

Public Document Pack



Cllr P Nash (Chairman)
Werrington North: Cllr John Fox, Cllr Judy Fox, Cllr Stephen Lane
Werrington South: Cllr Colin Burton, Cllr Darren Fower, Cllr Paula Thacker MBE
Paston: Cllr David Day, Cllr Sue Day, Cllr George Simons
Walton: Cllr Nick Sandford, Cllr Asif Shaheed

**All members of the public in WERRINGTON NORTH, WERRINGTON SOUTH,
PASTON and WALTON Wards are invited**

to attend a meeting of the Peterborough North Area Committee

on

**Wednesday 23rd March 2011 at 7.30pm at Honeyhill Community and
Children's Centre, 150 Chadburn, Paston, Peterborough PE4 7DH.**

**This Neighbourhood Council meeting will also include a pre meeting exhibition from
7pm of the Local transport plan and Capital programme of works from 2011-16 and
how you can influence further schemes in your neighbourhood.**

PROGRAMME

Time	Agenda Item	
1.	Apologies for absence <i>To receive any apologies from members unable to attend the meeting</i>	Chairman
2.	Declarations of interest <i>Members to declare any personal/personal prejudicial interests in any items on this agenda</i>	Chairman
3.	Minutes from the previous meeting and matters arising	Chairman
4.	Open Session <i>An opportunity for any member of the public, elected and co-opted members of the Area Committee to raise anything that affects your area and to suggest items for future meetings</i>	ALL
5.	Capital Programme of works 2011-12 <i>The Planning Transport and Engineering Team will introduce how the Neighbourhood Council can influence further Capital schemes in your neighbourhood</i>	Mark Speed (Transport Planning Team Manager)

For enquiries about your Neighbourhood Council or about this meeting please contact:
Neighbourhood Manager: - Julie Rivett on 01733 864080 E-mail: Julie.rivett@peterborough.gov.uk
Democratic Services: Alex Daynes on 01733 452447 E-mail alexander.daynes@peterborough.gov.uk

6.	<p>Rock in the Park Film</p> <p><i>A Film presented by local young people about the Rock in the Park Festival.</i></p>	<p>Young People's Service</p>
7.	<p>Peterborough North Area Committee Budget Update</p> <p><i>This will be an update for you to hear about how the agreed projects are progressing</i></p>	<p>Councillors & Neighbourhood Manager</p>
8.	<p>Dog Control Orders</p> <p><i>This will be an update on the research carried out by David Marshall on Dog Control Orders (report to follow)</i></p>	<p>David Marshall & Councillor Stephen Lane</p>
9.	<p>The Street Leaders Scheme</p> <p><i>Hear about extending the Street Leaders Scheme</i></p>	<p>Neighbourhood Officers</p>
10.	<p>Next Meeting</p> <p><i>The next meeting of the Peterborough North Area Committee will be announced after the dates are formally agreed</i></p>	

***All members of the public in WERRINGTON NORTH, WERRINGTON SOUTH,
PASTON and WALTON WARDS are invited
to attend a meeting of the
Peterborough North Area Committee
(Area North and West 2) on
Wednesday 23rd March 2011 at 7.30pm at Honeyhill Community and
Children's Centre, 150 Chadburn, Paston, Peterborough PE4 7DH***

STANDING INVITATIONS

NAME	REPRESENTING
Mark Bennett-Tighe	Cambridgeshire Fire & Rescue Service
Inspector Karen Newton	Cambridgeshire Police
Cherry Lester	Children's Services
Steve Dumbrell	Cross Keys Homes
Chris Campling	NHS Peterborough
David Bacon	NHS Peterborough
Gary Goose	Safer Peterborough Partnership
Richard Harris	Youth Council Representative
Lawrence Wright	North Team East Urban Panel
Margaret Huggett	Brookfield Home Park Residents Association
David Shelton	South Honeywell Residents Association
Sally Stainton-Roberts	Hodgson Community Association
Barbara Duerden	Loxley Community Association
Dot Pearson	Paston & Gunthorpe Community Association
Elaine Butler	Walton Community Association
Jackie Sidney	Werrington Community Association
David Hedges	Werrington Neighbourhood Council

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Census 2011 Information – Neighbourhood Council (March 2011)

Census forms will be mailed to households from the beginning of March and must be completed – before, on or immediately after census day – with information about everyone staying at that address on Sunday 27 March. Questionnaires should be returned by mail in a pre-paid envelope provided or, for the first time this year, they can be completed online using a unique access code printed on the front of individual forms.

A series of special events being organised by Peterborough City Council will assist residents who need extra help in completing their 2011 Census questionnaires. These completion events are particularly designed for people who have limited understanding of written English, those who find form-filling a challenge and people who just want someone to check they have filled in the form correctly.

