs Act 1991 (Section 1) (DDA)

This Act prohibits the ownership of certain types of dogs identified as dangerous, these are:

PIT BULL TERRIER



FILA BRAZILIERO



DOGO ARGENTINA



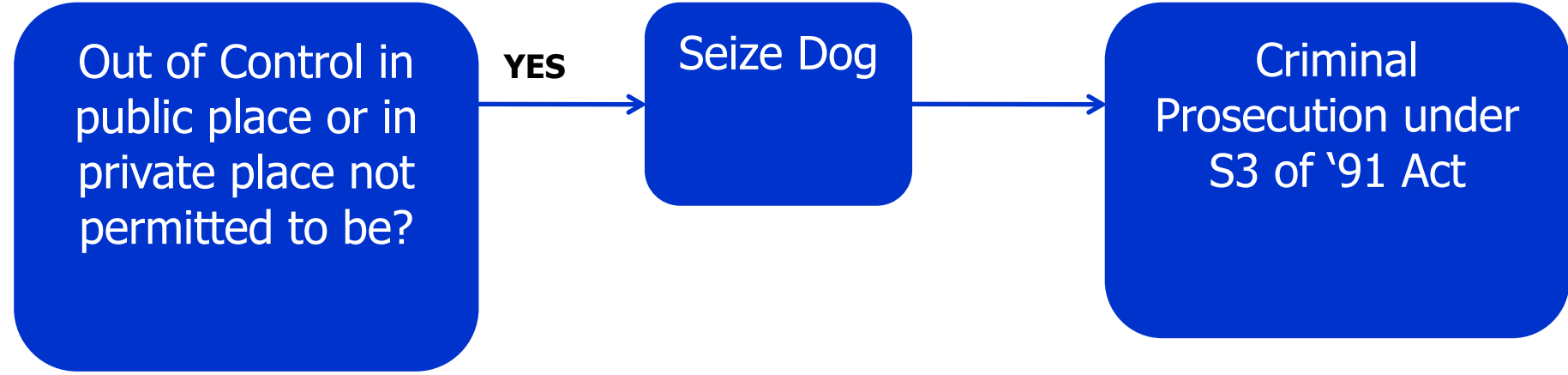
JAPANESE TOSA



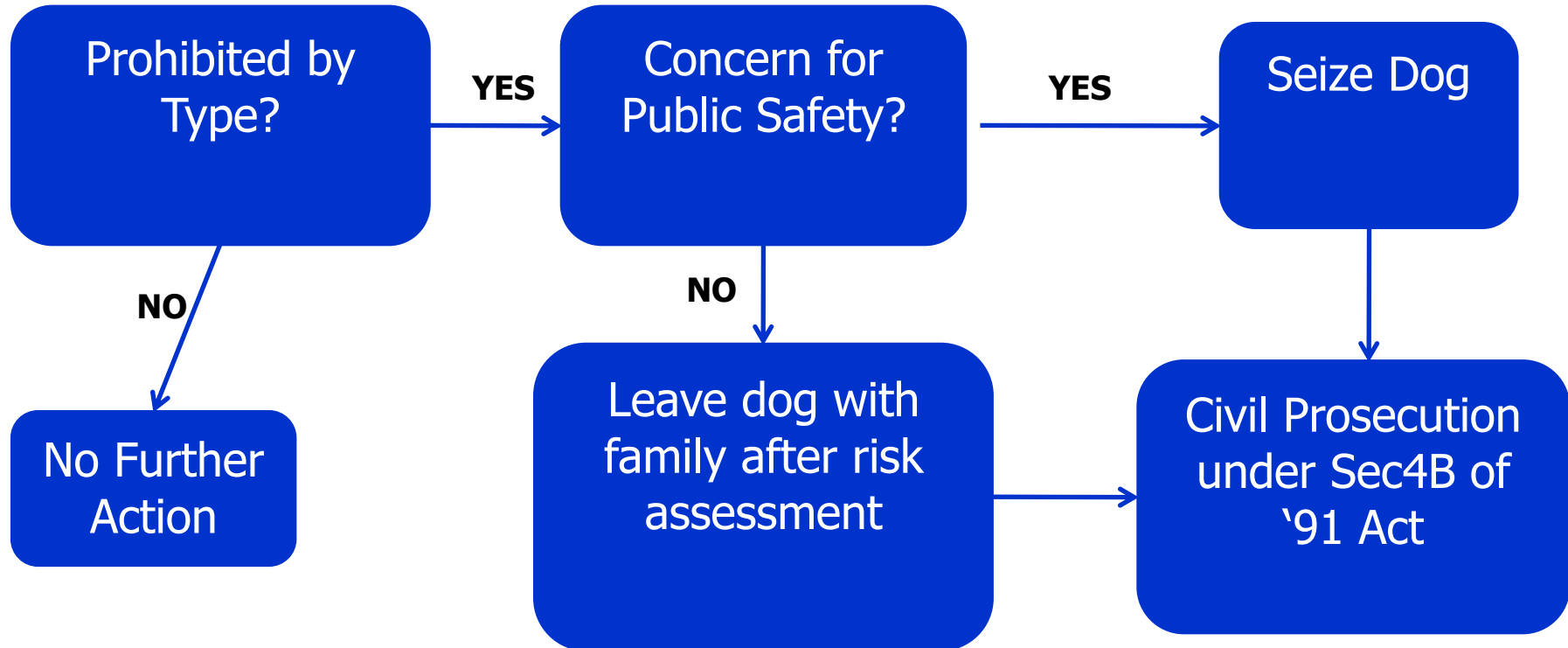
Prosecutions can be commenced on just the dog's physical characteristics.

Dangerous Dogs Act 1991(Section 3)

It is a criminal offence to allow any dog to be dangerously out of control in a public place or a place to where it's not allowed to be. It becomes an aggravated offence if the dog injures a person. Legal action may be taken against the owner and/or the person in charge of the dog at the time of an incidence. Below is a diagram of the action that can be taken if a dog is out of control or of a prohibitive type.



NO



Dog Fouling

In 2008 the UK dog population was estimated to be 7.3 million, with dogs producing approximately 1,000 tonnes of excrement each day. In a recent survey of over 19,000 sites dog fouling was present in over 8% of these sites. Some dog owners still fail to clean up after their dogs and the highest level of dog fouling can be found in areas where people actually live¹.

Dog fouling is not only unpleasant it is dangerous. The biggest threat to public health from dog excrement is Toxocariasis. Toxocariasis is an infection of the roundworm *toxocara canis*. The eggs of the parasite can be found in soil or sand contaminated with faeces and if swallowed, result in infection that lasts between six and 24 months. Symptoms include eye disorders, vague aching, dizziness, nausea, asthma and epileptic fits. Often the eggs are ingested when passed to the mouth by the hands, but this can also occur through contact with dogs or other inanimate objects including the wheels of toys and the soles of shoes. Infected soil samples are often found in play areas and as a result, Toxocariasis most commonly affects children between 18 months and five years.

Dog Control Orders

The Clean Neighbourhoods and Environment Act 2005 provides local authorities with the power to make an order providing for an offence or offences relating to the control of dogs in respect to any land which the act applies to. This is termed a Dog Control Order (DCO).

Under the Act an offence relates to the control of dogs if it is in relation to one of the following activities and can therefore be the subject of a dog control order:

- The fouling of land by dogs and the removal of dog faeces
- The keeping of dogs on leads
- Being instructed to keep a dog on a lead by a designated officer
- The exclusion of dogs from land
- The number of dogs which a person may take on to any land

¹ Keep Britain Tidy Campaign

Examples of these kinds of orders would be in relation to making sure dogs are kept on leads when on the roads and also making sure that dogs are excluded from certain areas of local parks – i.e. the playing fields where sport takes place.

DCOs may apply to all public land which is “open to the air, and to which the public are entitled or permitted to have access with or without payment”. Therefore parks, commons, housing open spaces and the public highway could be covered by DCOs for the above offences. Offenders can be issued with a Fixed Penalty Notice or if the case goes to court a fine of up to £1,000.

2.3 Support from Animal Welfare Agencies

Deed not Breed

The company 'Deed not Breed' is based in Nottinghamshire and was set up in January 2007 following the death of Ellie Lawrenson in Liverpool from a 'Pit Bull Type' dog. The company was set up as a direct response to the Chief Constable of Merseyside's plan to have an amnesty for 'Pit Bulls' in Liverpool, Merseyside.

