



## Dog Warden Service Strategy Responsible Dog Ownership Scheme

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## **1.0. INTRODUCTION AND AIMS**

Leeds City Council has identified 8 strategic outcomes which it has prioritised for action. These are supplemented with key improvement priorities. The main outcome to which the strategy applies is:-

*“Environment – Cleaner, greener and more attractive city through effective environmental management and changed behaviours. The key improvement indicators which apply are addressing neighbourhood problem sites; improving cleanliness of green spaces; improving the quality of the built environment.”*

Dog related issues such as fouling, stray dogs and nuisance dogs can adversely affect the environment and people’s enjoyment of it.

Tackling dog fouling also compliments the Health and Wellbeing Strategic Outcome “Reduced health inequalities through the promotion of healthy life choices and improved access to services” by improving our green spaces.

This strategy will identify how Leeds City Council intends to tackle irresponsible dog ownership and nuisance dog activity. The strategy outlines how we will encourage and promote responsible dog ownership and enforce available legislation to address dog control issues such as-

- Stray Dogs
- Dog Fouling
- Dangerous and Nuisance Dogs

This strategy will also identify ways to educate our communities and improve joint working with other agencies for a more streamlined and cohesive service to the community.

The strategy profiles how we will encourage and promote responsible dog ownership and enforce the Clean Neighbourhoods and Environment Act 2005 (CNEA 2005) on dog control.

This strategy is underpinned by Enforcement Policies relating to Stray Dogs, Dog Fouling and Dangerous Dogs.

## 2.0 CURRENT DOG WARDEN SERVICE

The Dog Wardens' main duties and powers at present include the following:-

Duty	Power
Dog Fouling (patrols and prosecutions/fixed penalties)	Section 55 Clean Neighbourhoods & Environment Act 2005 (Dog Control Order)
Dangerous & Nuisance Dogs - Prosecutions & Control Orders  (investigating & case building)	Section 3 Dangerous Dogs Act 1996  Section.2 Dogs Act 1871
Collection of Stray Dogs (includes those seized on patrols as well as responding to customer collection requests)	Sections 149 & Section 150 Environmental Protection Act1990
Litter Offences (patrols & prosecutions/fixed penalties)	Sections 87/88 Environmental Protection Act 1990

In addition to these duties officers are frequently also regarded as Council Ambassadors by the public and are often approached with queries regarding:-

- Stray dogs (during hours when officers not on duty)
- Dog health/welfare
- Animal behaviour/training.
- Anti Social Behaviour
- Noise Nuisance (mainly from dogs, but also about other noise nuisance)
- General 'sign-posting' for other agencies.

Currently, anyone in the community can access the dog warden service through Contact Leeds on 0113 2224407.

The Council currently has five Dog Warden posts. Dog Wardens work Monday to Friday, excluding bank holidays and the service is covered from 8.00 am until 5.00 pm. Out of hours working (to attend meetings or weekend events) is conducted voluntary using the Council's flexible working policy.

## **2.1 Clean Neighbourhoods and Environment Act 2005**

Section 55(1) of the Clean Neighbourhoods & Environment Act 2005, states that:-

“A primary or secondary authority may in accordance with this Chapter make an order providing for an offence or offences relating to the control of dogs in respect of any land in its area to which this Chapter applies.”

## 2.2 Dog Fouling

At present, Leeds has one Control Order in place and this relates to dog fouling. Where a person is found committing an offence of failing to pick up dog fouling they may be issued with a fixed penalty notice. The order applies to all land to which the public have access. If the offender fails to pay the fine, the council will prosecute them for the offence committed. Such an offence is punishable upon conviction by a maximum fine of up to £1000.

The Dog Warden Service will tackle dog fouling in the City as follows:-

- Investigate Complaints of Dog Fouling
- Utilise data to highlight “hot-spot areas”
- Conduct Patrols (from both uniformed and none-uniformed officers)
- Issue fixed penalty notices where offences are witnessed in accordance with the Council’s zero tolerance policy
- Offer dog walkers advice
- Issue “poo bags” where appropriate
- Erect anti dog fouling signage
- Liaise with the Council’s Streetscene Services to ensure the area is swept/cleaned on the scheduled day
- Request provision Request Provision of dog fouling and litter bins where appropriate and subject to funding.