We will have bi-lingual volunteers at each completion event to help people who have difficulty understanding written English. Where possible we will also have computers with internet access so people can complete questionnaires online. However, people who need help should bring along the questionnaire that they receive in the mail.

Every household must by law complete the census questionnaire but personal details are kept secret for 100 years. Total figures will be used to calculate how much government money will be allocated to Peterborough for things such as schools and health services in future.

Census Completion Events will be held across Peterborough as follows:

Venue	Address	Date	Time
Peterborough City Council, Town Hall	Bridge Street, Peterborough PE1 1QT	Sunday 27 th March 2011	12-4pm
Cross Keys Community Hub	35 Hampton Court, Westwood, Peterborough PE3 7JP	Monday 28 th March 2011 Monday 4 th April 2011	10.30-3.30pm 10.30-3.30pm
BestDeal4Baby	7 Newark Avenue, Dogsthorpe, Peterborough, PE1 4NH	Monday 28 th March 2011 Thursday 31 st March 2011	10.30-3.30pm 10.30-3.30pm
Central Library	Broadway, Peterborough. PE1 1RX	Tuesday 29 th March 2011 Saturday 2 nd April 2011 Wednesday 6 th April 2011	10.30-3.30pm 10.30-3.30pm 10.30-3.30pm
The Jigsaw Children's Centre	Herlington, Orton Malbourne, Peterborough, PE2 5PW	Tuesday 29 th March 2011	10.30-3.30pm
PACO/Community Radio	27 Norfolk Street, Peterborough, PE1 2NP	Wednesday 30 th March 2011	10.30-3.30pm
Gladstone Community Centre	Bourges Boulevard, Peterborough, PE1 2AN	Wednesday 30 th March 2011 Wednesday 6 th April 2011	4-8pm 4-8pm
City College	Brook Street, Peterborough, PE1 1TU	Friday 1 st April 2011 Tuesday 5 th April 2011	10.30-3.30pm 10.30-3.30pm
Sri Guru Singh Ji Gudwara	5 Newark Road, Boongate, Peterborough PE1 5UA	Sunday 3 rd April 2011	12-4pm
The Parish Centre All Souls Church	Fitzwilliam Street, Peterborough, PE1	Sunday 3 rd April 2011	12-4pm
Bharat Hindu Samaj & Community Centre	6 New England Complex, Rock Road, Peterborough, PE1 3BU	Sunday 3 rd April 2011	12-4pm

Please share and encourage people to attend. Thank you.



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**PETERBOROUGH NORTH AREA COMMITTEE
 (NEIGHBOURHOOD COUNCIL N&W2)**

MINUTES OF MEETING HELD 15 DECEMBER 2010, 7.30 p.m.

Members Present:

Chairman	Cllr Nash
Paston	Cllrs Simons and S Day
Walton	Cllr Sandford
Werrington North	Cllrs John Fox, Judy Fox and Lane
Werrington South	Cllrs Burton and Thacker

Officers Present:

Julie Rivett	Neighbourhood Management, PCC
Alex Daynes	Democratic Services, PCC
Ian Tobin	Neighbourhood Environment Enforcement Officer, PCC
Jamie MacFarlane	Neighbourhood Environment Enforcement Officer, PCC
Judith Harvey	Renewals and Fuel Poverty Officer, PCC
Ed Moss	Digital Switch Over

Others Present:

15 members of the public attended the meeting including representatives from South Holland District Council, Police Panel, Merland Court Residents Association, Neighbourhood Watch, Morland Court Residents, Werrington Neighbourhood Council, Disability Forum and Axiom Residents Forum.

ITEM	DISCUSSION AND ACTIONS	ACTION
1. Apologies	None.	
2. Declarations of Interest	None.	
3. Minutes of the previous meeting and matters arising	<p>The minutes from the meeting held 22 September were agreed to be accurate.</p> <p>The Chairman requested everyone fill in the Neighbourhood Council review questionnaire sheets that had been handed out.</p>	
4. Open Session	<p>Audience members were given the opportunity to ask questions and raise issues affecting the area they lived in. These included:</p> <ul style="list-style-type: none"> Lawrence Wright (WNC Chairman) – concern over negative newspaper article. Do Members present agree with the view of Cllr Sanders that Neighbourhood Councils should be disbanded? Cllr Burton – chairs the review group – Cllr Sanders’s opinion not representative of other Cllrs he has spoken to. Cllr Lane – happy with Cllr Burton’s reply. Cllr John Fox – support Cllr Burton’s comments, no decisions made on future of the meetings yet. Cllr Sandford – also on review group, about 12 years ago proposed area committees so already committed to the future of them. Need more delegated decision making powers to area committees. Cllr Burton – review group is 	