Deed not Breed has three help lines, two of which are run by the Bull Breed Advisory Service who have been dealing with DDA cases for 16 years. The lines were opened in January 2007 and ran 24 hours a day for the first few weeks of the year. The organisation still receives calls every single day. These phone lines have given many hours of advice to terrified owners and increasingly to professionals in the field such as animal ambulance staff, some dog wardens and even solicitors faced with dogs and situations they do not know how to handle.

Deed not Breed offer free legal advice and assistance to owners of dogs, Police Forces, local authorities and solicitors. Their help lines are open seven days a week until 10.30pm, calls are charged at national rates.

A key objective of the organisation is to lobby Government for a change in legislation away from Breed Specific Legislation (BSL) to regulations linked to specific actions by an animal/irresponsible dog ownership. BSL literally means laws which only apply to a section of the canine population. These laws usually place restrictions on breeds or types. Restrictions may take many forms; though typically include mandatory muzzling and on-lead only exercise in public places, enforced registration on indexes, breed-specific bans and substantial licensing fees.

Four breeds are currently subject to BSL under the Dangerous Dogs Act (DDA) as mentioned above under 2.2 and this also affects 'types' of these dogs. This means that your dog doesn't have to be a pure bred to be subject to the DDA, it simply has to display physical and behavioural characteristics similar to those displayed in breeds covered by the Act, as per the American Dog Breeders Association breed standard written in 1976. The addition of the word 'type' is considered by certain national organisations to complicate classification; because the guidelines are based predominantly on appearance and could be open to misinterpretation, whether deliberate or accidental. In some cases, a dog which has the appearance of a breed which is not classified as dangerous could in fact turn out to have the necessary physical and behavioural characteristics of a dangerous dog but these may not become prevalent until the dog is over nine months old.

A number of organisations feel insufficient guidance is offered to help officials decide whether behaviour is synonymous with a breed or type. These guidelines - and the room they leave for interpretation - is a real cause for concern in the climate of fear and paranoia, as under British law it is an offence to own, keep, gift, breed from or sell any of the dogs mentioned above.

However, the 1991 Act was amended by the Dangerous Dogs (Amendment) Act of 1997. This amendment has been widely welcomed, as it acknowledges the fact that not all dogs who are deemed to be of a 'type' mentioned in the Act pose a threat to the public, and as such need not always be put to sleep. Importantly this amendment states that no dog need be destroyed if the court is satisfied that it constitutes no danger to public safety. Instead, once the court is satisfied of their suitable temperament and their owner's commitment to responsible care, dogs may be registered on the Index of Exempted Dogs, micro-chipped, neutered and returned to their owner's care.

3. Method of Review

3.1 Summary of Review Meetings and External Visits

Meeting	Witnesses	Evidence Gathered
13 th December 2010	Julian Proudman – Environmental Health	Current Service provision, enforcement and finance.
24 th January 2011	Nigel Barton – Dog Warden	Role of the Dog Warden
31 st January 2011	Piers Cloughton – RSPCA Jenny Foxall-Lord – Mayflower Sanctuary	<ul style="list-style-type: none"> • RSPCA role, policy and future aspirations • Information about stray dogs and provision
16 th February 2011	Sgt Stephen O’Connell – Dogs Legislation Officer Nottinghamshire Police	Dangerous Dogs current protocol
7 th March 2011	Rachel Burton- A1 Housing	<ul style="list-style-type: none"> • A1 registration scheme for pets. • Working Group discussions on proposed revisions to the Tenancy Agreement.
21 st March 2011		Draft Recommendations
4 th April 2011		Draft Report

Visit to Ashfield District Council – 26th January 2011

Other activities included a visit to Ashfield District Council (ADC) a recipient of the Gold Paw Print awarded by the RSPCA to celebrate local authorities’ good service around stray dogs. ADC provided the Panel with lots of information around the

consultation process to introduce Dog Control Orders, how they target hot spot areas for fouling and how they handle stray dogs. A summary of the information gathered as part of the visit can be found within the Appendices (Appendix 6.1).

The review also carried out a number of surveys the results of which can be viewed in the Appendices.

Parish Councils' Survey (Appendix 6.2)

This survey involved contacting local Parish Councils to gather information about their experience of dog related issues. They were asked if there were any byelaws in place, if dog fouling had been discussed in their meetings and if they had any other comments.

Survey of Nottinghamshire Authorities Dog Warden Services (Appendix 6.3)

A survey of Nottinghamshire local authorities was carried out to ascertain the type of service provided and the cost of the service. It also gathered information about the reclamation fees and fouling enforcement. Each local authority in Nottinghamshire was contacted and asked to provide answers in relation to the following areas:

- Dog Warden Service
- Control of Strays
- Dog Fouling

Survey of Signage and Litter Bins across the District (Appendix 6.4)

The aim of this survey was to find out if there was good signage to warn people about the consequences of failing to clean up after their dogs and the number of bins available for dog waste. We asked every Councillor to provide information about their ward, the scale of the fouling problem, visible signage and bins. The survey was based on the leaflet currently available from Environmental Health '*Paws for Thought! & Keep Bassetlaw Clean*', which lists all areas designated under the Dogs (Fouling of Land) Act.

4. Addressing the Scope: Evidence Gathered for Recommendations

4.1 Local Dog Wardens and Enforcement

Survey of Nottinghamshire Authorities' Dog Warden Services (Appendix 6.3)

The evidence gathered shows that there is diversity in the way local authorities run their Dog Warden Service. Most of the authorities have opted for combined roles with Pest Control, fly tipping and dog control. Two of the authorities have implemented Dog Control Orders, with three more currently considering this option.

Bassetlaw's Dog Warden has been in post since 1997 and consequently has extensive knowledge of the local area. A key area of concern for him is that due to the lack of a registration scheme and micro-chipping being optional there is often no way for the Council to link an animal back to its owner. This invariably results in the Council bearing the full costs, which when comparing the number of strays that have been destroyed shows Bassetlaw is bearing a significant additional cost. It was noted that fouling is a problem in the winter months and as a result there is a greater need for leafletting/monitoring of the situation at that time of year.

In relation to dangerous dogs, it was noted that there is a good relationship with the local Police; however the call centre does not always provide the public with accurate information, causing confusion and an inefficient local service. This is discussed in more detail under section 4.4.

The use of Fixed Penalty Notices (FPNs) for dog fouling also varied widely across the authorities. Bassetlaw District Council is the only authority not to have issued FPNs within the last year. It was noted that the Council's Dog Warden had received training in the past for issuing FPNs but would benefit from a refresher course if the authority was to pursue this course of action on a more regular basis.

The survey of Nottinghamshire Authorities found that all Councils kept any stray dog found for seven days as standard, however, there were a number of differences in reclamation costs which impacted on the overall cost of the service at each authority. In relation to use of specific dog waste bins it is clear that they are more widely used by other areas. Bassetlaw District Council does not directly purchase dog waste bins and any in existence will have been purchased by the local Parish Council or other independent agencies i.e. National Trust (approximately 40). Bassetlaw does have approximately 1000

general waste bins which can accommodate bagged waste and an A6 size sticker is used to raise awareness of the consequences of failing to 'pick up'.

Survey of Signage and Litter Bins across the District (Appendix 6.4)

Through the survey of signage and bins (Appendix 6.4) it became apparent that a number of the bins were missing/incorrectly labelled and that some signage needed to be replaced or made more prominent. Following discussion Members felt that there needed to be a review of signage and positioning/labelling of bins. They also felt that the sticker used to identify the bin as suitable for bagged dog waste should be bigger at A5 size.

It has also been made apparent that certain local agreements with Parish Councils for bin emptying may no longer be viable given the extent of usage of the bins for dog waste i.e. the task of emptying has become over and above what was originally expected. Members recommend that the service considers reviewing existing local Parish agreements as part of the review of signage and bin provision.

The Panel also recommend that the Service compares the information gathered from Members with that provided for mapping by the GIS Unit (Appendix 6.5). When comparing the maps produced from the service data regarding reported fouling incidents and requests for signs, they do not always mirror the findings of our survey – the St. Anne's area of Worksop being a clear example. We recommend that the service uses the GIS Unit on a regular basis to map this data in order to see gaps in provision of signage in relation to fouling incidents, as the map for the Thrumpton area of Retford for example, shows a clear need for additional signage based on reported fouling.

The Panel recommends that Environmental Health look at the full results of the survey, as part of a review of signage and litter bin provision.

Recommendation:

- That a review of signage and bin provision takes place following the results of the survey, including an increase in the size of warning stickers used to A5.

Survey of Parish Councils (Appendix 6.2)

One of the questions asked of our Parish Councils was:

“Are there any Parish Byelaws in place that relate to dog issues and has any action been taken?”

