

## EAST AYRSHIRE COUNCIL

### CUMNOCK AREA LOCAL COMMITTEE – 20 MAY 2004

#### UPDATE REPORT ON DOG WARDEN PATROLS AND FIXED PENALTY NOTICES

##### Report by Executive Director of Neighbourhood Services

### 1. PURPOSE OF REPORT

- 1.1 To advise and update the Committee of Pest Control/Dog Warden patrols in the Local Committee Area.
- 1.2 To highlight the outcome of patrols relative to dog fouling and Fixed Penalty Notices.

### 2. BACKGROUND

- 2.1 At the meeting of the Local Committee held on 29<sup>th</sup> January 2004, it was requested that a report be submitted setting out the results of patrols carried out by Pest Control/Dog Warden staff to enforce the Dog Fouling (Scotland) Act 2003.
- 2.2 The Dog Fouling (Scotland) Act 2003 which was introduced in October 2003 specifically makes it an offence for a person in charge of a dog to fail to remove and dispose appropriately of any excrement after the dog has fouled in any public place.
- 2.3 In addition the Dog Fouling (Scotland) Act 2003 introduced the concept of the issue of the Fixed Penalty Notice for failing to clean up after the dog has fouled.
- 2.4 Pest Control/Dog Warden staff have been designated as authorised officers of the Council and have undertaken patrols in the Local Committee area specifically to address the Dog Fouling (Scotland) Act 2003.
- 2.5 Patrols were carried out in April 2004 and details are set out in Appendix 1 to this report.

### 3. DISCUSSION

- 3.1 Although no situations arose which warranted the issue of a Fixed Penalty Notice, the public awareness of uplifting dog fouling and disposing of the same in a proper manner was evident.
- 3.2 In previous patrols made jointly by Council staff and the Police, all dog owners tended to clear up after their pets.
- 3.3 A list of dog waste bins in the Local Committee Area is attached as Appendix 2 to this report. The Committee will also be aware that dog waste properly wrapped, can be placed in any litter bin in East Ayrshire.

3.4 Examples of 'poop scoops' or similar can be obtained from Local Council Offices.

#### **4. FINANCIAL IMPLICATIONS**

4.1 Nil.

#### **5. POLICY IMPLICATIONS**

5.1 Nil.

#### **6. LEGAL AUTHORITY**

6.1 The Dog Fouling (Scotland) Act 2003 introduces the concept of a Fixed Penalty Notice for failing to clear up after a dog has fouled a public place.

6.2 The specific Fixed Penalty is £40 increasing to £60 if not paid within 28 days from date of issue.

#### **7. POLICY IMPLICATIONS**

7.1 As indicated in previous reports to the Local Committee, Pest Control/Dog Warden staff have carried out patrols of areas where dog fouling was considered to be a problem.

Although staff involved are authorised to issue fixed penalty notices for dog fouling offences, most members of the public encountered appeared to be aware of their responsibilities as dog owners and no circumstances were found to warrant the issue of a Fixed Penalty Notice.

#### **8. RECOMMENDATIONS**

8.1 The Committee are recommended to:-

- (i) note that further patrols by Pest Control/Dog wardens relative to the Dog Fouling (Scotland) Act 2003 will be made subject to the ongoing workload of the service; and
- (ii) otherwise note the content of the report.

William Stafford  
**Executive Director of Neighbourhood Services**

WS/JFC/CAM

26<sup>th</sup> April 2004

## **LIST OF BACKGROUND PAPERS**

1. Dog Fouling (Scotland) Act 2003

Any person wishing to inspect the background papers listed above should telephone 01563 554021 and ask for Paul L Todd.

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DOG FOULING (SCOTLAND) ACT 2003

RECORD PF PATROLS OF DOG WARDEN

Wednesday 7<sup>th</sup> April 2004 (pm)

Wood Road Park, Cumnock

Walked round park. Spoke to considerable number of dog owners (12-15). Gave out dog tidy bags to some owners. Most owners had some sort of bags. All were happy about bins in park and said that more were needed.

Skerrington Road, Cumnock, (Top end)

Not a lot of dog owners around. Dog bins being used, but still evidence of dog dirt lying on grassy areas.

Skerrington Road, Cumnock (Bottom end)

Gave out dog tidy bags, spoke to number of owners (six or seven). Bins being used, most owners thought that more bins were needed.

Tanyard, Cumnock

Dog bin being used. Issued dog tidy bags to three or four owners.

Craigens, Cumnock

Spoke to one dog owner and offered him dog tidy bags. He refused then and said he would never pick up his dog's dirt and walked away. No action possible as no fouling occurred.

Barrhill, Cumnock

No dog owners seen. Dog waste bin does not appear to be well used – full of general rubbish.

Thursday 8<sup>th</sup> April 2004 (am)

Wood Road Park, Cumnock

Spoke to 10-12 owners; gave out a number of dog tidy bags. Dog waste bins being used well.

Skerrington Road, Cumnock

As with yesterday, not many dog owners seen (two only).

Barshare, Cumnock

Spoke to five or six owners; issued dog tidy bags. Generally favourable response.

**Tanyard, Cumnock**

Spoke to two owners; have out dog tidy bags.

**Craigens, Cumnock**

Fairly quiet, two owners walking dogs.

**Barrhill Road, Cumnock**

Walked round area – again no dog owners seen.

***The following areas were also checked: -***

**Castle, New Cumnock**

Spoke to half a dozen dog owners and have out dog tidy bags. Dog waste bin being well used (virtually full).

**Pathhead, New Cumnock**

Not much evidence of dog bin being used. Spoke to two owners and advised them of bin now located in area.

**Mill Square, Catrine**

Bins in this area being well used. Spoke to two or three owners and have out bags.

**Blackwood Avenue, Catrine**

No dog owners seen, but bin here virtually full.

**Games Hall, Catrine**

Again no dog owners seen but bin in this locality being well used – full.

**Sorn Road, Auchinleck**

Bin being used. Gave out dog tidy bags to two or three dog owners.

**Well Road, Auchinleck**

Gave out dog tidy bags to couple of owners. Bin here empty (looked as if just been services).

LOCATION OF DOG WASTE BINS IN CUMNOCK AREA

PATHHEAD NEW CUMNOCK  
PATH TO GAMES HALL NEW CUMNOCK  
THE CASTLE NEW CUMNOCK  
HOLMBURN ROAD NETHERTHIRD  
MENZIES AVENUE NETHERTHIRD  
GLAISNOCK VIEW CUMNOCK  
GEORGE MCTURK COURT CUMNOCK  
GEORGE MCTURK COURT CUMNOCK  
TANYARD CUMNOCK  
BARRHILL CUMNOCK  
KINGS WAY/EDGAR AVENUE CUMNOCK  
SORN ROAD AUCHINLECK  
WELL ROAD AUCHINLECK  
SORN STREET CATRINE  
GORDON STREET CATRINE  
GAMES HALL CATRINE  
THE SQUARE CATRINE  
BALLOCHMYLE STREET CATRINE  
JEAN ARMOUR DRIVE MAUCHLINE  
BEECHWOOD ROAD MAUCHLINE