	<p>looking to see how they can be made better;</p> <ul style="list-style-type: none"> • Cllr Sandford – Community Action Plans (CAP), what has happened so far? Julie Rivett – lots of consultation and headline priorities for each area produced. Not much more progression as spending review has disrupted progress. It is important not to raise any expectations that cannot then be met. We also need to ensure CAPs are considered important local statutory documents by the local authority and its partners. The Localism Bill supports the work so hopefully will continue soon; • Mr Killick, Paston - any update regarding Paston Centre? Tesco taking over car park at Chadburn Centre. Each Friday is a local market which will disband as not favoured by Tesco. Many residents want to retain the market. Residents should be consulted on use of car park. Cllr S Day – will continue to support the existence of the market and find out exact situation; • David Hedges – similar things happened in Hampton when trying to start a farmers’ market but hearsay and rumours spoiled the project. Previous minutes include comments on farmers’ market in Werrington but difficult to get formal written support or commitment. Planning issues in Werrington about Tesco were difficult to control and Tesco ended up securing more approvals for additional things than originally planned; • Mr Killick – spoke to PCC Officer re trees but no response yet. Chair – will chase up. Cllr Thacker - recommends using Ward Cllrs to contact officers as more effective if members of the public do not receive a response. 	
<p>5. Peterborough North Area Committee Budget</p>	<p>Chair intros spending suggestions. Only City Councillors can vote but 20 minutes for public to consult and propose what should and shouldn’t be supported.</p> <p>Cllr John Fox – what can it be spent on? Julie Rivett – can only be capital spend and not involve further revenue costs. Must fit the identified priorities to enhance the area. Cllr Sandford – report says £25k to support across the area and projects to apply to the area. Cllr Burton – elected members held meeting a couple of weeks ago at which criteria was set to consider the proposals against and that they should benefit the whole area.</p> <p>Public discussed the proposals with Members.</p> <p>Cllr Lane – could involve members of public in discussion of each proposal before voting. Clerk - explains could allow all proposals and then NManager would have to balance with £25k allowance.</p> <p>Cllr Sandford – Concerned that not all information available to make these decisions such as pros and cons for each and an evidence base. David Hedges – of the proposals, have no objection to any of the area wide proposals. Where is correlation between earlier public opinion seeking and these proposals? Julie Rivett – Any proposal would correlate to community action plans. The CAPs have not been finalised but money must be spent most appropriately and look at headline priorities to base proposals on. For example, a priority from the action plans was a problem with anti social behaviour, the suggested camera</p>	

purchases were a response to that priority. All proposals were worked up with relevant departments and they have assured that they can cover any ongoing costs. Cllr Burton – could quickly go through to explain each item proposed. Cllr Sandford - most proposals do not cover the entire area, could be pre-determined by previous meeting.

A further brief discussion was held on each proposal before voting took place to approve or reject spending as follows:

Purchase of mobile CCTV cameras

Cllr Lane – should explain exact cost and how many cameras to be bought. Cllr Sandford – what safeguards that CCTV will be used for legitimate purposes and not used by council to impinge on personal freedoms? Cllr John Fox – is to enforce against fly tipping and also includes anti-social behaviour hot spots across the area.

APPROVED (7 for, 0 against, 1 abstention).

Replace Fencing

Werrington allotments – serves all area and many will benefit. Chair – is the allotment site permanent? Cllr Thacker – yes, would like more. Cllr Day – more allotments to be provided in Paston and a new site proposed too. Cllr Sandford – supports more allotments but replaces existing fencing so should be paid for by city. Julie Rivett – This proposal has been verified by relevant officers to ensure it qualified as capital. Cllr Burton - confident will benefit whole area and more allotments desired by many residents.

APPROVED (8 for, 0 against, 0 abstentions).

Street Lighting

Should it not come from city council funds? Cllr Fox – if not approved and light goes out it would get fixed. Cllr Lane – there is a proposal that council will replace all street lighting in next few years so waste of money here. Cllr Burton – agree with Cllr Lane. Should come out of central budget.

REJECTED (0 for, 8 against, 0 abstentions).

Bus Shelters

Cllr S Day – should not spend here, Community Leadership Fund could be spent here, if near two wards could combine funds. Cllr Sandford – cost of bus shelters too high for CLF. Many residents have been asking for some time. Alteration of route to no.2 bus in 2004 caused need. This is high in priority assessment for new bus shelters and this is only for a proportion of the cost. If additional funding is found it gets more points on qualifying formula so would get council to build quicker. Cllr Judy Fox – can build with CLF. Cllr Lane – will not benefit whole area. Cllr Burton – money spent here should benefit whole area.

REJECTED (1 for, 7 against, 0 abstentions).