Of the responses received, it was found that no Parishes are currently using local byelaws as a means of enforcement. A number were aware, however, of the powers they had for local enforcement, but were hesitant potentially through a lack of awareness/training. The only criticism that could be found of the service locally is how Bassetlaw District Council communicates the availability of support out of office hours. Members felt strongly that this ran concurrent with other issues identified regarding public information about the service available from the Council and where support was available for those finding a stray/dangerous dog and those losing a dog.

Recommendations:

- That additional training is given to the Dog Warden, Parish Councils, PCSOs, A1 Housing Officers and ASB Officers to issue Fixed Penalty Notices for dog fouling.
- That Environmental Health redesigns the current Fouling of Land Designated Areas leaflet to reflect the recommended new Dog Control Orders, highlighting the dangers to children, and including relevant contact information.
- That Environmental Health improves their pages of the Website and other published material, including reference to local animal sanctuaries and publicity of the Lost Dog Service, and clear guidance on out of hours support.

RSPCA

Evidence gathered as part of the Review showed that the organisation has no role with respect to stray dogs – this was solely a local authority function. In 2008, the RSPCA received 100,000 calls into their call centre regarding stray animals, mainly dogs. In 2008/09 the RSPCA received 2789 calls regarding dogs in Bassetlaw. The table below shows the types of complaints received for the period 2008-2010, the biggest issue being 'Neglect':

Type of complaint	2008	2009	2010	Grand Total
Abandonment	174	138	118	430
Beating	191	33	105	329
Disqualified	6	10		16
Fighting		7	14	21
Heat Exposure	19	23	42	84
Improper Killing	8	153	1	162
Mutilation	118	1		119
Neglect	1006	894	1072	2972
Poisoning	6		1	7
Wildlife	2			2
Grand Total	1530	1259	1353	4142

When comparing the various postcode areas in the District It is clear that there is a vast difference between individual areas in the number of incidents. Unfortunately due to the sensitivity of this data we have been unable to map it to compare against any Council or A1 Housing data, to draw any correlations between deprivation, known hot spots or housing tenure.

Postcode area	No. of incidences			Total no. of incidences		Postcode area	No. of incidences			Total no. of incidences
	2008	2009	2010				2008	2009	2010	
DN11 0	834	112	232	1178		NG23 6	100	40	2	142
S80 2	289	172	196	657		NG22 8	63	63	15	141
S80 4	121	448	77	646		DN11 9	47	14	78	139
NG22 9	438	66	138	642		S80 3	24	37	71	132
DN10 6	531	52	28	611		DN22 8	47	11	67	125
DN22 7	161	67	182	410		S81 7	54	13	55	122
DN11 8	137	101	105	343		NG23 7	37	22	54	113
S81 9	73	227	38	338		S81 8	38	19	45	102
S81 0	90	62	149	301		NG23 5	14	17	17	48
DN22 6	94	81	48	223		DN22 9	9	10	20	39
NG22 0	34	127	36	197		DN10 5	13	23	2	38
DN10 4	62	105	22	189		DN22 0	15	8	10	33
S80 1	44	30	75	149		NG22 1	1	0	7	8

In addition, when comparing Bassetlaw with other geographic areas of the County, it is clear that we have a higher incident rate:

Geographic Area	2008	2009	Grand Total
Ashfield	999	853	1852
Bassetlaw	1530	1259	2789
Broxtowe	577	711	1288
Gedling	552	470	1022
Mansfield	565	898	1463
Newark & Sherwood	1472	1108	2580
Nottingham	2642	1901	4543

The RSPCA currently has to pay approximately £5 - 6 million for private kennelling for case animals. In terms of local warden services, they would actively promote the use of Dog Wardens rather than collection services because the added benefits of having a trained officer is wide reaching. Their fear, in this economic climate is that local authorities will reduce their services and move to a dog collection service. They believe a Dog Warden is much more than that, they are the eyes and ears of the community and can signpost issues to other agencies. They tackle low level anti-social behaviour, environmental health issues and often work with Housing Services.

The evidence provided noted that local authorities should adhere to the Animal Welfare Act and the five basic welfare needs. The liability for failing to meet the five basic welfare needs lies with the Council, even if the kennel contracted by the Council is prosecuted under this act.

As noted with regard to the charity Deed not Breed, the RSPCA has been working closely with the Government to improve the dangerous dog legislation. They would like to see a move away from breed specific enforcement, to focus on irresponsible owners. There have been some problems with young people acting irresponsibly with dogs so they have been looking at ways to work with young people outside of the education system, such as the Youth Offending Teams.

The idea of reintroducing dog licensing has been floated at a national and local level; this would fund proactive work and a consistent service across the country. The RSPCA has compiled an economic case for licensing and the funds raised by a £21 licence per dog would allow councils to tackle irresponsible dog ownership. It is recognised that the costs of dog control is increasing with the number of stray dogs being reported and the increased costs of kennelling. The lack of clear legislation and ability to identify the owner means that local authorities are all too often picking up the bill.

The RSPCA also runs an Award Scheme, Community Animal Welfare Footprints (CAWF), which has three levels of award – bronze silver and gold. The aim of the Footprint scheme is to recognise and promote those that have made the extra effort and gone beyond their basic service requirements to ensure higher welfare standards in some of the services they provide. Many housing providers and local authority departments have found that the external recognition that CAWF has brought them has helped ensure that the level of funding for service delivery has been maintained or, in some cases, enhanced. There are four different Footprint Awards:

Stray Dogs	This covers policies that ensure stray dog welfare during the collection and kennelling processes, proactive work to educate owners, and preventative measures to reduce straying and long-term strays.
Housing	This includes the provision of a positive and clear policy on pet ownership and proactive work to educate the public about animal welfare related issues.
Contingency Planning	This covers policies, procedures and exercises within contingency plans that deal with companion animals, both domestic and commercially owned, as well as advice for preparedness.
Animal Welfare Principles	This is concerned with policies that improve and promote animal welfare through a clear animal welfare charter and the use of tools i.e. the Council website, to promote issues and educate.

They have also developed an Innovator in Animal Welfare Award to celebrate local authorities and other agencies that have tried a different approach and/or achieved great results in improving animal welfare. This may be related to the services covered by the Footprints or could be in another area.

In terms of local recognition through the Award scheme, Ashfield District Council has held a Gold Footprint Award for its Stray Dog service for the last three years.

Recommendation:

- That following the re-tender of the Kennel contract, BDC should submit an application for a RSPCA Community Animal Welfare Footprint Award – Stray Dogs Award.
- That A1 Housing carries out the necessary actions to submit an application for a RSPCA Community Animal Welfare Footprint Award – Housing Footprint.

A1 Housing Bassetlaw Ltd.

As part of examining local approaches to enforcement, Members also considered the policies of A1 Housing. S.13 of the A1 Housing tenancy agreement specifically deals with the housing of pets within properties and while it does not specify an actual 'number' of pets it does state that a reasonable number would be acceptable dependent on the property type. Reasonable would be considered as 2-3 dogs for example, and the breed of the dog would be taken in to consideration when assessing the reasonableness of them for housing in an A1 property.

When A1 properties are advertised as available for let any property suitable for pets is acknowledged with the symbol of a small dog. In addition, when a new tenant is signing up to a tenancy agreement the category of the property, in relation to its suitability for pets, is re-clarified.

The main issue for A1 is when a tenant occupies a flat with communal hallways and no outside space, although it should be noted that some flats do have a designated garden area. The vast majority of problems are with dogs housed in flats, and it is often the case that the tenant has been in occupation for a period of time before buying the dog. The most common issue is fouling in communal hallways.

Generally where it is recognised that a pet has been brought in to an unsuitable property, and there are complaints of nuisance, the owner is given seven days' notice to remove the dog from the premises. However, where it is found that the pet is being looked after responsibly and is owned by an elderly or vulnerable tenant and is deemed to be of benefit to the tenant's well-being by way of companionship, a Pet Passport is considered.

Pet Passports are only used in flats where there is no communal outside space and would not apply for example, to a standard family property which is likely to have been categorised as suitable for pets and advertised as such. The Pet Passport effectively operates as an Acceptable Behaviour Order for the pet. All tenants within the block of flats must agree to there being a pet within the property and an initial trial period for the whole block of flats is put in place with a review after three months. The Passport can only be issued for an existing dog and would cease should the tenant no longer own the dog in question.

Members were given access to a copy of the agreement given to tenants, and while it is not legally enforceable by law, it does act as a commitment on the part of the tenant to ensure responsible ownership of the pet. On signing the agreement a photo is taken of the pet, as part of A1's record for the tenant. Any breaches of the agreement are addressed as a breach of the tenancy agreement.