## 2.3 Dangerous and Nuisance Dogs

The current working practice of the Council’s Dog Warden Service involves investigating complaints relating to dangerous dogs (biting or threats of attack), plus nuisance dog activity, for example, dogs out of control in a public place. This is an unusual practice, as most other local authorities pass this full function to the Police. This aspect of the service is under review.

The Council will follow up such complaints with Legal action, where appropriate.

The Council continues to work in partnership with the Police, as the Police still undertake Dangerous Dogs offences reported directly to them. The Police also have full responsibility for dealing with Banned Breeds, including maintenance of the Banned Breeds register.

### 3.0 DOG CONTROL ORDERS

There are a number of additional control orders that can be created under Section 55 of the Clean Neighbourhoods and Environment Act and these are detailed below.

It is important that, before considering implementing any of the orders, appropriate consultation is undertaken. The Council will take into account whether any dog control orders suit the needs of the community and are proportionate, fair and enforceable.

Leeds City Council intend to create a **Responsible Dog Ownership Scheme** which will:-

- consider the responses to the consultation and create Dog Control orders that meet the needs of the community and;
- Encourage and promote responsible dog ownership.

In respect of new Control Orders, clear direction on the use of such powers through accompanying policies and guidance for both the public and officers will be provided.

The Council will also work in close partnership with local parish and town councils to ensure the effective use of any Dog Control Orders across the city and maximise available enforcement resources.

Any offences committed under such orders are punishable upon conviction by a maximum fine of £1000. Fixed Penalty Notices can be issued as an alternative to prosecution.

#### 3.1 Walking Multiple Dogs Order

This type of order will limit the number of dogs one person can walk at any one time. The effect of the Order is to create an offence for a person who walks more than the maximum number of dogs specified by the Order.

This order will encourage managing dog behaviour and collection of dog faeces. General advice from Dog Walking Associations and Charities states that five or more dogs together in any given situation can create a “pack mentality”. This means that dogs become stronger together, change their behaviour and are more likely to ignore a human command.

Dogs in a pack therefore become more difficult to patrol, which can cause distress to both the dog walker and other members of the public.

The National Association of Pet-sitters code of practice recommends a maximum number of four.

### **3.2 Dog Exclusion Order**

This order prohibits dogs from entering certain designated areas of Leeds. Such an order may be suitable for children's play areas, school playing fields, sports pitches or ornamental gardens such as Canal Gardens, Roundhay etc. It would not be appropriate to consider an order for a wide open space area such as Otley Chevin or Roundhay Park, for example.

The Council recognises that it is very important for animals to have sufficient exercise and supports Responsible Dog Owners in promoting healthy lifestyles. Many Dog Owners exercise their pets, not only to help their dog to remain healthy but to meet other people, and exercise themselves. However, such an Order would ensure that the designated areas can be used by visitors without concern that a Dog may foul or behave in an uncontrollable fashion.

### **3.3 Dogs on Leads Order**

This type of order will require all dogs to be walked on a lead in a designated area. Such an Order can apply to the whole of Leeds or to specific areas. For example, application of such an order to the public highway in Leeds could assist in reducing the numbers of stray dogs in the city and also make sure that dogs don't run unexpectedly into a road, causing traffic accidents and also injuring the dog.

The effect of the Order is to create an offence for a person who is in charge of a dog not to keep that dog on a lead on any land affected by the Order.



### **3.4 Dogs on Leads (By Direction) Order**

This type of Order will require owners or people in charge of a dog at the time, to put their dog on a lead if asked to do so by an authorised officer (e.g. Dog Warden). The effect of the Order is to create an offence for a person in charge of a dog not to comply with a direction given to him by an authorised officer. A direction to put and keep a dog on a lead can only be given if it is reasonably necessary to prevent a disturbance to any other person on any land to which the order applies, or the worrying or disturbance of any animal or bird.

Dogs can sometimes behave in an unexpected manner and such an order helps bring the dog under control. It may not be a permanent request, and once the dog is under control, and the Authorised Officer feels comfortable, the dog may be let off the lead again.

