



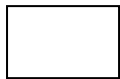
Report of the Director of Environment and Neighbourhoods

Scrutiny Board (Environment and Neighbourhoods)

Date: 9th February 2009

Subject: Leeds City Council's Dog Warden Service

Electoral Wards Affected: All



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 PURPOSE OF THE REPORT

- 1.1 At Scrutiny Board meeting of 12th January 2009, a request was made to provide a report with a general explanation of the Dog Warden Service with the next dog performance report.
- 1.2 These monthly performance reports highlight the number of individual service requests that have been dealt with by an officer on a Ward-by-Ward basis. These service requests cover the broad range of Dog Warden Services available, which are set out in more detail within this report.

2.0 SUMMARY

- 2.1 The Dog Warden Service deals with various aspects of dog related activity in Leeds. This excludes animal welfare issues, such as maltreatment and abuse, which are dealt with by the RSPCA. Each area of the Dog Warden's duties, along with a brief synopsis of the process, is detailed below (from 3.0 onwards).
- 2.2 The Dog Warden Service currently consists of 6 officers (5 full time equivalent posts), one of which is a Supervisor position.
- 2.3 Service requests are taken by the Council's contact centre, the Highways & Environmental Enforcement admin support team or by a Dog Warden on a pro-active basis. The admin support team also filter service requests to officers to ensure they receive any urgent matters whilst in the field, to enable prompt action. The service is operational from Monday to Friday, 8am to 5pm (4.30pm on Friday's) excluding bank holidays. Out of hours is detailed in **4.5.1**.

2.4 The Service also works closely with contractors and service support including the contracted kennels and vets.

3.0 DOG FOULING

3.1 The Leeds City Council (Leeds Metropolitan District) Dog Control Order 2006, made under the Clean Neighbourhoods and Environment Act 2005, provides that if a person who is in charge of a dog (when it defecates) fails to remove it forthwith, they are guilty of an offence. To discharge their liability for this offence, a person would normally be offered a fixed penalty notice of £75, discounted to £50 for payment within seven days. If a person fails to discharge their liability, they would be prosecuted for the offence committed, through the Magistrates Courts.

3.2 Investigations into complaints of dog fouling can include the following actions:-

- Patrols of hotspot area;
- Advice to Dog owners (including distribution of “poo” bags);
- Fixed Penalty Notices where offences are witnessed;
- Advisory letters to dog owners where reliable information received;
- Erecting anti dog-fouling signage.

Dog wardens will also pro-actively patrol other hotspot areas, where no members of the public have complained but other agencies have highlighted issues, e.g. Parks, Cemeteries, or as part of Environmental Campaigns, e.g. Litter Free Leeds.

The officers are also responsible for (with admin support) preparation of prosecution packs when a person has failed to discharge their liability for a dog fouling offence and will attend court to give evidence where required.

4.0 STRAY DOGS

4.1 An unattended dog in a public place is a stray dog. Stray dogs are not only a danger to themselves but can be a risk or cause nuisance to members of the public. The Council have a statutory duty to impound stray dogs under Part 8 of the Environmental Protection Act 1990. The activity undertaken by the dog warden warden service in relation to stray dogs is divided into the categories below:-

4.1.1 Stray Dog at Large

4.1.2 Alternatively known as a roaming dog, this is where a dog is reported unaccompanied in a public place. A dog warden responds as soon as practicable to locate and impound the dog. This can take some time if the dog proves elusive or temperamental and other equipment has to be used to impound the dog. Occasionally, support may be required from another officer to impound the animal.

4.1.3 Once impounded, under the current policy, if the dog is not previously known to the service, it will be returned to its owner if one can be located (i.e. if the dog has identification, or the officer may make local enquiries, or check the lost dog register). However, if the dog owner has had previous warnings or the dog has been impounded before, the dog would be immediately taken to the contracted kennels. The dog warden would therefore have to drive the animal to the kennels and complete the necessary paperwork, which would include serving a legal notice (by post) on the owner.

4.2.1 Stray Dog Pick Up

4.2.2 This occurs when members of the public or another agency (e.g. the Police) have found or taken in a stray dog and are holding it until it can be collected by a Dog Warden. Upon collection, an officer would complete the paperwork with the finder and either return the dog to its owner, or impound where appropriate.