If the tenant is found to be in breach of the agreement a traffic light system is used:

1. Initially a warning is served, if necessary to the whole block where more than one tenant has a pet.
2. If this is not adhered to, consideration will be given to all actions of the tenant involved, both pet-related and otherwise, and the tenant will be given 7-14 days to remove/rehouse the pet (usually a dog).
3. If this still does not have the desired effect then A1 Housing will give notice to the tenant that they are seeking possession of the property. Repossession in this way is the highest level of action that can be taken and is a legal action involving the courts. Where this level action is reached and the tenant has not breached the tenancy agreement in any way other than their ability to care for a pet properly, then options other than eviction will be used where possible. An example would be the use of an Anti-Social Behaviour Injunction. This was used recently for a tenant in the Lowtown area of Worksop and specified that the tenant could not keep a pet at the property or within a two mile radius (for example with relatives or friends). Breach of such an injunction leads to contempt of court and a prison sentence.

Issues with the keeping of dogs in flats have been found in both the Prospect and Manton areas of Worksop. It was also noted that whilst A1 Housing does work closely with the Dog Warden, they do not currently provide advice regarding micro-chipping or stipulate that a dog/cat should be micro-chipped to prospective tenants.

When comparing A1 Housing with other neighbouring ALMOs – Newark and Sherwood Homes Ltd. and Ashfield Homes – the main differences found were that the comparator ALMOs actually specify the number of pets which can be kept rather than using a test of reasonableness. Similar to A1 Housing they do not provide advice on micro-chipping. Newark and Sherwood have similar system of three warning levels, and Ashfield also use a notice of possession as the ultimate enforcement measure. What the other authorities didn't use was alternative measures of enforcement such as the Anti-Social Behaviour Injunction which enables the tenancy to remain secure where possible.

Recommendation:

- That an advisory note be included in all A1 Housing tenancy agreements, where the keeping of a pet is permissible, regarding the chipping of the animal (where appropriate) and consequences of irresponsible pet ownership on the tenancy.

4.2 Explore Current Legislation Relating to Dogs

Clean Neighbourhoods and Environment Act 2005

The Clean Neighbourhoods and Environment Act 2005 gave Councils powers to make Dog Control Orders (DCO) in their area. This Act enables Parish Councils as well as District Councils to put into place DCOs. There are five offences that can be prescribed in a DCO these are:

- (a) failing to remove dog faeces;
- (b) not keeping a dog on a lead;
- (c) not putting and keeping a dog on a lead when asked to do so by an officer;
- (d) permitting a dog to enter land from which dogs are excluded;
- (e) taking more than a specified number of dogs onto land.

The penalty for an offence is a fine of up to £1,000, or a Fixed Penalty Notice may be offered as an alternative.

A consultation exercise must be undertaken before a DCO is made and the DCO must be publicised extensively after it has been made.

From the visit to Ashfield District Council, Members have gathered first hand evidence of how a neighbouring authority has approached the introduction of DCOs and have samples of the publicity and consultation approaches taken. Our own Environmental Health team recognise the advantages to the approach taken by Ashfield District Council and welcome the information gathered as part of the Review.

As the current designation by Bassetlaw District Council is limited to the Fouling of Land, Members strongly feel that the Council should put appropriate DCOs relating to all five offences, in to place at the earliest opportunity.

Recommendation:

- That BDC agree revised Dog Control Orders in accordance with the Clean Neighbourhoods and Environment Act 2005 in relation to all five types of Order.

4.3 Comparison of Costs and Approaches across Nottinghamshire

Survey of Nottinghamshire Authorities' Dog Warden Services (Appendix 6.3)

A key element of the Review was to compare Bassetlaw's Dog Warden Service with other local authorities. The Panel wanted to see how other approaches worked, the associated costs, and the outcomes achieved by the Authority as a result. Members agreed to conduct a survey across Nottinghamshire. From the information gathered, it was clear that there was a varied approach from Ashfield District Council which has a contract that incorporates the Dog Warden and the kenneling to Rushcliffe that has a combined role of Dog Warden and Pest Control Officer. The total cost for delivery of the service varied greatly across the County from £34,000 (with £10,000 collected in reclamation) to £127,000 (with £4,590.07 collected in reclamation). Bassetlaw District Council costs are currently just over £54,000 per year.

The charges for reclamation also vary substantially with some authorities having a fixed fee and others have multiple charges. The majority of authorities in Nottinghamshire have got a shared post that incorporates dog control issues. Only three authorities, Bassetlaw along with Ashfield and Mansfield, have a specific Dog Warden or Dog Control Officer. However, dog fouling in Ashfield is dealt with by their Community Protection Officers and Neighbourhood Enforcement Officers. This approach questions the amount of resource being put into dog related issues. By combining responsibilities across different posts, this does allow some authorities to offer a 24 hour service. Bassetlaw does not have an out of hours service, but it does provide a reception point for dogs to be handed into.

Doncaster Borough Council provides a finder with a reference number that can be quoted at the kennels if delivered there or to the warden if the dog is collected directly by the Authority. Strays can be reported up to 10pm. It was noted during the Review that our own Environmental Health team were interested in the approach used by Ashfield when re-tendering their contract, and would consider expanding Bassetlaw's out of hours provision as part of a planned re-tender process which has been recommended by Internal Audit (medium risk).

A further issue that was highlighted during the scrutiny review from both witness evidence and Councillor's anecdotal evidence is that the current service offered by the Kennels which Bassetlaw District Council contracts is not consistent. As such Members agreed that the re-tender process should aim to put in to place more efficient monitoring processes and a clear customer service standard which the successful Kennels must adhere to. This re-tender process is currently behind schedule and something which Members wish to see completed at the earliest opportunity due to the clear issues with current processes and lack of data related to customer satisfaction, which anecdotally appears to be medium/low. This lack of customer satisfaction data has also been prioritised by Internal Audit as a low risk.

While Councillors are aware that a scale of charges is provided for customers currently, it was agreed that a more stringent monitoring of paperwork should be in place including copy receipts for payments made – again something highlighted as low risk by Internal Audit, and the inaccurate completion of the register of strays as high risk. Where possible a photograph should be taken of the stray dog to enable an effective partnership approach with other agencies/service areas such as BDC's ASB Unit and A1 Housing, when incidents are impacting on more than one service area. In addition, the possibilities of having a central computerised database for all strays collected and currently at the Kennels should be considered – this could be for internal officer use or possibly also viewed externally on the Council's Website.

Recommendation:

- That BDC re-tender the current Kennel contract to ensure that a best value service is procured, with clear monitoring processes. This should include provision of an efficient, customer focused out of hour's service.
- That Environmental Health improves their pages of the Website and other published material, including reference to local animal sanctuaries and publicity of the Lost Dog Service, and clear guidance on out of hours support.

4.4 Explore a Protocol for Dangerous Dogs

Nationally over the last few years there have been a number of high profile incidents of maiming and death due to dangerous dogs. It is recognised that in the cases of both Ellie Lawrenson and John Paul Massey, the Police had received reports about the dogs being dangerous.

Figures in 2009 showed that there were more than 100 victims of dog bites admitted to hospital each week nationally. Five thousand two hundred and twenty-one people were treated during 2008/2009 after dog attacks in England; this includes 1,250 babies and toddlers.

Currently there is no formal protocol for dangerous dogs in Bassetlaw however; there are good relationships between local Police Beat Officers and the Council's Dog Warden. When examining the matter it was noted that there have been issues with the Police response to the public when calling the Control Office for assistance with a dangerous dog. The response has often been that the matter should be referred to the local authority and the Police have no responsibilities, which is inaccurate.

S.68 of the Clean Neighbourhoods and Environment Act 2005 brought about changes as to which authorities had responsibilities relating to dogs. The Local Authority assumed responsibility for all stray dogs however, the Police retained responsibility for:

- Dealing with Dangerous Dogs i.e. dogs causing danger to public
- Seizing and housing stray dogs classed as dangerous by virtue of type
- Recording details of lost dogs

At a national level there are issues in relation to dealing with Dangerous Dogs:

- There is no identified partnership procedure to deal with Dangerous Dog issues.
- There is a lack of understanding due to confusing Dangerous Dog Legislation.
- There is a lack of ownership of Dangerous Dog issues.
- There has been an increase nationally of the number of Dangerous Dogs as 'Status Dogs'.
- There has been an increase in adverse publicity nationally due to injuries caused by Dangerous Dogs.

