

Cheltenham Borough Council
Cabinet
15 April 2014
Scrutiny Task Group – Dog Fouling

Accountable member	Cabinet Member Housing and Safety, Councillor Peter Jeffries
Accountable officer	Mike Redman – Director of Built Environment
Ward(s) affected	All
Key Decision	No
Executive summary	<p>A review of dog fouling was initiated by the Overview and Scrutiny Committee in July 2013 and a task group was set up with defined terms of reference.</p> <p>Following a number of meetings and site visits, the scrutiny task group has come up with 13 recommendations which, if adopted by Cabinet, would greatly enhance efforts to reduce dog fouling in Cheltenham.</p> <p>The report of the scrutiny task group was considered by the Overview and Scrutiny Committee (O & S) on 3 March 2014 and a full excerpt of the minutes of the O&S meeting is attached as an appendix.</p> <p>Since the O&S review of dog fouling, the Community Protection Service has been part of a fast track commissioning review. The service will move to the directorship of Mike Redman from 1st April 2014 as part of a new Environmental and Regulatory Services Division, and the commissioning review will continue in more detail. This should identify further opportunities to provide enhanced service outcomes although it is recognised in the risk assessment accompanying this report that there may also be risks associated with the review. Therefore Recommendation 12 in section 5.3 of the attached report is vital in order to implement the other recommendations (Recommendation 12: ensure the community protection team has the resources to fulfil its duties in this area...)</p>
Recommendations	<p>The Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Consider and approve the recommendations of the Scrutiny Task Group Report as laid down in paragraph 5.3 of the scrutiny report, and taking into account the officer comments in Appendix 2, subject to the service planning and delivery requirements of the commissioning review on the new Environmental and Regulatory Services Division; 2. To note that O&S have scheduled a review of the implementation of the recommendations in 12 months time.

Financial implications	<p>Additional budgetary provision has not been requested and therefore the implementation of the recommendations must be absorbed within existing base budgets within the Community Protection Service.</p> <p>When delivering sponsorship opportunities consideration of the council's Corporate Advertising and Sponsorship policy must be taken.</p> <p>Contact officer: Nina Philippidis</p> <p>Telephone: 01242 264121</p> <p>Email: nina.philippidis@cheltenham.gov.uk</p>
Legal implications	<p>No comment.</p> <p>Contact officer: Vikki Fennell</p> <p>Telephone: 01684 272015</p> <p>Email: vikki.fennell@tewkesbury.gov.uk</p>
HR implications (including learning and organisational development)	<p>Resources are key to delivering the outcomes, however care needs to be exercised that resources are appropriately allocated to deliver all the outcomes across Cheltenham Borough Council. If resources are diverted from other areas they may become under resourced and lead to other outcomes not being delivered effectively.</p> <p>Contact officer: Richard Hall</p> <p>Telephone: 07801 123 276</p> <p>Email: Richard.hall@cheltenham.gov.uk</p>

<p>Community Protection Implications</p>	<ol style="list-style-type: none"> 1. Commissioning review: this may present a risk to implementing the dog fouling recommendations if further demands are placed on the Community Protection team. However, the team are confident that the commissioning review and move to a new Environmental and Regulatory Services division will create opportunities to improve all aspects of community protection service delivery. 2. Conflicting service priorities and demands: Community Protection officers action a variety of place-related service requests as well as dog fouling. Caseloads are organised by public health priority, which sometimes means other work takes precedence over dog fouling, albeit this happens infrequently. However, recommendation 12 should address this issue through adequate resourcing of the function and it is envisaged that this would explore the feasibility and efficacy of a dedicated dog warden service compared to the current service delivery model. The use of technology such as mobile and lapel CCTV should be examined as a priority, as this may provide robust evidence whilst reducing officer time per case. 3. Graduated enforcement approach: Community Protection Officers recognise that education and awareness are essential tools in graduated enforcement, but take time to deliver, sometimes at the expense of other areas of work. It is proposed to seek support from colleagues in a multi-partner approach as indicated in the recommendations of the O&S report. Examples include the Communications team, CBH wardens, and PCSOs. 4. Antisocial Behaviour, Crime and Policing Act 2014 and the Community Trigger: consideration will need to be given to how new local authority powers under the anticipated new ASB Act can contribute to better Community Protection service delivery, including dog fouling. It is proposed to utilise the specialist skills of one of the Community Protection Officers (Lisa Jones) in this respect. Cheltenham will also be the first district in this region to pilot the new Community Trigger, with our ASB partners and the Tewkesbury policing area. Whilst the introduction of the Bill will result in some additional work for the Community Protection team, it will also provide opportunities to better tackle sustained and antisocial dog fouling, amongst other issues.
<p>Key risks</p>	<p>None identified by O&S</p> <p>Risks related to the implementation of the specific recommendations from O&S are covered in the risk assessment to this report.</p> <p>Please refer to Appendix 2 for additional narrative.</p>
<p>Corporate and community plan Implications</p>	<ul style="list-style-type: none"> • Cheltenham's natural and built environment is enhanced and protected • Communities are strengthened

