# WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Regulatory Committee held in the Council Chamber - The Guildhall on 12 March 2020 commencing at 6.30 pm.

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| **Present:** | Councillor Mrs Jessie Milne (Chairman)<br>Councillor Mrs Angela Lawrence (Vice-Chairman)<br><br>Councillor David Cotton<br>Councillor Timothy Davies<br>Councillor Mrs Caralyne Grimble<br>Councillor Paul Howitt-Cowan<br>Councillor Mrs Cordelia McCartney<br>Councillor Mrs Judy Rainsforth |
| **In Attendance:** | |
| Andy Gray | Housing and Enforcement Manager |
| James Welbourn | Democratic and Civic Officer |
| **Apologies:** | Councillor Jim Snee<br>Councillor Lewis Strange |

## 15 PUBLIC PARTICIPATION

There was no public participation.

## 16 DECLARATIONS OF INTEREST

Councillor David Cotton declared a personal, non-pecuniary interest in item 18; he was the Chairman of Saxilby Parish Council, who employ a dog warden. This did not preclude him from speaking, or voting on that item.

## 17 MINUTES OF PREVIOUS MEETINGS

The minutes of the previous meeting held on 10 December 2019 were agreed as a correct record and signed by the Chairman.

## 18 CONSULTATION ON EXTENSION OF DISTRICT WIDE DOG FOULING PUBLIC SPACE PROTECTION ORDER

Members considered a consultation on an extension of a district wide dog fouling public space protection order (PSPO).

The Housing and Enforcement Manager made it clear to Members that they were actually considering recommending a consultation on extending and varying the PSPO; variation hadn’t been mentioned in the title of the report.

The following sections of the report were highlighted:

- The original dog fouling PSPO was agreed back in 2017. This designated the whole district as an area where the Authority had the power to issue penalties for dog fouling, as well as powers to enforce when individuals refuse to clean up after their dogs when ordered to do so by an officer;

- A separate motion on dog fouling was presented to Full Council in March, but this concentrated on the overall approach to dog fouling; this report to Regulatory Committee was looking at the specific PSPO powers;

- The approach to PSPOs was targeted, rather than, for example, following dog owners. Parish Councils would be asked to advise which parts of their parish have particular issues;

- It was difficult to catch people; previously targeted patrols have been used to tackle this;

- There have been a large number of reports about dog fouling that had already occurred. This showed that dog fouling was still an issue; officers also felt that this topic would not reduce down to a point where the PSPO was no longer required;

- The variation to the PSPO looked at an additional power focussing on asking people to carry a dog bag to demonstrate that they were able to pick up after their dog if it did foul; if they cannot, this would be an offence. This approach may be more prevalent in areas of high dog fouling;

- The approach from the Authority was not one of targeting all dog owners. Realistically, the risk in the more rural parts of the district was minimal, but in the more urban areas, and those areas with play parks dog fouling was a real problem;

- Conditions would be:
    - It would be an offence if the owner were not to pick up the dog foul;
    - It would be an offence not to dispose of the foul;
    - It would be an offence if the owner cannot demonstrate they have the means to pick up dog fouling.

- The consultation was required to be 4 weeks long, however Council best practice dictated that this would in fact be a 6 week consultation. This would mainly be an online consultation; parish councils would be contacted, as well as dog related groups and public interest groups that were known to the Authority. District Councillors would also be included;

- The existing order would end on 3 June, with the next scheduled meeting of Regulatory Committee on 4 June.

Members then provided comment on the report, and asked questions of the Housing and

Enforcement Manager. Further information was provided:

- Carrying one bag would not be seen as being a responsible dog owner;

- The power to ask dog owners provided reassurance in the opinion of officers. In town centres, under this provision ask questions of dog owners that were suspected of not carrying a waste bag;

- There were certain exemptions within the district. There was certain legislation applicable to grass verges; some of them could be enforced, whereas others couldn't. The test would be the speed limit of the road where the verges were located; under 40 miles per hour (mph) could be enforced whereas other roads with a higher speed limit couldn't. This was the case because of public safety;

- Private land was somewhat of a grey area; there was no Authority jurisdiction over private woods for example, unless the woods had a public access point;

- Dog fouling was an annoyance rather than a high enforcement risk in the opinion of officers;

- The Authority was keen to work with Parish Councils, particularly as some of them had their own Dog Wardens. West Lindsey District Council (WLDC) did not have the resources to patrol the whole district;

- As dog fouling had been highlighted at Full Council, and was a big issue within parishes, it was expected that there would be a spike in reporting;

- Previous discussions had been held with Gainsborough Town Council; these discussions would not impact directly on this PSPO. If something more specific was needed for Gainsborough, then further conversations would be held;

- The general view on portable cameras and CCTV to tackle dog fouling was that it wasn't a proportionate use of technology. Dog fouling was certainly an annoyance, but the offence resulted in a fine of £75-100.

  If repeat offenders were caught on CCTV as a result of other investigations, then enforcement could happen. However, it was important to note that CCTV would not be used specifically for this purpose;

- The proposal was to provide an e-version of the PSPO sign to the parishes. WLDC would put physical signs in the 'hotspot' areas;

- Access was not being restricted as part of this report, nor are owners being told to keep their dogs on leads. Certain areas, such as Gainsborough Cemetery are subject to separate designations on that issue.

- Some areas have district wide PSPOs that look at access across all areas and restrictions around dogs on leads. It was felt that this issue wasn't really present in West Lindsey.

The Housing and Enforcement Manager appealed to Members to send in further suggestions for ‘frequently asked questions’ to him as they could form part of the consultation.

The recommendations were moved and seconded, and it was:

**RESOLVED** to:

(1) Agree to consult upon the proposals to extend and vary the existing Dog Fouling Public Space Protection Order (PSPO);

(2) Approve the suggested consultation plan and timeline.

The meeting concluded at 7.14 pm.

Chairman