It is acknowledged by Nottinghamshire Police that the issue of irresponsible dog ownership cannot be solved by the Police alone; it requires a partnership approach so that the Police and local authorities can find a practical way forward with a clear

understanding of responsibilities. Members agreed that a joint approach working closely with other agencies/parties is a useful tool to prevent such incidents becoming more prevalent.

At the moment there is no information shared about potentially dangerous dogs, so the Dog Warden can have given advice and warnings to an owner about their dog, without the Police being aware of the situation. Similarly the Police could also be involved and yet not be aware of the history of the dog until perhaps the dog injures someone.

Nottinghamshire Police provided Members with figures of incidents relating to dangerous dogs (by type and/or behaviour) in Nottinghamshire in January 2009. There were 59 offences in total, of which 20 were resourced. Ten of these offences occurred on the previously named 'B' Division which covered Bassetlaw.

Nottinghamshire Police now has a Dog Legislation Officer who covers the whole County. The offences noted in 2009 took place prior to the commencement of the post. The officer has provided training for new recruits on dog legislation and is keen to do more. He is in the process of trying to bring those involved in the provision of Dog Warden Services across the County together to discuss issues and establish a Memorandum of Understanding. This includes Nottinghamshire Police, RSPCA, local authority Dog Wardens and Animal Welfare Groups such as Deed Not Breed. Issues where a common approach could be agreed include:

- Transportation
- Warrants
- Examinations
- Court Appearances
- Evidential Photographs
- Point of contact

On evaluating the evidence gathered members felt that it was appropriate not only to get a Memorandum of Understanding in place regarding a partnership approach in relation to dealing with lost, stray and dangerous dogs, but to also have a specific protocol in relation to dealing with dangerous dogs. Both agreements would need to take in to account the different approaches to delivery of a Dog Warden Service within each Nottinghamshire District. This is again an issue that has been picked up by Internal Audit as a medium risk, and as with the re-tender of the Kennel contract delivery of this recommendation is currently behind the agreed schedule.

Recommendation:

- That BDC work with Nottinghamshire Police to agree a Protocol for dealing with Dangerous Dog Incidents.
- That BDC write to the Chief Constable regarding the issues of sharing information and a partnership approach with a view to agreeing a Memorandum of Understanding between the Police and local authorities.

5. Conclusion

The Select Panel was tasked to review the Dog Warden Service as part of the Work Programme for 2010/11.

Members compared the current service offered by Bassetlaw District Council against that of other Nottinghamshire authorities and also assessed the differing approaches to enforcement across the authorities and compared the approach of a number of ALMOs. When examining the legislation that the Authority must adhere to, it became apparent that the service cannot be delivered without some partnership working; however there were clear areas for improvement.

The service currently provided by the District Council is cost effective, in relation to the Dog Warden contract with Animal Wardens. There is both enforcement, and where time allows, education/awareness-raising. However, surveys at District and Parish Council level have highlighted the need for better information provision regarding the service offered by the District Council and clearer promotion and enforcement of the legislation in place. In addition, the current Kennelling contract requires review to ensure that the authority is providing the best possible service that satisfies Audit requirements.

There is a clear need for the legislation used locally by the authority to be reviewed, with the introduction of Dog Control Orders a key priority for the forthcoming year. Officers within Environmental Health should have regard to the approach used by Ashfield District Council when embarking on this process.

There is also a clear need for better partnership working with Nottinghamshire Police in relation to both dealing with dangerous dogs and providing the public with accurate advice and information when dealing with a stray/lost dog situation. This again supports the findings of Internal Audit. As noted within Section 2, Members are aware of the conflicting opinions over the current Dangerous Dogs legislation at a national level and whether breed specific legislation is still a sufficient approach. However, their main focus is to seek an improved situation locally between Police and the local authority and leave discussions around the current legislation to organisations operating at a national level.

There is a clear approach by A1 Housing with regard to the keeping of pets within their properties, with relevant enforcement approaches in place. We believe this can be supplemented further through the promotion of micro-chipping and a submission to the RSPCA for a Housing Footprint Award to acknowledge their approach.

In conjunction with this we are recommending that Bassetlaw District Council apply for a Stray Dogs Footprint Award to ensure that the authority can be recognised as providing a good level of service.

Overall, we feel the evidence gathered has reinforced the earlier findings of Internal Audit and it is clear that in some areas the service is not completing improvements to timescale. A number of the improvements hinge on the re-tender of the Kennel contract and the procurement of a cost effective, customer focused service.

6. Appendices

6.1 Report on Visit to Ashfield District Council – 26th January 2011

Councillor G. Freeman and V. Cookson (Policy and Scrutiny Officer) met with Robert Docherty (Environment Protection Team Leader) and Rebecca Whitehead (Community Protection Manager).

Ashfield District Council has held the Gold Footprint Award (RSPCA) for the last three years for its stray dog service. The team have Anti-Social Behaviour Officers, Community Protection Officers (CPO) and Neighbourhood Enforcement Officers (NEP). It is mainly the CPO and the NEPs that cover Dog Fouling issues. They both have other duties to carry out within their roles. The CPOs are the eyes and ears of the neighbourhoods.

The authority now has Dog Control Orders (DCOs) in place, although previously had not issued many fixed penalty notices. The process to agree the DCOs began 1st June 2010 with consultation and the five Dog Control Orders were put in place 29th November 2010. These will be reviewed in 12 months.

The authority has recently re-tendered the contract for the Dog Warden and kennels as a whole package. They have found that the tendering process needs to be detailed to ensure you get the services you want. They have opted for a 24 hour service and the re-tender process saved £30,000 on the previous budget.

Key Facts

- The service handles 600 dogs a year.
- £10,000 is brought in through release fees.
- Occupancy at the kennels is not an issue.
- Dog Warden's duties include - Stray Dog Collection; Supplying doggie bags to outlets; hot spots for fouling; micro chipping (included in part of the release fee) £10 for council £5 for the contractor; home service for dog chipping £15.00.
- The Council operates a spaying and neutering scheme (vet pays 1/3, Council pays 1/3 and Owner pays 1/3)
- They offer Anti-Barking collars for a (£20) deposit – there is currently a waiting list for these collars.
- Previously 60% of dogs collected were destroyed, but now this figure has reduced to about 10% and permission has to be given by the Council to destroy a dog.

Officer Comment

They believe the changes to the service give them a pragmatic approach. The kennel collects relevant fees, and the authority provides a form so that the fees are clearly marked. They chip all dogs on reclamation where required and provide a customer satisfaction questionnaire. If a dog is reported lost it is returned free. They hold regular liaison meetings with the kennels.

With regard to dangerous dogs, their staff are not authorised to deal with dangerous dogs and this is left to the Police. The Dog Warden may be utilised to transport the animal, and the kennel bill is directly billed to the Police by the kennels.

For dogs found over the District border, the Dog Warden meets on the border to exchange the animal.

The authority has a Dog Fouling Champion and they target hot spots with letters and postcards. They encourage people to report incidences of fouling, car registrations and likely addresses. A Newsletter for staff updating on actions and success rates is produced. They have 668 signs across the District.

Bassetlaw District Council has been provided with useful information about how to carry out the consultation for DCOs and given information about other authorities that have had successful publicity.

6.2 Survey of Parish Councils December 2010 - March 2011

Response rate: 15/45 (33.33%)

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
Babworth Parish Council Contact: Anna Lilley, Clerk to the Parish Council	Only thing that has been discussed at meetings is the need for more dog fouling bins along the canal side.	No Parish Byelaws in place.	
Barnby Moor Parish Council Contact: Ann Fraser, Clerk to the Parish Council	We have had two dealings with the Dog Warden which we were satisfied with: <ul style="list-style-type: none"> • Minute No 130 15/11/2010 • Minute No 12. 11/01/2011 This was re Dog Fouling notices.	No information regarding byelaws included in correspondence.	None
Blyth Parish Council Contact: Terry Stables, Clerk to the Parish Council	In response, I can say that the Parish Council hasn't had the need to discuss any issues linked to the Dog Warden Service or indeed any dog-related matters. We have been fortunate in not having any incidents requiring the help of the Service.	No Parish Byelaws in place relating to dogs.	None