Energy Monitors

Mr Killick – can get free from energy companies. Cllr Burton – need some additional information on this proposal to vote. Cllr Lane – was put forward to assist eco minded people to assess home energy loss. Climate change officer advised can get through other means. Cllr

	<p>Sandford – good for environmental agenda but don't have all the information needed for a proper decision.</p> <p>REJECTED (2 for, 3 against, 3 abstentions).</p> <p><u>Noise Monitoring Equipment</u></p> <p>APPROVED (8 for, 0 against, 0 abstentions).</p> <p><u>Trees</u> Cllr Lane – against this as have been advised that mature trees are difficult to maintain. Cllr Burton – was told could not have saplings / small trees.</p> <p>REJECTED (3 for, 5 against, 0 abstentions).</p> <p><u>Purchase Winter Salt Bins</u> Cllr Burton – positioning of them to be determined by elected members, need to get together to decide. Resident – can public have a say in where they go? Cllr Burton – thinks elected members to decide but should consult with residents before deciding. Chair – difficult to ensure they will be used, filled up, kept in good condition etc as have tried in Bretton.</p> <p>APPROVED (6 for, 1 against, 1 abstention).</p> <p><u>Community Grant Pool</u> Resident - there are other avenues of funding for community groups. Cllr John Fox – CLF money can also be used.</p> <p>Clerk – currently £18034.25 used so far without the community grant. Julie Rivett – if money is left over, more could be allocated to the approved projects or present another project to vote on at a later meeting. Cllr Lane – need to meet to expand on the current approved projects. Cllr John Fox – could put £4k to one of the approved projects.</p> <p>APPROVED (3 for, 1 against, 4 abstentions).</p> <p>Cllr Burton proposed the third recommendation in the report be reworded as it no longer applied as the funding agreed was under £25k. Cllr Burton proposed a further meeting with ward councillors be held to determine final budget setting allocations. This was seconded by Cllr Thacker and following a vote agreed by the Area Committee (6 for, 2 against).</p> <p>ACTION:</p> <ol style="list-style-type: none"> 1. Arrange for approved projects to go forward; 2. Arrange meeting with Ward Councillors to determine allocation of remaining fund. 	Julie Rivett
6. Dog Control Orders	Julie Rivett advised that the relevant officer was ill and unable to attend the meeting but work had taken place around this issue, had discussed with Cllr Lane and agreed to bring to the next meeting. Cllr Burton – members needed to have a written report before the meeting.	
7. Saving Money on Your energy	Judith Harvey introduced issues on home insulation including the following:	

<p>Bills</p>	<ul style="list-style-type: none"> • If spending over 10% of income to keep property warm = fuel poverty. Some people need to as homes not always well insulated but too expensive so stay cold. Had a successful bid from EERA for £1m, matched by PCC so £2m to spend over 2 years; • Deal with home owners and private rental, no housing association properties. Grant assistance for loft and cavity insulation; • If over 70 qualify for free, if on benefit (subject to survey) you qualify, if household income less than £25 can qualify for free; • Still £100k left that must be spent by end of financial year. Need to raise awareness to get the money spent. Survey for this will be free, all checks and recommendations done. Can also get part funding if not qualify for free assistance. <p>Cllr Sandford – what is eligibility criteria? Judith Harvey - £25k household income from all sources. Have been doing for about 5 years.</p> <p>Cllr Sandford – how is income determined? Judith Harvey – is self certification, could be a bank statement that shows income.</p> <p>Lawrence Wright – more fund for next financial year? Judith Harvey – hope so but don't know budget yet.</p>	
<p>8. Peterborough City Council Budget</p>	<p>Julie Rivett advised that there would be no city council budget presentation as the spending review results only recently came out. Propose an extra meeting, one for each Neighbourhood Area in January. This area would be on 25 January at Ken Stimson School. Would be a Q&A session.</p>	
<p>9. Next Meeting</p>	<p>The next meeting was due to be held on Wednesday 23 March at the Honeyhill Centre, Paston.</p> <p>David Hedges – asked Councillors to take issue over policing in Werrington. Have a 4th Neighbourhood Sergeant in less than 2 years. Too many changes. Lawrence Wright – chair of police panel, meeting with Chief Constable soon and will raise this matter.</p>	

Meeting closed at 9.30 p.m.

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Peterborough North Area Committee	Agenda Item No. 8
23 March 2011	Public Report

Report of the Senior Neighbourhood Enforcement Officer, Regulatory Services

Contact Officer(s) – David Marshall : Tel 01733 863740

DOG CONTROL ORDER RESEARCH

1. PURPOSE

1.1 At the September Peterborough North Area Committee meeting it was agreed by the Members that information would be required to inform a debate around whether or not Dog Control Orders are required in the Peterborough North area. Concerns were raised regarding the behaviour of dogs that were allowed, by their owners, to run around without a lead and that some owners were not picking up the fouling left by their dog. This document outlines what is involved in introducing Dog Control Orders, including the legal process, the evidence required, staffing requirements and potential costs. It is designed to help shape the thinking of the Peterborough North Area Committee and be the starting point for further discussion.