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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Officer comments on the recommendations3. Excerpt of Overview & Scrutiny minutes 3 March 2014

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
PEH001	If the council does not treat all complainants and alleged offenders with fairness and equality, then it is at risk of a corporate complaint, or Human Rights challenge. Alleged offenders with mobility, health or vision considerations will be able to make these known in their defence as part of the council's enforcement process.	SC	24.03.14	3	1	3	Close	All dog fouling requests are treated equally according to legislation and process, therefore equality impact should be minimal	None – closed	SC	N/A - closed
PEH002	If the Community Protection team is under resourced, then it could result in a legal challenge or maladministration claim if the Community Protection officers being unable to	SC	24.03.14	3	3	9	Reduce	Exploration of better service delivery and implementation of O&S recommendations when Community Protection forms part of the new Environmental and Regulatory Division – this should include utilising technology and partnership working	31.07.14 ie review budget and resource implications after Q1 2014-15	SC	Yes

	carry out the statutory dog fouling service and deter dog fouling in public spaces.										
PEH003	If the Community Protection team is provided with inadequate resource, then this could result in a reputational risk to the council, because of the public health implications of toxicariasis and other infections (NB toxicariasis can be passed from animals to humans via infected faeces)	SC	24.03.14	3	3	9	Reduce	<p>Exploration of better service delivery and implementation of O&S recommendations when Community Protection forms part of the new Environmental and Regulatory Division – this should include utilising technology and partnership working. Service Delivery Plan for Public & Environmental Health Team will include business support commitment to the dog fouling function, and the recommendations of O&S will form part of the Community Protection element of the service plan for 2014-15.</p> <p>Partners will be asked to commit to their part of each recommendation to reduce the risk of inadequate resource eg Communications team for recommendations 1, 5, 6 and 13.</p>	31.07.14 ie review budget and resource implications after Q1 2014-15	SC	Yes

PEH004	If the commissioning review of Environmental & Regulatory Services results in further demands being placed on Community Protection Officers, then the risk to the council is that not all of the O&S recommendations in relation to dog fouling will be carried out, meaning the 12 monthly O&S review would not fully account for all 13 recommendations and be unable to provide quality assurance to the local residents associations and community organisations and parish councils cited in the O&S report	SC	24.03.14	3	2	6	Accept	Whilst this is a risk particularly as one Community Protection post has been deleted, it is accepted that commissioning principles will result in improved outcomes for the dog fouling service as with all other service areas. Officer caseloads and priorities will be reviewed through 121s and appraisals, which will inform discussion relating to service delivery models (such as dedicated dog officer). Concerns will be highlighted to Director before service delivery is impacted.	According to commissioning team. Regular review through DMT	MR	Yes
PEH005	If there is inadequate ICT capability and support, then	SC	24.03.14	4	3	12	Reduce	There is a dependency upon the ICT shared service for system reliability which will need	15.06.14 for officer report to Head of Service or	SC and HoS (BE and YH)	Yes

	there is a risk of not being able to access dog fouling complaint information if Uniform system is unstable. There is also risk of lack of mobile technology to support service delivery. In a worst case scenario (ie sustained system down-time), there would be a reputational risk associated with non-delivery of a statutory service and an increase in customer complaints.							to be accepted. However, the exploration of mobile technology to provide surveillance and robust evidence, and to enhance officer resource, should commence immediately if Cabinet adopt the recommendations of the report.	Director regarding the acquisition, use and implications of mobile technology such as CCTV and lapel cameras		
PEH006	If there is a lack of political or legal support for use of surveillance equipment, then the risk to the council is that recommendation 11 cannot be implemented as per O&S recommendations	SC	25.03.14	2	4	8	Reduce	The potential impact of this risk is that mobile CCTV (or other such technology) may not receive political or legal services support because of RIPA and Human Rights legislation. However, a briefing paper referencing the legislation, relevant case law and citing experts can be produced to	15.05.14 for officer report to Head of Service or Director as above – and can be provided to Members through the Leaders' Briefing or the Committee process as	SC and HoS (BE and YH)	Yes

								explore how surveillance equipment might be used in this situation legally and fairly.	appropriate.		
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Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close

Officer comments on the scrutiny task group recommendations

The following table indicates the feasibility of implementing each recommendation within short, medium and long term timescales.

