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AUDIT AND SCRUTINY COMMITTEE THURSDAY, 19 AUGUST 2021

A MEETING of the AUDIT AND SCRUTINY COMMITTEE will be held VIA MS TEAMS on
THURSDAY, 19 AUGUST 2021 at 10.00 am

J. J. WILKINSON,
Clerk to the Council,

13 August 2021

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest.	
4.	Minute. (Pages 3 - 10) Minute of Meeting of the Audit and Scrutiny Committee held on 29 June 2021 to be approved and signed by the Chairman. (Copy attached.)	2 mins
	Scrutiny business	
5.	Responsible Dog Ownership Strategy Review (Pages 11 - 66) Presentation on the Responsible Dog Ownership Strategy. Papers attached – (a) Presentation (b) (i) Report to Council May 2018 (ii) Appendix 3 for report to Council (iii) Appendix 4 for report to Council	60 mins
6.	Any Other Scrutiny Items Previously Circulated.	
7.	Any Other Scrutiny Items which the Chairman Decides are Urgent.	

NOTES

- 1. Timings given above are only indicative and not intended to inhibit Members' discussions.**
- 2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Membership of Committee:- Councillors S. Bell (Chairman), H. Anderson, J. A. Fullarton, J. Greenwell, N. Richards (Vice-Chairman), E. Robson, H. Scott, E. Thornton-Nicol and S. Scott

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**SCOTTISH BORDERS COUNCIL
AUDIT AND SCRUTINY COMMITTEE**

MINUTE of Meeting of the AUDIT AND SCRUTINY COMMITTEE conducted remotely by Microsoft Teams Live Event on Tuesday, 29 June 2021 at 10.15 am

Present:- Councillors S. Bell (Chairman), H. Anderson, J. Fullarton, J. Greenwell, N. Richards(Vice-Chairman), E. Robson, H. Scott and S. Scott. Audit Business: Mr M Middlemiss; and from Audit Scotland: Mr A. Haseeb and Ms T. Wilson-Jones.

Apologies:- Councillor E. Thornton-Nicol and Ms H Barnett

Also present:- Councillor R. Tatler.

In Attendance:- Executive Director Finance & Regulatory, Chief Officer Audit & Risk, Service Director Customer & Communities, Service Director Young People Engagement & Inclusion, Clerk to the Council, Democratic Services Officer (F. Walling).

CHAIRMAN

The Chairman opened the meeting and welcomed Members of the Audit and Scrutiny Committee and members of the public to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the COVID-19 pandemic.

The Chairman then paid tribute to Mr David Clark, Senior Internal Auditor, who had sadly passed away the previous week and, on behalf of the Committee, passed on condolences to his family, friends and colleagues.

1. **MINUTE.**

There had been circulated copies of the Minute of the Meeting held on 3 June 2021.

DECISION

APPROVED for signature by the Chairman.

2. **ACTION TRACKER**

There had been circulated copies of the Action Tracker for the Audit and Scrutiny Committee. With reference to paragraph 6(b) of the Minute of 10 May 2021 and the action to fill the role of Counter Fraud Officer, the Chief Officer Audit & Risk, explained that, after consideration it was proposed to deliver the counter fraud function in a different way. The intention was for a group of Business Support Officers to have a counter fraud role within their remit rather than the responsibility being dependent on an individual officer. The identified resource would be clarified as part of a review of the counter fraud policy and strategy which was due to be presented to the Audit & Risk Committee in November 2021 before going to full Council for consideration. Ms Stacey gave assurance that, in the meantime, the counter fraud function was being covered by the Council's Integrity Group. Members were content with the proposed approach to covering the counter fraud function, subject to the identification of an individual who would continue to be responsible for monitoring the environment within the Council itself and externally. The Chairman asked the Action Tracker to be updated accordingly and for November 2021 to be added as the relevant date for a further update to be provided.

DECISION

AGREED the revised approach to delivering the counter fraud function and that an update be provided to the Committee in November 2021.