### **4.0 PREVENTION & EDUCATION**

At present the Dog Warden Service addresses prevention and education through:-

- advice and action taken when responding to service requests, following existing enforcement policies
- identification of hotspot areas and targeted responses to address issues
- partnership working
- participation in local and national education campaigns
- Issuing supportive measures such as dog poo bags, micro-chipping and erecting anti-fouling signage.
- Clear and up to date information on the Council's website

- 4.1 Officers are encouraged to maintain links with the Council's press office to ensure that news stories are frequently reported and the press office is notified in advance of prosecutions and other court cases.
- 4.2 Improved links with partner agencies will also assist in better education. Closer working with the animal charities for example the PDSA , who assists in the care and treatment of dogs whose owners are in receipt of benefits and may not otherwise be able to afford veterinary care. This organisation and others like it are well placed to raise awareness of the issues and help promote a responsible dog ownerships scheme through the distribution of advice and information.
- 4.3 Broadening the range of information and advice distributed by the Service and partner agencies may assist as a preventative measures in respect of roaming and stray dogs. Encouraging people to consider practical issues such as whether they have enough time to properly care for a dog, whether their property is adequately secured and that the living space is large enough to accommodate the size of the dog and encouraging neutering and micro-chipping.
- 4.4 More proactive work by the Dog Warden Service, carried out in high schools may also help to educate younger members of the community. This could assist in the prevention of offences in the future. Many campaigns with social responsibility at their roots have been taken into schools to reach the younger audiences, with great success. From the age of fourteen, young people may still be issued a fixed penalty notice for an offence of dog fouling and many young people are tasked with walking the family dog. Responsible ownership is something that they need to be aware of and will inevitably take home with them and pass on to their parents.

## **5. DEVELOPING A COHESIVE APPROACH**

- 5.1 Improving joint working with key partners is key to the success of the Strategy. Although the service already has already established effective relationships with some key partners, areas where links could be strengthened were identified as follows.
- 5.2 With the introduction of 23 new Community Environmental Officer posts, the Dog Wardens will be in a position to further develop local area knowledge by forging close links with the new post holders. At present, each Dog Warden covers a large geographical area, approximately one quarter/one fifth of the whole of Leeds, per officer. It is envisaged that the Community Environmental Officers will be able to assist the Dog Wardens in providing detailed local area knowledge. Better local knowledge will enable the Service to make better use of resources by targeting the right type of work in the right places. The officers can also be trained and authorised to issue fixed penalty notices.
- 5.3 Park Rangers often provide information regarding dog fouling problems for the Dog Wardens to respond to with patrols. The role of Park Rangers are currently under review and the duties of the post may be extended to issuing littering and fouling fixed penalty notices. Training from the Dog Warden Service on the issuing of fixed penalty notices for fouling offences could be beneficial in ensuring that all officers operate in the same way, offering consistency in the application of policies and procedures.
- 5.4 The links between West Yorkshire Police and the Dog Wardens Service is identified as a further opportunity by Dog Wardens in particular to develop a streamlined approach to dealing with dangerous dog incidents. This will in turn ensure a fair division of work and a consistent response for the customer in the way that investigations are conducted, regardless of which agency takes the lead.
- 5.5 Information sharing should be explored where possible, including prosecutions taken, control orders gained.
- 5.6 Establishing a greater link with the Animal Welfare Licensing Team would enable Dog Wardens to be party to decisions regarding the granting of licences to boarding establishments and share information/concerns to help properly monitor existing licensed establishments.

- 5.7 Relations with the Council's Arms Length Management Organisation, Gypsy and Travellers Services (responsible for managing the Council's static site) and other Registered Social Landlords are areas of opportunity for the agencies to work together to ensure that changes made are effective and adequately address dog related issues that the Council has a responsibility to tackle.
- 5.8 Staff employed by these partners have a good knowledge of smaller areas and are in a good position to share information on dogs regularly seen roaming on council housing estates and areas where fouling is a significant problem. Their knowledge of local people could assist the Dog Wardens in taking appropriate enforcement action to tackle the problems. The tenancy agreement can also be used as another tool in tackling nuisance dogs issues.
- 5.9 The legislation relating to Dog Control Orders refers to Primary and Secondary Authorities. Parish and Town Council's constitute secondary authorities. The Council is committed to working in close partnership with local parish and town councils to ensure the effective use of Dog Control Orders across the city and maximise available enforcement resources.
- 5.10 Overall, the Service will look to identify stakeholders whose role in the organisation naturally compliments that of the Dog Wardens.