Timescale	Recommendation	Notes
Immediate or short term (ie commence within Q1 of 2014-15)	1. Ensure press releases are issued to provide information about the council's efforts to tackle dog fouling and successful enforcement action. These should include the level of fine each offender is ordered to pay and whether additional costs were incurred.	Discussion has already commenced with the Communication team about enhanced web presence, Facebook and Twitter communications, and PR of the dog fouling service.
	3. Increase the use of dog floor stencils/blue spray circling	Floor stencilling will be carried out where intelligence suggests it will be most effective ie in areas of highest incidence of fouling. This should enable measurement of effectiveness over a 12 month period against baseline data. Blue spray circling will continue as appropriate.
	6. Provide better information on website/use social media to get the anti-dog fouling message across	As above – enhanced website currently being constructed, Facebook and Twitter will be used for responsible dog ownership messages (eg fouling, strays, barking)
	7. Continue to encourage and attend community organised events	The 2014-15 service plan will provide resource for known community organised events where the Community Protection usually have a presence. We will attend additional community events or meetings upon invitation (where resource allows) – such invitations may come from the Strategy & Engagement team or directly from our communities eg animal welfare, vets,

		environmental groups.
	9. Encourage public involvement in tackling dog fouling/build on the Partners and Communities Together (PACT) initiative	<p>Service planning has commenced with Communications about encouraging public involvement in tackling dog fouling.</p> <p>We will also explore an anti-dog fouling PACT in Q1 of 2014-15, which will include learning from similar models eg Paws on Patrol.</p>
	12. Ensure the Community Protection Team has the resources to fulfil its duties in this area including seeking external sources of funding	<p>The recommendations from O&S will be included in the Community Protection service plan for 2014-15. This service plan will detail the resource commitment required to deliver the recommendations, as far as they can be quantified. Any resource risks will be reported to Head of Service then to Director.</p> <p>The acquisition of external funding could be important to the delivery of the recommendations, and will be explored initially within Q1 and reviewed again throughout each quarter. We will utilise the funding expertise of colleagues and partners in other work areas to help us in this respect.</p>
	13. Publicise the good work Community Protection Officers undertake across the borough	<p>See comments above relating to work with Communications team (recommendations 1 & 6)</p> <p>Leaders' briefings will continue to be used alongside public facing methods of</p>

		<p>communication</p> <p>'A day in the life of a CPO' will be investigated as a publicity technique.</p>
<p>Medium term</p> <p>(FY 2014-15)</p>	<p>2. Introduce bin stickers to highlight that bagged dog waste could be disposed of using standard public litter bins/investigate sponsorship opportunity of bins</p>	<p>The Community Protection service undertakes to progress this action in the coming year with partners such as Ubico, Green Space Manager, Parish Councils, and private sector sponsorship. However the delivery of this recommendation is dependent upon the resources and commitment of those partners.</p>
	<p>4. Investigate funding streams or sponsorship to reintroduce free dog waste bags in targeted hot spot areas</p>	<p>Please see comments above for recommendation 2.</p> <p>Hotspot data relating to dog fouling will be trended, and the intelligence will inform how this recommendation is progressed. The overall delivery will be dependant upon obtaining sufficient and sustainable resource, as dog fouling is likely to increase again if free bags are only funded temporarily.</p>
	<p>5. Initiate hard-hitting anti-dog fouling campaigns</p>	<p>It has been agreed with the Communications team that we will work on this action together, after recommendations 1,6,9 and 12 are implemented.</p> <p>We will investigate campaign opportunities with partners that may enhance our resource (eg Keep Britain Tidy, parish councils, schools, green spaces)</p>

	<p>10. Trial a multi-agency approach – undertake some joint patrols with CPOs and PCSOs to demonstrate positive cross service support for the exercise, work together with Cheltenham Borough Homes on this issue.</p>	<p>Partner interest and commitment will be gauged in the first half of 2014-15 through police tasking and co-ordination meetings, and service meetings with CBH. This recommendation can be trialled dependent on partner commitment.</p> <p>The new ASB Act 2014 (anticipated later this year) will enable us to empower CBH wardens (and other social housing providers) to deal with certain circumstances of ASB – we will explore this in relation to dog fouling.</p>
	<p>11. Investigate opportunities to use mobile CCTV in dog fouling hotspot areas; improve signage along with targeted enforcement in hotspot areas</p>	<p>A report about the legal and human rights implications of mobile CCTV or lapel cameras will be presented to Head of Service/Director in Q1 2014-15. Implementation of CCTV in hotspot areas will be dependent upon corporate and legal support for this use.</p> <p>Signage will be improved where there is evidence of repeat offending and appropriate funds available. Targeted enforcement along hotspot areas will continue, although this would be aided by mobile technology.</p>

<p>Long term (review at year end 2014-15)</p>	<p>8. Introduce a regular programme of visits and work by Community Protection Officers in schools</p>	<p>It is known that the commissioning review of the new Environmental and Regulatory Division will expect significant savings to be found. It is not clear yet how this will impact on non-statutory elements of the service. Therefore, it is not possible to commit to a regular programme of educational visits by the CPOs at this stage. We do however, commit to reviewing this when further information is available about expectations on this service, or at year end, whichever is soonest.</p> <p>We recognise the value of this recommendation and will explore contact with schools and other education work by alternative means eg information in school newsletters, or websites.</p>