AUDIT BUSINESS

3. FOLLOW-UP REVIEW OF COMPLETED INTERNAL AUDIT RECOMMENDATIONS

With reference to paragraph 5 of the Minute of 23 November 2020, there had been circulated copies of a report by the Chief Officer Audit & Risk providing an update on the results of the Follow-Up Review, which included a sample check on the adequacy of new internal controls for Internal Audit Recommendations marked as completed by Management in the period January to December 2020. The Chief Officer Audit & Risk, Jill Stacey, explained that this was a new piece of work as part of the Internal Audit Annual Plan 2021/22. The objective was to review a sample of 'completed' Internal Audit recommendations to assess the evidence that they had been implemented satisfactorily. Of the sample of 13 Internal Audit recommendations selected, that had been marked as completed on the Pentana system during the period January to December 2020, 7 were found to have been completed satisfactorily and 6 required further work. The report gave details of the audit reports within the sample and of the recommendations satisfactorily completed and those, all Medium-rated, that required further work. The latter had been re-opened on the Pentana system as 'in progress' to allow the remaining work to be completed by the revised due dates. Members considered the report and received answers to their questions. Ms Stacey confirmed that there was effective dialogue with management and that Internal Audit would continue to work with Directors and action owners, as a critical friend, to ensure the audit actions were fully completed. Ms Stacey agreed with the slight concern expressed by Members, in that 45% of the sample recommendations had not been satisfactorily completed, but she was confident that relevant discussions were being held with managers. She added that there should be consideration of a review about whether additional assurance was needed. The question as to whether this was a representative sample would be put to CMT, in addition to the quarterly report to CMT on actions in progress. Ms Stacey planned for an update report to be presented to the Audit & Scrutiny Committee in November 2021.

DECISION

AGREED:-

- (a) to acknowledge the results of the spot check on Internal Audit recommendations that had been marked as completed by Management in the period January to December 2020 to improve internal controls and governance, and mitigate risks;**
- (b) to confirm that it was satisfied with the outcomes; and**
- (c) to note that Internal Audit would continue to monitor the completion of recommendations and would provide an update report to this Committee in November 2021.**

4. INTERNAL AUDIT WORK TO MAY 2021

There had been circulated copies of a report by the Chief Officer Audit & Risk which provided details of the recent work carried out by Internal Audit and the recommended audit actions agreed by Management to improve internal controls and governance arrangements. The work Internal Audit had carried out during the period from 1 April to 11 June 2021 was detailed in the report. During the period, a total of 4 final Internal Audit reports had been issued. There were 3 recommendations made associated with 1 of the reports (3 Medium-rated). An Executive Summary of the final Internal Audit reports issued, including audit objective, findings, good practice, recommendations (where appropriate) and the Chief Officer Audit & Risk's independent and objective opinion on the adequacy of the control environment and governance arrangements within each audit area, was detailed in Appendix 1 to the report. In terms of the reports on the Conservation

Area Regeneration Scheme (CARS) in both Jedburgh and Hawick, and also the report on Parks and Environment (Bereavement Services) a substantial level of assurance was given and no recommendations were made. With regard to the internal audit report on Risk Management further detail was given of the 3 medium recommendations made. It was confirmed that elements highlighted during the audit would be incorporated within the review and update of the Risk Management Policy and Strategy to reflect best practice. Ms Stacey confirmed that the refreshed Risk Management policy would be brought back to the Audit & Scrutiny Committee before endorsement by Council before the end of the year.