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
<p>Everton Parish Council</p> <p>Contact: David Wright, Clerk to the Parish Council</p>	<p>Dog mess is the most commonly-discussed matter at parish council meetings nationwide, and it is an issue at Everton.</p> <p>Bassetlaw District Council provides an excellent Dog Warden Service, which we make regular use of. For example, the Dog Warden recently renewed the dog fouling notices throughout the Parish following complaints of dog fouling. He has also leafleted households in affected areas.</p> <p>The Parish Council also plays its part, and we now have six dog waste bins located at key positions. Three of them were recently provided using the District Council's Parish Grant. They are all emptied by the District Council Cleansing Service. A particularly bad location continues to be around the notice board at Carr View, where people have complained of treading in the dog dirt whilst posting notices.</p>	<p>The Parish do not have any byelaws.</p>	<p>Letter from PC Clerk 12.01.11</p> <p>Everton Parish Council Newsletter – Winter 2009/2010</p> <p>Information from David Bardsley – Chairman of Everton PC</p>

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
Gamston with West Drayton and Eaton Parish Council Contact: David Landon, Clerk to the Parish Council	The Council discussed dog fouling at it's meeting in January this year. The Council asked for a summary of the law relating to dog fouling which appeared in the Parish magazine, to be included.	No Parish byelaws in place.	Extract from minutes – 13.01.11 Extract from Feb 2011 edition of the Idle Times Letter from D. Landon
Hodsock Parish Council Contact: Anna Lilley, Clerk to the Parish Council	The problem of dog fouling within the village of Langold has been discussed. This seems to be an ongoing problem.	No Parish byelaws in place.	
Laneham Parish Council Contact: Di Fisher, Clerk to Parish Council	Two copies of minutes where reference has been made to the use of the Dog Warden Service (see item 14b December minutes and 5th January minutes). We have recently been contacted by the Dog Warden, whose advice and suggestions have been very helpful.	No information regarding byelaws included in correspondence.	LPC Minutes 15.12.2010 LPC Minutes 10.01.2011

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
Misterton Parish Council Contact: Angela Harrison, Clerk to the Parish Council	I am not aware of any discussions by the Parish Council linked to the Dog Warden Service or dog related matters at its recent meetings.	I am unaware of any Parish Byelaws in place that relate to dog issues, which have been acted upon.	None
Rampton Parish Council Contact: David Landon, Clerk to the Parish Council	The Council has not discussed dog fouling for some time (at least a year).	There are no Parish byelaws in place.	None
Shireoaks Parish Council Contact: Adele Haddon, Clerk to the Parish Council	Shireoaks has had problems over some years, as most places, with dog fouling. I have checked the minutes from 2009: <ul style="list-style-type: none"> • December 2009 - Parish Council purchased two new dog bins. • January 2009 - Applied for Kennel Club information pack, posters and poop bags • February 2009 - complaint from 	No information regarding byelaws included in correspondence.	

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
	<p>residents regarding dog fouling on the new estate</p> <ul style="list-style-type: none"> • June 2010 - complaint regarding carrier bags full of waste being deposited in dog bins • September 2010 - complaints from residents of the new estate regarding dog fouling - dog warden requested to put up more signs. <p>The Parish Council would like to add the following comments:</p> <ul style="list-style-type: none"> • That easier communication channels be devised during out of hours for those losing or finding dogs. There should be a central number to call which would then more easily match missing dogs to those found. This could be funded by a small charge to those using service. It was felt that the service worked quite well between normal office hours. 		

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
Sturton-le-Steeple	We discuss the dog warden service at virtually every Parish Council meeting particularly in respect of dog fouling.	I am not aware of any bye-laws in place that relate to dog issues although I do recall from somewhere that we do have some powers to fine offenders but we don't really fancy trying to enforce that - dogs have sharp teeth!!	None
North Leverton with Hablesthorpe	This issue is constantly in the top three of residents' complaints. Nigel was due to speak at last night's North Leverton Parish Council meeting but unfortunately was double booked.		
South Leverton			
North and South Wheatley	Either Nigel or Julian has agreed to attend the next meeting.		
Contact: Dave Langmead, Clerk to the Council			

Parish Council	Key Areas for Investigation		Documents received
	Has the Parish Council discussed issues linked to the Dog Warden Service or dog related matters at its recent meetings?	Are there any Parish Byelaws in place that relate to dog issues and has any action been taken.	
Sutton-cum-Lound Parish Council Contact: Martin Rees, Chairman of the Parish Council	We are pleased to report we have not had any recorded incidents of dangerous dogs in our parish. In respect of the dog warden services generally we have used them in the past couple of years to assist with inappropriate fouling issues. The service we have received was very good and prompt. We were supplied with stickers and the warden erected notices too, promoting responsible dog ownership in relation to fouling.	No information regarding byelaws included in correspondence.	None

6.3 Survey of Nottinghamshire Authorities Dog Warden Services

Authority	Newark & Sherwood	Broxtowe	Gedling	Rushcliffe	Ashfield			Mansfield	Bassetlaw
Warden	2 Dog wardens/pest control	Neighbourhood Wardens covering litter, fly tipping, graffiti and dog control	Neighbourhood Wardens	3 Dog Warden/ Pest Control Combined	Dog Control Officer			Dog Control Officer	Dog Warden
Out of hours service	No Finder has to take dog to kennels	Yes	No Finder has to take dog to kennels up to 11 miles away	Yes	Yes			Yes	Reception point for out of hours
Length of time kept	7 days	7 days	7 days	7 days	7 days			7 days	7 days
Cost of reclaim	1 Day £69 2 Days £76 3 Days £82 4 Days £89 5 Days £95 6 Days £101 7 Days £108 There is an additional £15 if dogs are	£35 + kennelling charges	Cost of seizure £52.55 inc. VAT per hour. Cost of transportation to kennels 96p per mile including VAT Out of hours call	Day 1 - £40.98 Day 2 - £52.26 Day 3 - £72.94 Day 4 - £84.22 Day 5 - £95.50 Day 6 -		Std rate	Subsequent Seizure	£69 reclaim charge	£38 reclaim charge Plus £9 per day for kennelling
					Day 1	£65	£90		
					Day 2	£85	£110		
					Day 3	£95	£120		
					Day 4	£105	£130		
					Day 5	£110	£140		
					Day 6	£120	£150		

Authority	Newark & Sherwood	Broxtowe	Gedling	Rushcliffe	Ashfield			Mansfield	Bassetlaw
	vaccinated at the Lincoln kennels		<p>out fee £24.00 inc VAT</p> <p>Administration charges £26.16</p> <p>Prescribed Fee £25</p> <p>Cost of Kennelling £17.08 inc VAT per day</p> <p>Inoculation (costs for this may vary but are usually around £18.00 plus VAT)</p> <p>Any additional veterinary fees if the dog is in pain or injured</p>	<p>£106.78</p> <p>Day 7 - £118.06</p> <p>Day 8 - £129.34</p>	Day 7	£130	£160		
Dog Control Orders	Yes and displayed on Website	Under consideration	No	No	Yes			Currently consulting	Under consideration

Authority	Newark & Sherwood	Broxtowe	Gedling	Rushcliffe	Ashfield	Mansfield	Bassetlaw
Missing Dogs	Photos online	Lost dog Form		Phone line	Phone line	Petlog	Lost Dogs
No. Dog Bins	Dog Control Officer	260	500	170	Currently consulting	Not known	
No. Strays	338	220	120	156	600	585 (2009/10)	438
No. dogs put down	21	3	Unknown	21	10%	5 (2009/10)	94
No. FPN	4	6	2	10	2 since Nov 2010	53 (2009/10)	0
Cost of the Service	Unable to provide cost as it is tied in with pest control	£127k *Amount recouped from owners reclaiming strays/rehousing = £4,590.07	Costs are tied in with pest control	£76k	£34K £10K collected in reclamation	£35k	£3,000 Fixed fee for kennels to accept dogs 24 hours £17,125 kennel costs paid by BDC £5,250 Euthanasia fee £2,125 Out of hours

Authority	Newark & Sherwood	Broxtowe	Gedling	Rushcliffe	Ashfield	Mansfield	Bassetlaw
							transportation £2,020 Bonus paid for re-homing dogs £25,021 Dog Warden contract Total Cost £54,541 £2,771 collected in reclamation

6.4 Survey of Signage and Litter Bins across the District

Survey of land designated under The Dogs (Fouling of Land) Act 1996 and subsequent legislation by District Council

Please note that full survey details for each individual site surveyed are available from the Policy and Scrutiny Unit.