4.2.3 The legislation allows a “finder” to hold a dog for one month and if no owner can be found, keep the dog. If this arises, an officer will visit the finder and complete the appropriate paperwork.

4.2.4 Section 150 of the Environmental Protection Act 1990 stipulates that any person who takes possession of a stray dog (a “finder”) shall forthwith either return the dog to its owner, or take the dog to an officer of the local authority for the area in which it was found. If a finder fails to comply with Section 150, they are guilty of an offence.

4.3.1 Stray Dog “Not Out”

4.3.2 This category would involve a complaint of a roaming dog from a member of the public that is not necessarily a stray dog, i.e. there is a known owner of the animal and the owner is permitting the dog to roam unaccompanied. As well as causing a nuisance, this would lead to an increase of dog fouling in an area. An officer would liaise with the complainant and where appropriate, advise or issue a warning letter to the dog owner.

It is not an offence to allow a dog to stray in a public place. It is an offence to allow the dog to stray if not wearing a collar and tag.

4.4.1 Lost and Found Dog Register

4.4.2 The Council is obliged, under the legislation, to keep and maintain a register of all stray dogs seized. In addition, LCC Contact Centre and Dog Warden staff will record lost dog reports from the public. These reports will be cross referenced with found dogs, to enable lost or stolen dogs to be re-united with owners.

4.4.2 The Dog Warden’s will also undertake prosecution activity where appropriate for allowing a dog to roam without appropriate identification. Any investigation would involve interviewing the owner under Caution, preparing a prosecution pack including witness statements and attending court where required.

4.5.1 Out of Hours Stray Dogs

4.5.2 The Clean Neighbourhoods and Environment Act 2005 transferred the responsibility for stray dogs from the Police to local authorities from April 2008. Out of hours (evenings, weekends and bank holidays), Leeds City Council has a contracted kennel, to which a person may take a stray dog they have found. The out of hours kennels are based in Huddersfield and Wakefield; unfortunately no local businesses submitted a tender for the contract despite widespread advertising of the contract opportunity.

4.6 A person claiming to be the owner of a dog seized under the Environmental Protection Act 1990 is not entitled to have the dog back until all expenses incurred are paid, which includes impound fees, boarding costs and any vets bills where appropriate. Dogs must be claimed within seven clear days following seizure.

4.7 If, after the seven day period, an owner has not claimed a dog and paid the fees due, the dog is either sold, re-homed or euthanized.

5.0 DANGEROUS DOGS

5.1 The Service will respond to complaints (where the Police have not intervened) of Dangerous Dog incidents, including dogs that are dangerously out of control in a public place. Currently, Leeds is one of the only Yorkshire authorities who undertake this function in addition to the Police; however we believe that it is right to provide this enhanced level of service to the residents of Leeds. This does exclude the registration and monitoring of “Banned Breeds”, (e.g. American Pitt Bulls) which is solely the responsibility of the Police. The officers will investigate and take appropriate action against the dog owner which could include written or verbal warnings, prosecution action or applications for Control Orders.

6.0 MULTI AGENCY WORKING

6.1 The Service will support, on request and subject to availability, other agencies for dog related issues. This can include:-

- Assisting West Yorkshire Police on “raids” or joint visits;
- Evictions (although private landlords incur a charge for this to cover officer time);
- Pro-active multi agency working e.g. Operation Champion.

7.0 EDUCATION CAMPAIGNS

7.1 The Service will organise or partake in other educative campaigns around various aspects of the service. An example would be a free micro-chipping event. Micro-chipping for dogs helps reduce instances of strays – a small chip is inserted under the skin of a dog (painlessly), which is then given a unique reference number, traceable back to the owner. All dog wardens carry “scanners” and routinely check for micro-chips when dealing with strays.

8.0 For all aspects of the duties, officers are required to complete paperwork and update the electronic case management system (Siebel) on activity undertaken on service requests. Dog Wardens are also authorised to deal with littering offences and other environmental crime they may witness as part of their day to day duties.