DECISION

AGREED:-

- (a) to note the final assurance reports issued in the period from 1 April to 11 June 2021 associated with the delivery of the approved Internal Audit Annual Plan 2021/22;**
- (b) to note the Internal Audit Assurance Work in Progress and Internal Audit Consultancy and Other Work carried out in accordance with the approved Internal Audit Charter;**
- (c) to acknowledge the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work.**

5. ACCOUNTS COMMISSION REPORT - LOCAL GOVERNMENT IN SCOTLAND OVERVIEW 2021

There had been circulated copies of a report by the Chief Officer Audit & Risk to accompany the Accounts Commission Report: Local Government in Scotland Overview 2021, which had also been circulated. The covering report highlighted the main points of the Accounts Commission Report which had been published on 27 May 2021. Mr Asif Haseeb (Audit Scotland) presented the report and its key messages, which were as follows: the Covid-19 pandemic was having a profound impact on all aspects of society, including the economy, jobs, and the physical and mental health of the public; relationships with communities had been vital; levels of service disruption had varied; some services were delivered virtually; the workforce demonstrated the versatility to take on new roles; there were significant changes in Council governance structures and processes; Councils continued to face significant financial challenges, and these had been exacerbated by the pandemic; the Scottish Government had provided substantial additional financial support, but the nature and timing of funding had created further challenges for Councils; Councils had started to plan for longer term recovery from the crisis; and there has been some ongoing learning resulting from the emergency response to the pandemic. The report also outlined key lessons learned. It was clear that the impact of Covid-19 had been extremely detrimental for many of Scotland's most vulnerable people and communities. The impact would be long-lasting and would significantly increase inequalities. Action taken by communities had been vital in supporting Councils and their partners to deliver an emergency response. Members welcomed the clear report and also welcomed the inclusion in the report of the featured Scottish Borders Council case study based on the Inspire Learning Programme. The opinion was expressed that Scottish Borders Council staff should be commended for this programme and also for keeping essential services going during the pandemic. In conclusion, Members believed it was valuable to receive the appraisal and noted the key messages of the report and seven areas of lessons learned.

DECISION

NOTED the details of the Accounts Commission report: Local Government in Scotland Overview 2021.

6. WORK PROGRAMME 2021/22 FOR THE AUDITOR GENERAL FOR SCOTLAND AND THE ACCOUNTS COMMISSION

There had been circulated copies of a report by the Chief Officer Audit & Risk to advise Members of the Work Programme 2021/22 for the Auditor General for Scotland and the Accounts Commission, which had recently been published on the Audit Scotland website. The work programme set out the audit work planned for delivery in 2021/22 including Auditor General for Scotland-led work in central government; Accounts Commission-led work in Councils and local government; and joint work where there were areas of common interest. The commitment was to provide assurance about how well public money had been spent; and to contribute to the effective recovery and renewal of public services following the pandemic. Arrangements would be made for the Audit & Scrutiny Committee to consider the relevant reports when they were published on the Audit Scotland website.

**DECISION
AGREED:-**

- (a) to note the details of the Work Programme 2021/22 for the Auditor General for Scotland and the Accounts Commission:**
- (b) to consider the relevant reports when these were published on the Audit Scotland website.**