Geographic Area	No. of designations	No. of designations surveyed by Cllrs	Main issues found i.e. bins/signage/fouling
Bassetlaw West – Worksop	104	17	Five areas without signs. Seven areas without bins available – one of which had fouling issue. A couple of areas also had bad litter problem. However, the worst area had both signage and three bins in the area. No signage visible in Gateford Meadows area and Gateford Gardens, some bins available, fouling in all areas. Very limited signage and bin provision in Sandy Lane area – clear issues with fouling to be addressed.
Blyth	4		Nil return
Carlton	9		Nil return
Costhorpe	1		Nil return
Holbeck	1		Nil return
Langold	4		Nil return
Nether Langwith	1		Nil return
Norton	1		Nil return
Oldcotes	2		Nil return
Rhodesia	2	2	No visible signs, bins available, fouling at numerous sites especially Mary Street.
Shireoaks	5	3	Worst area is former colliery site. Not sufficient signage, fouling in numerous areas, bins available.
Styrrup	4		Nil return

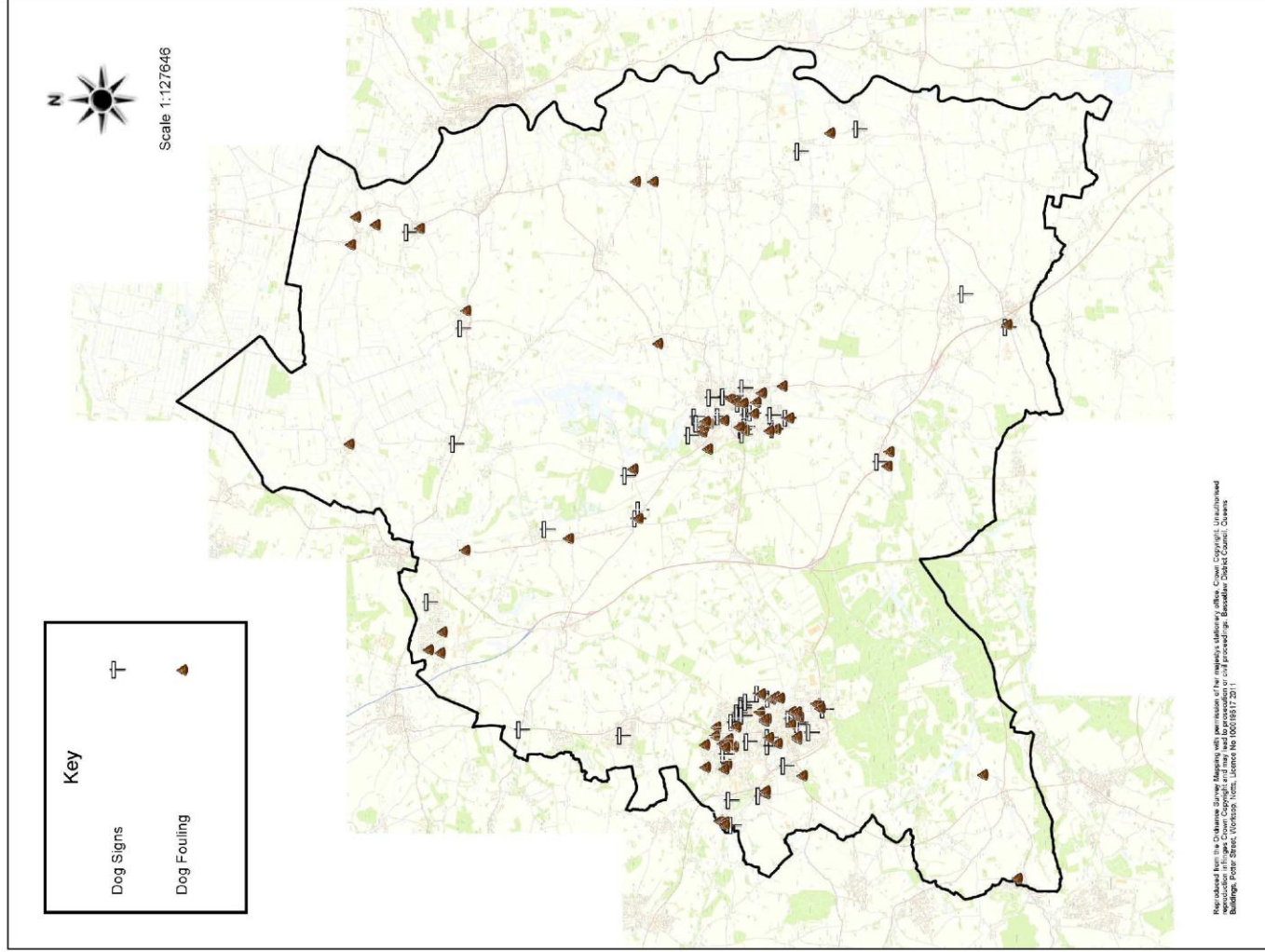
Geographic Area	No. of designations	No. of designations surveyed by Cllrs	Main issues found i.e. bins/signage/fouling
Bassetlaw East – Retford	35	11	Reputed problems between Holdenby Close and Leverton Road. Two signs missing, lack of available bin at five sites. Occasional fouling but generally picked up.
Babworth	1		Nil return
Barnby Moor	1		Nil return
Beckingham	2		Nil return
Bircotes	1		Nil return
Bole	1	1	One bin, no sign obvious and no sticker on bin. No issues with fouling reported.
Clarborough	2	2	Signs and bins present, no fouling.
Clayworth	3	3	No sign in play area at Memorial Hall but one sign on lamp post outside Hall – needs sign in play area and also some fouling, bins available at all sites.
Darlton	1		Nil return
Dunham on Trent	3		Nil return
East Markham	6		Nil return
Elkesley	1		Nil return
Everton	2		Nil return
Gamston	3		Nil return
Harworth	5	5	Improved signage needed at three sites – all of which have serious fouling issue and one of the sites without bin provision. Other two sites ok.
Hayton	2	2	No bins available at either of designated sites, no fouling noticed.
Laneham	1		Nil return
Lound	2		Nil return
Mattersey	1		Nil return
Mattersey Thorpe	4		Nil return

Geographic Area	No. of designations	No. of designations surveyed by Cllrs	Main issues found i.e. bins/signage/fouling
Misterton	3		Nil return
North Leverton	5	4	One bin at each of the four sites checked – all need new stickers and no obvious signage re designated area. No issues with fouling reported
North Wheatley	2	2	Not certain of signage but bins well used. No fouling but bin emptied by Parish Council by arrangement with BDC and usage for dog waste becoming unmanageable by Parish. Parish provided with a number of bins by BDC but local contract for emptying needs reviewing.
Ordsall	3	3	Two signs missing, No bin at one site, some fouling still present despite existing signage and bins provided.
Ranby	4		Nil return
Ranskill	3		Nil return
Scrooby	1		Nil return
South Wheatley	1	1	As per North Wheatley.
Sturton-le-Steeple	2	2	Three bins at playing field, no signage or stickers. No bins at village hall and no signage. No issues with fouling reported.
Sutton cum Lound	3		Nil return
Tuxford	3		Nil return
Walkeringham	1		Nil return
West Drayton	2		Nil return
West Stockwith	6		Nil return