2. LEGISLATION

2.1 Dogs (Fouling of Land) Act 1996

Peterborough currently has an Order in place which is designed to prevent dog fouling. This order came into operation in 1998 and was introduced under the Dogs (Fouling of Land) Act 1996. In 2005 the Clean Neighbourhoods and Environment Act came into operation. It stated that the Dogs (Fouling of Land) Act 1996 would cease to have an effect. That meant that from 2005 onwards no further orders could be implemented using the Dogs (Fouling of Land) Act 1996. However, it also stated that any Orders already in place would still be valid. This original Order already in place in Peterborough covers the entire city. It was written in such a way that any expansion to the city or its boundaries would also be covered by the Order

Through this Order the offence of dog fouling can be dealt with by way of a Fixed Penalty Notice. The fine associated with this is £50.

2.2 Clean Neighbourhoods and Environment Act 2005

Section 55 of the Clean Neighbourhoods and Environment Act 2005 then gave Local Authorities and Parish Councils the ability to introduce Dog Control Orders to restrict and govern the following:

- dog fouling on an area of land;
- keeping dogs on leads;
- the exclusion of dogs from an area of land and
- the number of dogs a person can take onto an area of land.

Any Dog Control Orders introduced using this legislation must clearly state the area of land to be affected by the Order and the times or periods during which an offence is to apply. This Act can apply to any land which is open to the air, and to which the public have either paid or free access.

Section 59 of the same act states that an authorised officer from the Local Authority or a Police Community Support Officer can, when satisfied that an offence has taken place,

issue a Fixed Penalty Notice.

Section 60 of the Act states that the default amount for this Fixed Penalty Notice is £75. However, the Local Authority is able to amend this amount (within reason).

2.3 **New Legislation**

The Home Office have recently released a document for public consultation about a new piece of legislation. This legislation is designed to reform the way Anti-Social Behaviour is dealt with by the Police and Local Authorities.

Within this document it is suggested that Dog Control Orders, previously covered by the Clean Neighbourhoods and Environment Act 2005, would be replaced by a new 'Community Protection Order'.

Consultation on this document is due to close on 3 May 2011 and can be seen at <http://www.homeoffice.gov.uk/publications/consultations/cons-2010-antisocial-behaviour/asb-consultation-document>

3. **THE LEGAL PROCESS**

3.1 As part of the research Peterborough City Council's Legal team have identified the correct process required to introduce a Dog Control Order. The process is described briefly below:

- A. A proposal should be written confirming which offences are to be controlled by the order.

There are 4 possible offences which can be introduced by the order (see 2.2) and each of these requires a specified form of words in order to be a valid Order. The penalty, exemptions and defences should also be described for each offence.

- B. The land to be covered must be accurately described.

Generally all land open to the air, to which the public has access, can be included. However there are some minor exemptions. A map can be used to define the land clearly.

- C. There should then be a formal consultation process. This should include other possible makers of Dog Control Orders in the proposed area, for example, parish councils. This process should be a full public consultation and include advertising the proposed Order in a local paper and a public display of documents and maps

- D. The consultation should run for a minimum of 28 days to allow enough time for responses to be received by the Authority.

- E. Elected ward Councillors would then consider the proposal and all the responses from the consultation process. As part of this process Members should consider if the Dog Control Order is a necessary and proportionate response to problems caused by the activities of dogs and their owners. There must be a balance between the interests of all members of the public. The proposal can be approved (and the Dog Control Order made) or not approved. The conditions of the prospective order can also be changed. However, any changes to the proposal would mean another full public consultation.

- F. Members must decide when the Dog Control Order will come into effect. This should be a minimum of 14 days after the decision to introduce the Order is made. At least 7 days before it comes into effect the Dog Control Order must be advertised in a local newspaper and be displayed for public inspection.
- G. Notices warning of the Dog Control Order, and the offences associated with it, must be placed on the land affected by it. They should be placed at regular intervals on the land.

4. **POINTS TO CONSIDER**

4.1 **Department for Environment, Food and Rural Affairs Guidance**

Whilst the Clean Neighbourhoods and Environment Act 2005 gives local authorities the power to introduce dog control orders, the Department for Environment, Food and Rural Affairs guidance on the Act states that:

“It is important for any authority considering a dog control order to be able to show that this is a necessary and proportionate response to problems caused by the activities of dogs and those in charge of them” and

“any authority needs to balance the interest of those in charge of dogs against the interests of those affected by the activities of dogs and that a failure to give consideration to these factors could make any subsequent dog Control Order vulnerable in the Courts.”

The guidance also advises that Authorities should be prepared to justify each Order if challenged. This justification would need to be robust and should include a full log of complaints and evidence to show that the reasonable and proportionate response to those complaints was the introduction of a Dog Control Order. The Authority should also show that it has carried out activities to promote responsible dog ownership.