7. UNAUDITED REPORTS AND ACCOUNTS 2020/21 FOR SCOTTISH BORDERS COUNCIL

- 7.1 With reference to paragraph 7 of the Minute of 23 June 2020, there had been circulated copies of a report and associated papers, by the Executive Director Finance and Regulatory, providing an opportunity to scrutinise the draft Scottish Borders Council and Group Annual Report and Accounts for the year ended 31 March 2021 prior to their submission to the External Auditors. It was explained that the draft Report and Accounts were still subject to Statutory Audit, which would commence in July as normal, but may conclude later than usual due to competing audit demands as a result of the ongoing impact of COVID-19. It was estimated that following the Audit process, the final report and Accounts would be submitted to Council in October 2021. The Accounts summarised the financial transactions for the 2020/21 financial year and the balance sheet positions as at 31 March 2021 as set out in the Local Authority Accounts (Scotland) Regulations 2014. The draft Annual Accounts for year ending 31 March 2021 were attached as Appendices 1 – 5 to the report as follows: Annual Accounts for Scottish Borders Council; SBC Common Good Funds; SBC Welfare Trust; SBC Education Trust; SBC Community Enhancement Trust; Ormiston Trust for Institute Fund; SBC Charitable Trusts; Bridge Homes LLP; and Lowood Tweedbank Ltd. The accounts would be submitted to the External Auditors, Audit Scotland or KPMG as appropriate for full audit by 30 June 2021 and be available for public inspection on the Council's website for a 14 day period commencing 1 July 2020.
- 7.2 The Executive Director Finance & Regulatory, David Robertson, highlighted the main issues from the Scottish Borders Council 2020/21 draft accounts by means of a visual presentation, which included an overview of the impact of COVID-19 and financial results in services. The COVID-19 pandemic had caused a major impact on delivery of public services during 2020/21, with ongoing impacts on a number of Council services. Despite this extremely challenging operating environment there were significant achievements during 2020/21. The Council had administered over £52m of grants to local businesses, established 5 community assistance hubs and accelerated roll out of Inspire Learning to support home learning during lockdown. Headline figures for the year were as follows: £12.1m of Financial Plan savings had been achieved, £7.9m (66%) of which were on a permanent basis; a net underspend of £2.516m was delivered from a revenue budget of £278.4m; revenue expenditure of £275.6m representing a net underspend of (0.9%) against the final approved budget; and capital expenditure of £54.8m, including investment in schools, flood protection, roads lighting and other assets, with a favourable year end timing movement of £9.5m against the revised budget. The presentation gave

an analysis of revenue expenditure by service and included a chart detailing efficiency savings achieved over the past 5 years, categorised into permanent and temporary savings brought forward. As at 31 March 2021, the total Useable Reserves Balance was £47.7m, a net increase of £17.8m during the year, mainly attributed to an increase in earmarked balances; specifically £15.7m COVID-19 funding has been earmarked to support the 2021/22 budget. The presentation went on to refer to the Group accounts that were included with the papers.

- 7.3 Mr Robertson answered Members' questions on the accounts and provided further clarification where requested. He noted the request for, and agreed, two minor wording changes in the section of his report relating to plans for the future. In response to a question about short term borrowing for cash flow purposes Mr Robertson explained that a major aspect of treasury management operations was to ensure that the Council's cash flow was adequately planned with cash being available when needed. There were various peaks in outflows of cash and a complicated pattern of income during the year. Temporary short term borrowing, currently at less than 1% interest, was a normal treasury practice to ensure there was always sufficient cash to meet liabilities. Borrowing was only undertaken however when strictly necessary and in fact, savings in borrowing costs had been delivered during the year by utilising internal cash available. In terms of the group accounts the Chairman raised a question relating to the Welfare Trust, Education Trust and Community Enhancement Trust, all of which had received an increase in income from investments during 2020/21 and had significant balances in place as at 31 March 2021. Using as an example the charitable purpose of the Welfare Trust, as stated in the paper, he asked why, during the recent and ongoing time of crisis, there had not been more dispersal of grants from these Trusts. Mr Robertson referred to the considerable work previously undertaken to consolidate a large number of trust funds and that work was still outstanding to set up a fully functioning system of governance for grant applications. The application process should align with other mechanisms of grant funding e.g. the Community Fund and, in the case of the Education Trust it had been noted that there was further outstanding work to be carried out to consult with school communities prior to reorganising a number of residual trust funds. After further discussion about the Charitable Trust Funds, Members agreed to ask for the operation and governance of the funds to be reviewed and for a follow-up report to be taken to the Executive Committee in 3 – 6 months' time. The Chairman thanked Mr Robertson and his team for their work behind the preparation of the accounts.