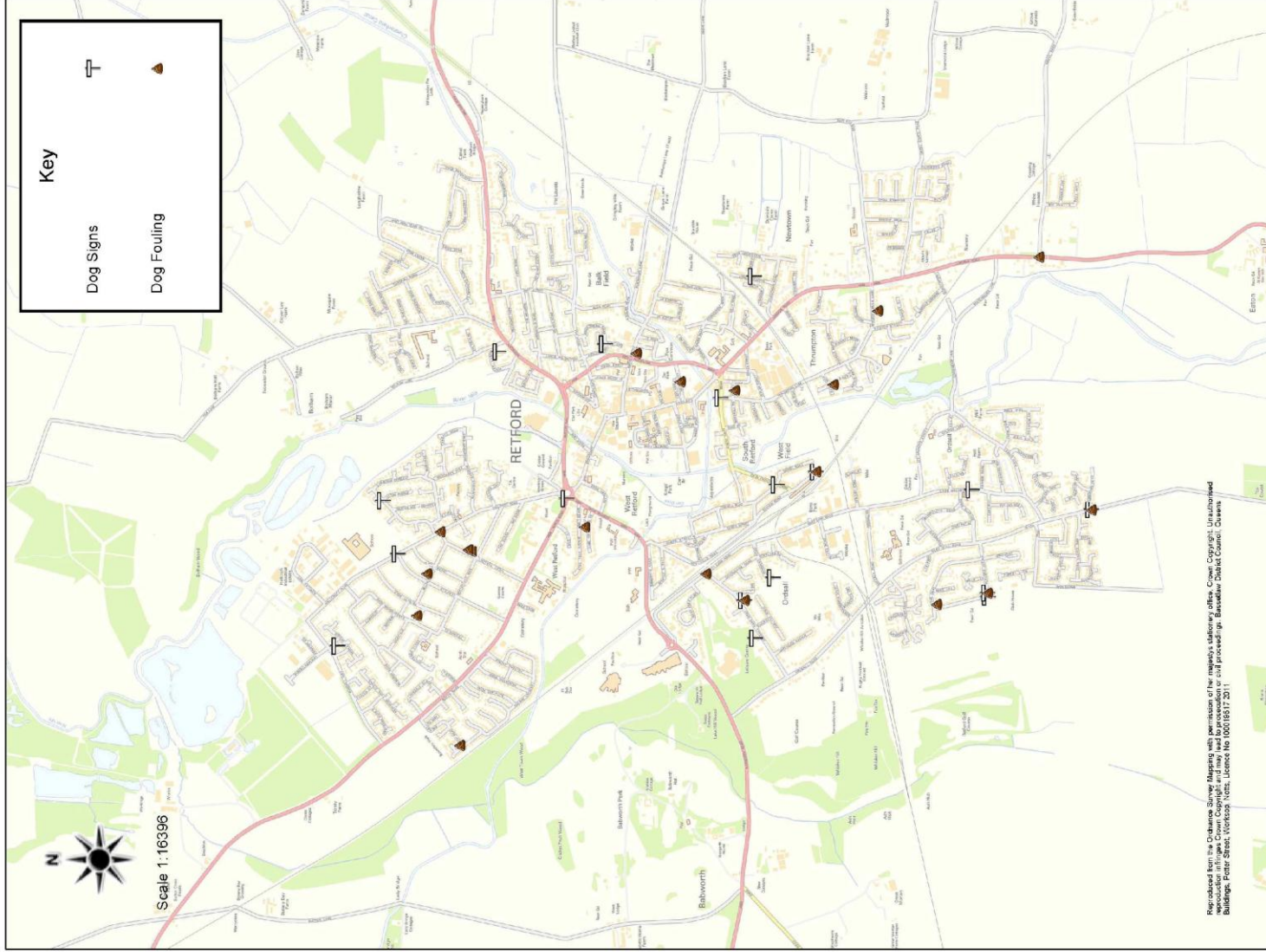
6.5 GIS Mapping of Environmental Health Service data

Bassetlaw District Council

Dog Fouling Data







6.6 Internal Audit Report – Dog Warden Service

The following information provides a summary of the recommendations made by Internal Audit and action taken by the Environmental Health Service.

Auditable Area	Start Date	Debrief Date	Draft report issued	Response received	Final report issued	Presented to Audit & performance Scrutiny Committee	No. of Audit Days	Assurance level given
Dog Wardens	26/07/10	30/07/10	05/08/10	20/02/10	23/08/10	September 2010	5	GREEN-AMBER

No. of Recommendations Made*				
High Priority	Medium Priority	Low Priority	Total	Agreed
1	3	2	6	6

*Priority level is based on assessment of associated risks to effective delivery.

Scrutiny query - Internal Audit Dog Warden Service

05 April 2011 12:59

7 rows found

Code	Title	Current Status	Progress	Start Date	Due Date	Completed Date	Managed By	Assigned To
AR - 14	Dog Warden Service	Overdue	<div style="width: 68%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">68%</div></div>	18/10/10	01/04/11		Ladyman, Mark	Proudman, Julian + 1 other
AR - 14.01	14.10/11 Dog Warden Service Rec 1	Overdue	<div style="width: 50%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">50%</div></div>	18/10/10	01/04/11		Ladyman, Mark + 1 other	Proudman, Julian + 2 others
AR - 14.02	14.10/11 Dog Warden Service Rec 2	Completed	<div style="width: 100%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">100%</div></div>	18/10/10	01/10/10	18/10/10	Ladyman, Mark + 1 other	Proudman, Julian + 2 others
AR - 14.03	14.10/11 Dog Warden Service Rec 3	Completed	<div style="width: 100%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">100%</div></div>	18/10/10	31/08/10	18/10/10	Ladyman, Mark + 1 other	Proudman, Julian + 2 others
AR - 14.04	14.10/11 Dog Warden Service Rec 4	Completed	<div style="width: 100%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">100%</div></div>	18/10/10	01/09/10	18/10/10	Ladyman, Mark + 1 other	Proudman, Julian + 2 others
AR - 14.05	14.10/11 Dog Warden Service Rec 5	Overdue	<div style="width: 0%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">0%</div></div>		01/04/11		Ladyman, Mark + 1 other	Proudman, Julian + 2 others
AR - 14.06	14.10/11 Dog Warden Service Rec 6	Overdue	<div style="width: 50%;"><div style="background-color: #4f81bd; color: white; padding: 2px;">50%</div></div>	11/02/11	01/01/11		Ladyman, Mark + 1 other	Proudman, Julian + 2 others

Title	Audit Recommendation	Desired Outcome	Notes and History (Action by Assigned Officer)
14.10/11 Dog Warden Service Rec 1	It is recommended that the Council establishes a working protocol with the Nottinghamshire Constabulary which follows the Home Office guidance which recommends joint working between the Police and local authorities when dealing with stray and dangerous dogs. This should clearly set out the duties and responsibilities of each party, including specifying when the Police will attend with the Dog Warden at higher risk situations, for example, at situations where a potentially dangerous dog is being used as a weapon to intimidate the public. Police expertise in gathering evidence and preventing re-occurrence may be required in these situations.	Management Comment: Contact has been made with the Police Dog Control Officer, via the Vice-Chairman of the Police Authority and it has been agreed that a meeting will be scheduled for early December between Bassetlaw DC, Nottinghamshire Police and any other neighbouring Nottinghamshire Local Authorities wishing to be part of a joint protocol.	A draft document detailing the Council's vision of how the relationship could work is currently being drawn up and will be forwarded to the Police as a discussion point prior to the meeting arranged for December. J Proudman 18/10/10
14.10/11 Dog Warden Service Rec 2	It is recommended that the Council gives consideration to reviewing contractual requirements in respect of pricing, between itself and the CFRC and between the CFRC and the public. Furthermore, management should review the controls that are in place to ensure that the correct fees are being levied by the CFRC in each instance.	Management Comment: Agreed.	The kennels have been advised of the correct release fee, and will be similarly advised in advance of any increase on 1st April 2011. Consideration has been given to reviewing the kennelling contract and it is proposed that the contract will be re-tendered. J Proudman 18/10/10

Title	Audit Recommendation	Desired Outcome	Notes and History (Action by Assigned Officer)
14.10/11 Dog Warden Service Rec 3	It is recommended that processes are amended to ensure complete and accurate completion of the register. Management should perform periodic checks to confirm that the register is being maintained up to date.	Management Comment: Periodic checks are made, and the kennels have been informed on the requirement to keep accurate records. I would wish to consider issues such as poor record keeping in any decision to place the contract when re-tendered as suggested in item 5 below.	The Dog Warden now checks the register held by CFRC each time he books a stray in at the kennels, and reminds the proprietor to complete all records fully. Further office based checks will be undertaken as invoices (which include copies of the Register) are submitted for payment. J Proudman 18/10/10
14.10/11 Dog Warden Service Rec 4	Staff authorising invoices for payment should take care to ensure that all additions and extensions shown on an invoice have been calculated accurately. When unsubstantiated charges are included on invoices i.e. Transport £25; these should be queried and justified prior to payment being authorised.	Management Comment: The kennels charge the Council £25 if they collect a dog on behalf of the Council when the dog warden is unavailable (either at the request of the Police, or a Council Officer). This is not part of the kennelling contract, but is a welcome good will addition that I would not wish to discourage. However, the kennels will be asked to give details of the circumstances in each case to ensure that this charge was justified.	When all future invoices are received, reasons for any transport costs will be established and recorded on the invoice sent for payment. J Proudman 18/10/10

Title	Audit Recommendation	Desired Outcome	Notes and History (Action by Assigned Officer)
14.10/11 Dog Warden Service Rec 5	The Council should consider if it is appropriate to re-tender the provision of kennel and aftercare/disposal facilities for stray dogs in accordance with the requirements of the Environmental Protection Act (Stray Dogs) Regulations 1990.	Management Comment: Advice will be sought on the tendering process and the contract will be re-tendered.	
14.10/11 Dog Warden Service Rec 6	The Council should consider if it is appropriate to contact, on a sample basis, members of the public who have been involved in the dog rescue process either by reporting a stray or by re-homing an abandoned dog. Consideration might also be given to the issue of appropriate questionnaires, designed by a suitably connected marketing department.	Management Comment: A Customer Satisfaction Survey will be introduced. I believe that a suitable Form can be devised in-house.	A survey form is currently being drafted. J Proudman 11/02/11

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