4.2 **Consultation with other Authorities**

I have received a response from two Local Authorities in the Cambridgeshire area

South Cambridgeshire District Council

They have not introduced any Dog Control Orders but their parish councils have introduced the Orders in certain areas. Therefore South Cambridgeshire District Council have not had any associated costs with introducing the Orders but they have undertaken the responsibility for handling complaints and issuing the Fixed Penalty Notices.

South Kesteven District Council

They have found the process to be very resource intensive, particularly around the necessary production of documentation. They also highlighted the issue of having limited resources available to ‘police’ orders. Ultimately this has led them to only introduce Orders which apply to fenced children’s play areas. In these play areas they have banned dogs completely.

4.3 **Compatible with Other Legislation**

The Dog Control Orders must be compatible with legislation released in 2006 called the Animal Welfare Act 2006. This legislation means that dog owners have a legal responsibility to allow their dogs to exhibit normal behaviour and patterns. This can include the opportunity to walk or run freely as well as providing a suitable diet, habitat etc. The introduction of a Dog Control Order should not force an owner to breach this act and a measured and balanced approach to give consideration to this would be required.

4.4 **Ability to Comply**

Consideration should also be given to those who may struggle to comply with an Order - an elderly person, for example. The Authority would have a duty to reach any dog owners who may be affected to supply advice and information. Careful consideration should also be given during the consultation process to any vulnerable groups that are less able to comply

4.5 **Giving Advice and Information on Compliance**

The Authority would have a duty to provide advice and information on how the public can comply with the Orders. This will require the production and release of an appropriate communication to households in the area most likely to be affected by the order.

Signage will also need to be produced for every area of land affected by the Orders. These signs will need to be placed at the entrance to the land and then at regular intervals within the area covered by the Orders.

4.6 **Environmental Impact**

The Authority has a Climate Change Department whose purpose is to promote initiatives to reduce Peterborough's carbon footprint. Consideration should be given to dog owners using their cars more frequently to travel to appropriate areas before being able to exercise their dogs.

5. **CURRENT STAFFING RESOURCES**

The following points are to give elected Members an overall picture of the duties currently undertaken by the Environmental Enforcement team.

5.1 **Dog warden**

One Dog Warden currently covers the local Authority area. He is employed to satisfy Peterborough City Council's statutory obligation under the Environmental Protection Act 1990 (Section 149). This states that a local authority must provide a service to collect stray dogs that are reported to it.

The Dog Warden's duties are very limited. His main role is to collect strays that are reported to Peterborough City Council which includes transporting animals between vets and to the kennelling facility. The warden also returns animals to their rightful owners (on payment of a fee). His role also includes replacing and erecting 'No fouling' signs but this is secondary to his main duties.

The Dog Warden does not currently have the delegated authority from Peterborough City Council to issue Fixed Penalty Notices.

5.2 **Neighbourhood Officers**

Neighbourhood Officers have the delegated authority to deal with dog fouling and issue Fixed Penalty Notices. Neighbourhood Officers are split into Neighbourhood areas and there are two Neighbourhood Officers that operate within North and West Peterborough.

Neighbourhood Officers are responsible for the co-ordination of the Street Leaders scheme. They also take part in arranging and attending many community engagement activities including street surgeries, problem solving groups, litter picking events and education events. This currently takes approximately 30% of their time.

Neighbourhood Officers also have the powers to enforce the following environmental legislation which accounts for the remaining 70% of their time.

Flytipping

Section 33 of the Environmental Protection Act 1990. Officers must gather evidence and conduct investigations into reports made by partner agencies and residents relating to the illegal disposal of waste.

Accumulations

Under Section 4 of the Prevention of Damage by Pests Act 1949 officers have a duty to investigate and arrange the removal of accumulations of waste that is likely to harbour or attract rodents. They also have a duty to serve notices on private land, open to public access, where fly tipping accumulates to ensure waste is cleared and to stop its re-occurrence.

Littering

Officers patrol their areas to tackle littering. This offence is dealt with by way of a Fixed Penalty Notice. They are also responsible for the serving of Litter Control notices to businesses who neglect their duty to clear litter from shop fronts.

Fly Posting

Fly posting is the illegal displaying of notices without consent in a public area. Officers are responsible for collating all the associated evidence before forming a case against the offenders.

Graffiti

Officers are tasked with investigating reports of Graffiti. Their duties are predominantly to work with those who have graffiti on private property, to encourage them to remove it. Owners who do not remove graffiti on their private property may be served with a Graffiti Removal Notice.

