

REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 10 MAY 2018

DOGS IN SCHOOL GROUNDS AND COUNCIL PLAYPARKS

MEMBER PROMOTED ISSUE

1 Recommendations

The Committee is recommended to:

1.1 Consider the Member Promoted Issue at Appendix 1.

2 Background / Discussion

- 2.1 In accordance with the Scheme of Governance, a Member Promoted Issue (MPI) has been raised in relation to the presence of dogs in school grounds and council playparks as detailed in Appendix 1.
- 2.2 The MPI asks that a policy be developed which would see dogs banned from specific council owned/managed premises i.e. school playgrounds, school playing fields and enclosed/defined playparks where play equipment is located. The concerns centre on lack of responsible dog ownership giving rise to issues with dog fouling and lack of control of dogs.
- 2.3 The Council's Anti Dog-Fouling Strategy was approved by the Infrastructure Services Committee on 20 June 2013:
<http://committees.aberdeenshire.gov.uk/Committees.aspx?commid=7&meetid=11338> with emphasis on promoting responsible dog ownership. A number of Services have an involvement in this issue.
- #### 2.4 Environmental Health Service
- 2.4.1 The Environmental Health Service launched its Green Dog Walkers scheme towards the end of 2014. This scheme, which is the centre piece of the Council's Anti Dog Fouling Policy, allows the Council to engage with local Community Councils in particular, to promote responsible dog ownership with the aim of reducing the incidence of dog fouling in publicly accessible areas.
- 2.4.2 To date a total of 59 Community Councils and voluntary groups have signed up to the scheme and are actively promoting responsible dog ownership in their area. These organisations cover most of the Aberdeenshire area.
- 2.4.3 Appropriate signage and bins have been located in prominent places throughout Aberdeenshire where historically dog fouling has been a recognised problem.
- 2.4.4 Enforcement powers are available under the Dog Fouling (Scotland) Act 2003, and Control of Dogs (Scotland) Act 2010, Council Officers, including the Service's Dog Wardens, can issue Fixed Penalty Notices when a breach of dog fouling legislation is identified. Notices can also be served following investigation of reports of dogs being out of control.

2.4.5 Records show that 5 complaints have been received since 2015 which directly link dog fouling and playgrounds.

2.5 Landscape Services

2.5.1 Landscape Services is the responsible Service in respect of Council playparks. They do not have a policy banning dogs from parks, open spaces and play parks. Due to the nature of the frontline services provided, Landscape teams often come across the results of irresponsible dog owners and dog fouling. An internal review was undertaken in 2014 to see how best to protect staff and members of the public from this nuisance. Restricting dogs in these areas was considered but on reflection it was felt that banning dogs was not necessarily the best or most appropriate action for the following reasons, which are still applicable today:

- Unfair on responsible owners that may visit play parks with children/grandchildren.
- Only a limited number of play parks have perimeter fencing, this can add significant cost to the maintenance and management of a play park
- It would be extremely difficult to manage, implement and enforce.
- Given current workload on existing staff resources, it is likely to require additional budget and resources

2.5.2 Following the aforementioned internal review it was decided that the preferred and more manageable option in conjunction with the Anti Dog-Fouling Strategy was to try and educate dog owners to act responsibly by erecting additional signage.

2.5.3 Signage was developed and installed in 2015 at a number of play parks in the Formartine Area as a trial. See Appendix 2.

2.5.4 Feedback from frontline and technical teams indicates this trial has shown positive results and it would be the intention to roll these signs out to all play parks across Aberdeenshire.

2.5.5 Current Landscape Services' procedure is that where dog fouling or dog control is an issue, the Dog Wardens in the Environmental Health Service are contacted, and they will then target these problem areas and take appropriate actions.

2.6 Education and Children's Services (ECS)

2.6.1 ECS do not have a specific policy on the banning of dogs from school campuses. There may be some campuses with 'no dog fouling' signs, but this is ad hoc and there is no policy direction on this.

2.6.2 ECS has a policy on 'Animals on Council Premises Management and Control'. This policy relates to having animals in the workplace for a specific purpose; e.g. for educational purposes and not related to dog fouling.

- 2.6.3 The Service has a policy of 'open-access' to its campuses, and it would be extremely difficult to enforce any policy on banning dogs from certain areas of the campus.
- 2.6.4 ECS could adopt a corporate approach on signage, (similar to that displayed in Appendix 2), and use Parent Councils, the wider parent body, Community Councils etc. to promote responsible behaviour by dog owners in relation to dog fouling and dog control. However, the implementation and discharge of a policy would be extremely difficult to enforce, and would largely rely on the cooperation of dog owners.
- 2.7 Should the Committee deem it appropriate to develop a policy, consultation with local communities would be required. Budget and staffing implications associated with implementation of the policy would require to be identified.
- 2.8 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report. Their comments are incorporated within the report and they are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The report is submitted for committee consideration in accordance with the Scheme of Governance Part 2A – List of Committee Powers, F.1.1.d and in terms of Standing Orders, Appendix A – Member Promoted Issues, section 3. The Committee has power to undertake a formal scrutiny process in terms of Part 2A – List of Committee Powers, F.7.1.1.

4 Implications and Risk

- 4.1 An equality impact assessment is not required because the content of this report does not have a differential impact on any of the protected characteristics. However, if committee are minded to seek a policy on banning dogs an EIA would be required.
- 4.2 There are no direct staffing implications arising from this report, although a policy banning dogs may lead to amended working practices and increased workload.
- 4.3 There are likely to be significant financial implications if a Policy to ban dogs from school grounds, playgrounds and play parks is implemented. Further work to assess these costs would need to be carried out.
- 4.4 The following Risks have been identified as relevant to this matter on a Corporate Level:- ACORP001 Budget Pressures – Potential for cost increase due to more labour intensive operation. (Corporate Risk Register)

Stephen Archer
Director of Infrastructure Services

Report prepared by David Cooper, Environmental Health Manager, 23 March 2018

MEMBER PROMOTED ISSUE FORM

SUBMITTED BY MEMBER Isobel Davidson, WARD 9.

FULL DESCRIPTION OF THE ISSUE TO BE PROMOTED:

I am proposing that Aberdeenshire Council develops a policy concerning dogs in school grounds and enclosed children's play areas with a view to banning all dogs from these areas for health and safety reasons. A number of school playgrounds do have 'No Dogs' signs but there appears to be no policy on this matter.

IS THIS ISSUE CONNECTED OR RELATED TO ANY OTHER PROJECT CURRENTLY BEING PROGRESSED, PLEASE OUTLINE:

Not that I am aware of

HAS THIS ISSUE ARISEN AS THE RESULT OF ANY REPRESENTATION BY CONSTITUENTS OR OTHER PARTIES, PLEASE IDENTIFY ANY INTERESTED PARTIES:

Foveran Community Council support this proposal.

HAS THIS ISSUE BEEN CONSIDERED IN THE PAST AND IF SO, WHEN AND BY WHOM (OFFICER OR COMMITTEE):

Not that I am aware of

SIGNED: Isobel Davidson

DATED: 7th March 2018

Appendix 2

Landscape Services Signage