DECISION

AGREED:-

- (a) to note the Draft Annual Report and Accounts 2020/21 for Scottish Borders Council and associated Group Accounts; and**
- (b) to support its submission for review by the External Auditors, Audit Scotland for Scottish Borders Council, Common Good and Trust Funds accounts, and to KPMG who continue to provide the external audit of the Council's subsidiary Bridge Homes.**
- (c) that in respect of the three re-organised trusts: SBC Welfare Trust; SBC Education Trust; and SBC Community Enhancement Trust:**
 - (i) to express concern at the lack of significant activity in terms of their promotion and dispersal of funding;**
 - (ii) to ask officers to review the operation and governance of these Trusts with a view to better publicising and promoting their aims and objectives;**

- (iii) to ask the Service Director for Young People Engagement & Inclusion to engage with Finance staff to facilitate the consolidation of the remaining SBC Charity Funds; and
- (iv) to ask the Chief Executive to present a follow-up report on these funds to the Executive Committee within the next 3 to 6 months.

8. **UNAUDITED REPORT AND ACCOUNTS 2020/21 FOR SCOTTISH BORDERS COUNCIL PENSION FUND**

With reference to paragraph 8 of the Minute of 25 June 2020, there had been circulated copies of a report by the Executive Director Finance and Regulatory, providing an opportunity to scrutinise the Draft unaudited Annual Report and Accounts for the Pension Fund for 2020/21 tabled prior to their submission to the External Auditors. The draft unaudited Annual Report and Accounts, provided in Appendix 1 to the report, had been presented to the Joint Pension Fund Committee and the Pension Fund Board on 10 June 2021 for approval of submission to External Auditors and publication for inspection by the statutory deadline of 30 June 2021. Following the statutory Audit process, the final Report and Accounts would be submitted to the joint Committee and Board to review and recommend for approval. The Annual Report would also be made available for public inspection for a 3-week period commencing 30 June 2021. The Executive Director Finance and Regulatory presented the report and highlighted the main points in his presentation. It was reported that the Fund completed its 2020 Triennial valuation which resulted in a funding position of 110%. The market crash in March 2020 resulting from COVID-19 uncertainty was fully recovered during the year to 31 March 2021 with the Fund returning a positive 20.1% against the benchmark of 18.3%. Investment values consequently increased by £147.5m during the year, with continued good progress being made with respect to the implementation of the asset strategy. In response to a question, Mr Robertson confirmed that the Fund continued to work with all its managers to ensure Environmental, Social and Governance (ESG) issues were fully integrated into all their investment decisions. The Fund had transitioned all its investments with Morgan Stanley to its Global Sustain Fund during 20/21 which excluded tobacco, alcohol, and arms manufacture and stocks in carbon polluting businesses and continued to support the Climate Action 100+ initiative, as a signatory. The initiative was actively working to ensure the Paris Agreement on climate change targets were met.

DECISION

NOTED the Draft Unaudited Pension Fund Annual Report and Accounts for 2020/21

9. **SCOTTISH BORDERS COUNCIL MANAGEMENT REPORT 2020/21**

There had been circulated copies of an interim Management Report by Audit Scotland, published in June 2021, which provided a summary of key issues identified during the interim audit work carried out at Scottish Borders Council. Mr Haseeb (Audit Scotland) presented the report which concluded that, overall the Council had satisfactory systems of internal control in place. There were some control improvements identified in three broad areas which were summarised in the report. All recommendations had been agreed by management and would be actioned. Additional work would be carried out by Audit Scotland in response to these findings which would enable Audit Scotland to take planned assurance for audit of the 2020/21 annual accounts. A review of procurement had concluded that appropriate procurement procedures, controls and reporting arrangements were in place at the Council, supported by a clear strategy and objectives. Mr Haseeb thanked Mr Robertson and his team for their assistance in conducting the audit.