Duty of Care (Commercial Premises and Waste Carriers)

Officers must carry out annual inspections of businesses in Peterborough and investigate those that come to their attention through a variety of routes (referrals from other Peterborough City Council departments such Food Hygiene or Trading Standards for example). Neighbourhood Officers also work in conjunction with Cambridgeshire Police to conduct stop checks on vehicles transporting waste. This is to ensure companies have the correct Waste Carriers Licence.

Verge Parking

Neighbourhood Officers play a lead role in encouraging those responsible to stop damaging the verges through inappropriate parking. This requires a site visit to gather evidence and to meet with residents.

Misuse of Domestic and Commercial Bins

Section 46 of the Environmental Protection Act 1990 deals with the misuse of domestic bins. Neighbourhood Officers receive referrals from Enterprise (previously City Services) when residents do not comply with polite requests to use the waste collection service correctly. This is usually required where bins are not removed from public property after bin collection day, where recycling bins are continually contaminated with incorrect materials or where excess waste is placed out with the bin. A legal Notice is served on the occupants, visits are made to ensure compliance, and Fixed Penalty Notices of £100 are issued to those who breach the terms of the Notice. Section 47 of the same act relates to similar offences but in connection with commercial bins

Dog Fouling

As previously described Neighbourhood Officers were given the authority to issue Fixed Penalty Notices under the Dogs (Fouling of Land) Act 1996. Neighbourhood Officers will respond to reports of dog fouling as and when they are received and issue Fixed Penalty Notices for £50 when it is appropriate to do so.

6. **POTENTIAL COSTS**

6.1 **General Costs**

It is very difficult to give an accurate cost associated with introducing a Dog Control Order. However, the likely associated costs are

- Running public consultation events
- Producing documentation (maps, posters, public Notices, etc)
- Media and advertising (displaying public Notices, web site updates, newspaper advertising etc)
- Associated officer time (Neighbourhood Officers, Legal Services etc)
- Stationery and Signs
- Ongoing 'policing' of any Dog Control Orders (Officer
- Running events to promote responsible dog ownership

6.2 **Stationery and Signage Costs**

The following outlines the associated costs for stationery and signage. Quotes have been obtained through Peterborough City Council's preferred printing supplier.

Item	Amount	Cost
Redesign of Fixed Penalty Notices to include additional offence		£90
Printing Fixed Penalty Notice Pads	50	£300
Redesign of 'No Dog Fouling' signs to reflect legislation		£45
Printing 'No Dog Fouling' signs	50	£100
Producing metal 'No Dog Fouling' signs including fixtures	10	£330
Design 'Dogs Must be Kept on Leads' signs		£90
Printing 'Dogs Must be Kept on Leads' signs	50	£100
Producing metal 'Dogs Must be Kept on Leads' signs including fixtures	10	£330
Producing educational literature	100	£200

6.3 **Staffing Costs**

The main staff time associated with Dog Control Orders involves 'policing' any Orders that are introduced. An officer carrying out these duties could have the same delegated authority and powers as a Neighbourhood Officer.

The estimated cost of a full time employee in this role would be approximately £32,000 per annum (inclusive of all on costs). This does not include any other associated costs such as equipment or protective clothing.

7. **APPENDICES**

- 7.1 Appendix A : Kennel Club response to media article regarding PCCs consideration of DCOs. Includes information from a Freedom of Information request they submitted.
- 7.2 Appendix B : Dogs Trust response to media article regarding PCCs consideration of DCOs.

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Marshall David

From: Fern Howard [Fern.Howard@thekennelclub.org.uk]
Sent: 19 October 2010 17:12
To: Marshall David
Cc: Emily Jeffrey
Subject: Dog Control Order Information
Follow Up Flag: Follow up
Flag Status: Completed
Attachments: KC DCO briefing paper - Jul 10.doc; Schemes to promote responsible dog ownership.doc; FOI stats 19.10.10.doc

Dear David,

Further to our telephone conversation, please find attached:

1. Kennel Club briefing on Dog Control Orders
2. Examples of positive alternatives to Dog Control Orders implemented by a selection of local councils
3. Indicative statistics of costs/income associated with Dog Control Orders (19.10.10)

Based on our experience, the Kennel Club advocates that developing schemes to promote responsible dog ownership is largely more successful and cost effective than introducing Dog Control Orders. Research shows that irresponsible dog walking often arises simply due to lack of information, as dog owners are not always clear about where or how they should dispose of dog mess or how to deal with behavioural problems. Successful initiatives run by a number of councils across the UK show that **EDUCATING** and **ENGAGING** local dog walkers can significantly reduce irresponsible behaviour and create a welcoming environment for both dog owners and non-dog owners without resorting to Dog Control Orders. Positive, simple and relatively low cost actions that you can take may include:

- Distributing waste bags
- Liaising with local dog walkers to ensure that dog waste bins are conveniently located, sufficiently monitored and emptied regularly
- Developing a code of conduct or community dog initiative/event

The Kennel Club's KC Dog campaign strives to work with local councils to discuss problems and develop possible solutions before turning to restrictions. To find out more about this campaign please visit: www.thekennelclub.org.uk/kcdog. In order to help us monitor the situation in Peterborough, it would be great if you could let me know if/when there are any developments in relation to Dog Control Order proposals.

