

Report on	Dog Fouling and Litter
Date of Meeting	1 st July 2019
Reporting Officer	Fiona McClements, Head of Environmental Health

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to update Members on the issues of littering and dog fouling in the District and the steps that the Environmental Health Service have taken in response to these.
2.0	Background
2.1	Under the Litter (Northern Ireland) Order 1994 , it is a criminal offence to drop litter and fail to pick it up. Anyone caught littering can be issued with a fixed penalty notice of £80 (£50 if paid early). The fine must be paid within 14 days to avoid prosecution. The maximum fine, if convicted in court for a litter offence, is £2,500. Common litter items include fast-food packaging, sweet wrappers, drinks cans, bottles and cigarette butts.
2.2	The Environmental Health Service also receives complaints about dog foul not being picked up. While most dog owners are responsible individuals, there are still some people who do not clean up after their pets. Anyone who fails to clear up after their dog can be issued with a Fixed Penalty Notice of £50. All waste bins in the Mid Ulster area can accept dog foul.
3.0	Main Report
3.1	<p>Environmental Health staff are authorised under the Litter (NI) Order 1994. As such all these staff are able to issue Fixed Penalty Notices and through the legal process bring charges against offenders should there be a non- payment of these Notices.</p> <p>For a fixed penalty notice to be issued for an offence, there must be appropriate and sufficient compelling evidence (to the standard applying in criminal law, i.e. beyond a reasonable doubt) to enable the successful prosecution of that offence in court, should a fixed penalty notice go unpaid. Evidence about the incident should include, but is not limited to, an eyewitness report from a Council officer or member of the public, CCTV footage or photographs.</p> <p>However, littering and dog fouling offences are difficult offences to serve notices on and to prosecute. The reason for this is that most people will not litter or will pick up their dog foul if they believe other people can see them. In addition,</p>

Enforcement Officers do not have any powers to stop people they have observed littering or fouling. Enforcement normally requires one of the following situations:

1. If the person who has allowed the littering or fouling to occur provides their name or address to the authorised officer, further action can be taken.
2. If the person allowing the littering or fouling is observed getting into a vehicle after the offence or if they are observed throwing litter from the vehicle they can be traced through the vehicle details (subject to certain terms and conditions).
3. If the person allowing the littering or fouling can be connected to a residential premises, further action may be taken.

For the 2018/19 financial year, there were a total of 9 Fixed Penalty Notices issued for Littering and 5 issued for Dog Fouling by the Environmental Health Service.

In addition, during the 2018/19 financial year the Environmental Health Service undertook the following actions.

1. Additional monitoring was undertaken in those areas identified as being most associated with areas of dog fouling and littering. This monitoring was designed to help gauge the prevalence of the problem and was largely undertaken by student Environmental Health Officer's. This information was recorded on an app that plotted the locations visited along with information on dog fouling and littering signage in these areas. This has helped build up information on the amount of littering and fouling and also on the type of signage and its condition in these areas.
2. Leaflet drops took place in areas identified as being particularly problematical for dog fouling. The leaflet warns dog owners about the issue of dog fouling and the potential fines that can be imposed for failing to remove dog foul.
3. Out of Hours Litter Monitoring was undertaken on a number of occasions. This involved officers monitoring town center locations and areas near fast food outlets for littering from vehicles. Additional Out of Hours monitoring was undertaken in the Aughnacloy and Castledawson areas over the course of two weeks in March. A total of 9 visits were made by officers to these areas early in the morning before work or in the evening from around 6pm to 9pm. No dogs were observed fouling but a total of 16 dog walkers were approached and spoken to regarding this issue. All walkers were offered dog foul bags which can be attached to a dogs lead and contain about 20 bags. Most of the walkers were supportive of the initiative and had bags with them. They also gave examples of what locations were particularly problematical. However, they were unable to provide substantive information for who's dogs may be responsible for the fouling.
4. A number of 'watching eyes' signs were erected in Aughnacloy and Castledawson, areas that were receiving numerous complaints about dog fouling. The posters build on the fact the dog fouling has become

	<p>stigmatized. When people consequently feel like they are being watched, they are more likely to pick up the dog foul. The signs had been commented on by members of the public and some local press.</p> <ol style="list-style-type: none"> 5. Enforcement Officers gave 'Responsible Dog Ownership' talks to local primary schools, part of which concentrates on dog fouling and littering. A total of 12 schools were visited in the financial year including schools in the areas identified above. 6. Environmental Health encourage people who are concerned about littering and dog fouling problems to contact the Enforcement Officers regarding these issues. An information page on Litter and the Law has been put on the Council website. https://www.midulstercouncil.org/Services/Litter 7. Littering or dog fouling can be reported online via the 'Report It' section of the 'Binovation App', or at Environmentalhealth@midulstercouncil.org. 8. Following cross departmental meetings, a pilot exercise has been initiated with some Environmental Services staff having been provided with books to keep in their vehicles to record relevant information about any litter offences they observe involving vehicles. Details are then passed to the Environmental Health Team for follow up. 9. Dashcams have been purchased and are being rolled out for the enforcement officers' vans for the recording of evidence. 10. Live Here Love Here Billboard messages on litter and dog fouling have been installed as follows : <p>March 2019 – Dog fouling message billboard – Aughnacloy March 2019 – Litter message- Billboard – King street, Magherafelt August 2018 – Litter message Billboard –Thomas St, Dungannon August 2018 – Litter message Billboard – Garden street, Magherafelt August 2018 – Litter message – revolving poster at Oldtown street, Cookstown</p> 11. Live Here Love Here (LHLH) Small Grants scheme applications have now closed and a panel will meet in June to judge approximately 50 applications from within the Mid Ulster area. 12. Litter signage developed by Council Communications department has been displayed on Council refuse vehicles
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: LHLH contribution. Signage costs are contained within the Environmental Health Service budget.

	Human: The issue of monitoring for these offences is resource intensive.
	Risk Management: N/a
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/a
	Rural Needs Implications: N/a
5.0	Recommendation(s)
5.1	Members note the work being carried out in relation to Litter across the district.
6.0	Documents Attached & References
6.1	Dog Fouling leaflets to homes in fouling area.
6.2	'Watching Eyes' signage.
6.3	Copy of Littering Form issued to Environmental Services Staff.