If you require any further information or advice on this matter, please do get in touch.

Warm regards,

Fern

Fern Howard
 External Affairs Assistant
 The Kennel Club, 1-5 Clarges St, Piccadilly, London, W1J 8AB
 Tel: 020 7518 1020
 Fax: 020 7518 1028
 Email: fern.howard@thekennelclub.org.uk
 Web: <http://www.thekennelclub.org.uk/kccampaigns>



THE KENNEL CLUB
Making a difference for dogs

DOG CONTROL ORDERS FREEDOM OF INFORMATION REQUEST

Please note that the statistics given below are indicative and reflect the data entered up to and including today's date (19/10/10).

Of the FOI responses processed so far, **87 local authorities have run consultations/implemented dog control orders.**

Expenditure*

- Over **50% (44)** of these **87 respondents have not calculated any costs in relation to control orders** (consultation expenses/signage/officer enforcement etc.).
- Average spend = **£10,894.564** per local authority (based on calculations from 43 local authorities). However, the detail of costings varied significantly between councils:
 - A significant number indicated that there were extra costs in addition to those given
 - A significant number indicated that the figure given was only an estimation
- Most amount spent = **£58,318.44**

N.B. The attached document shows how Hampshire Council spent under £1,000 on a successful scheme promoting responsible dog ownership.

Income*

- Average income = **£2,156.68**
- 26 local authorities have made **£0** from dog control orders between April 2006-2010
- 6 councils have not recorded income accrued from dog control orders

* April 2006 - April 2010

Case Study: Schemes to promote responsible dog ownership

Falkirk Council - Green Dog Walkers

Green Dog Walkers (GDW) is a non-confrontational, friendly way to change attitudes about dog fouling in the Falkirk Council area. Volunteers wear a GDW armband which signifies that they have "Taken the Pledge" to always:

- clean up after their dog
- carry extra dog waste bags
- be happy to be approached to 'lend' a dog waste bag to those without
- be a friendly reminder to other dog walkers to clean up after their dogs

The scheme has been rolled out throughout the Falkirk Council area and has over 400 individual volunteers wearing the GDW armbands and 9 community group partners who are managing their own schemes within their neighborhoods.

New volunteers are invited to sign the GDW pledge in order to receive the armband.

The scheme has cost the Council approximately £8000 - covering set-up costs and the GDW Starter Packs sent to community group partners which include armbands, leaflets, posters, poop scoops and doggy bags.

For further information go to:

http://www.falkirk.gov.uk/services/corporate_neighbourhood/estates_management/litterzone/community/green_dog_walkers.aspx

Brighton and Hove Council – Raising the standard of professional dog walking

Brighton and Hove Council was the first council in the UK to establish an inspection and accreditation scheme for dog walking businesses. Launched in November 2009 the scheme invites dog walking businesses to be inspected and sign a Code of Conduct, allowing the Council to regulate the industry and giving the public a benchmark to help find reputable businesses.

The scheme came about after members of the public raised concerns with the council's Animal Welfare officers about these businesses being able to act responsibly.

As part of the scheme dog walkers undergo an inspection of vehicles used to transport the dogs, provide evidence of their insurance and sign a Code of Conduct. Companies which sign the code and pass the inspection are then given a listing on the council's website.



DogsTrust



Dear Sir or Madam,

05/11/2010

Dogs Trust is interested to hear that Peterborough Authority is considering the introduction of a Dog Control Order under the Clean Neighbourhoods and Environment Act 2005. We strongly support the concept of responsible dog ownership and undertake a significant effort to encourage dog owners to be responsible. Issues such as dog fouling and keeping proper control of a dog in public places are frequently the focus of our campaigns.

We draw to your attention new animal welfare legislation, the Animal Welfare Act 2006, which imposes a duty of care on all persons who have contact with animals. One of the requirements of the Act is to allow the animal "*to be able to exhibit normal behaviour patterns*". For dogs this will clearly include the ability to exercise the dog off the lead in an appropriate place.

There is a significant body of scientific research that shows that dogs are a benefit to society. Keeping dogs encourages responsibility, particularly for juveniles, and there are significant health benefits to dog owners. While there may also be some disadvantages, responsible ownership, including such procedures as regular worming, are effective in minimising them. Dogs Trust therefore considers it important that responsible owners should not be discouraged from keeping a dog by draconian Dog Control Orders.

Please feel free to contact us at any stage of your research process.

Kind regards,

Chris Moore
Campaigns Officer

chris.moore@dogstruct.org.uk
020 7833 7686

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