DECISION

NOTED

SCRUTINY BUSINESS

10. TACKLING CHILD POVERTY - UPDATE

- 10.1 With reference to paragraph 3 of the Minute of 14 January 2021, there had been circulated copies of a joint report by the Service Director, Customer & Communities and Service Director Young People, Engagement & Inclusion providing an update on the actions that Scottish Borders Council and partners were taking to tackle Child Poverty in the Scottish Borders. The report was presented initially by Jenni Craig, Service Director Customer & Communities. Following presentation of a previous report to the Committee on 14 January 2021, Members had requested a further update in relation to: a definition of child poverty; a view of key drivers for child poverty; how Councillors could be involved; the presentation of data in quarterly performance reports; and whether benchmarking with local authorities within the family group could be carried out to identify any underlying issues giving rise to the difference in percentage levels of child poverty and to learn from best practice. The information requested was set out within the report which included the Local Child Poverty Action Plan for 2021/22 in Appendix 1 to the report; the Scottish Borders Child Poverty Index 2020 in Appendix 2; evidence and statistics about Child Poverty in the Scottish Borders in Appendix 3; and Benchmarking data in Appendix 4. In terms of a definition of child poverty the Child Poverty (Scotland) Act 2017 used four income-based targets as measures rather than providing a specific definition. Similarly drivers of poverty fell into three thematic areas which could be summarised as: income from employment; costs of living; and income from social security and benefits in-kind. The report looked in more detail at these areas before moving on to consider how Councillors could be more involved in actions to tackle child poverty. It was suggested that there may be an opportunity for further Member involvement in the form of a proposed Anti-Poverty Members Reference Group to replace the short-life Member/Officer Anti-Poverty Strategy Working Group. Consideration would be given to this in the Anti-Poverty Strategy Report due to be presented to Council in September 2021. The report went on to refer to the presentation of Scottish Borders data and benchmarking activities, as set out in the appendices. It was noted that whilst there was a desire to have more regular performance reporting, most of the national data associated with child poverty was only available on an annual or bi-annual basis, and frequently time lagged. More local indicators were being explored and considered in a new approach to obtaining data which was currently in development.

MEMBER

Councillor Harry Scott left the meeting during the discussion recorded below.

- 10.2 Members thanked the officers for the detailed information provided. They referred in particular to the long list of recommendations within the Scottish Borders Child Poverty Action Plan 2021/22 as detailed in Appendix 1 to the report and asked if these could be more focussed into actions. Ms Craig confirmed that officers had been considering how the action plan could be strategically themed. She agreed with the need to use data and to prioritise the households which the Council needed to target. In response to a question about the data presented and actual numbers represented by the percentages given, officers advised that the 18% of children in Scottish Borders who were living in relative low income families represented a figure of 3,500 children. In further discussion, Members referred to the significance of rural poverty in the Scottish Borders which was often related to lack of transport and also to fuel poverty due to the type of rural housing. Ms Craig agreed with the valid points made, noting that these were not easy to address. She drew attention to the efforts locally and nationally, towards the alleviation of fuel poverty, as included in the action plan. It was recognised that schools were key to the identification and engagement with families who were in most need of help. The Service Director Young People Engagement & Inclusion, Lesley Munro, explained how, after COVID-19, there were more families registered for Free School Meals and clothing grant provision and that these families could also be targeted for other support. There was also work ongoing with partners to develop accessible summer programmes for children which also helped with food insecurity. Members went on to discuss the benchmarking data but

noted that no conclusions could be drawn at the moment from the data presented. As there appeared to be little difference between the areas, there was no clarity about actions which may be effective or examples of best practice. Members welcomed the proposals in relation to a Member Reference Group to provide input to the actions to tackle poverty. The Chairman thanked the officers for their report and attendance.

DECISION

(a) NOTED:-

(i) the updates detailed in sections 4-8 of the report as requested by the Audit & Scrutiny Committee on 14 January 2021; and

(ii) the actions that Scottish Borders Council and Partners were taking to tackle Child Poverty in the Scottish Borders.

(b) AGREED to request that a Member Reference Group be established to provide input to the actions to tackle poverty and that approval of the scope and membership of the group be sought from Council as part of the Anti-Poverty Strategy Action Plan.

11. SCRUTINY WORK PROGRAMME

With reference to paragraph 3 of the Minute of 3 June 2021, there had been circulated copies of an update, by the Clerk to the Council, on the future Scrutiny Work Programme setting out the subjects for Scrutiny review and timescale for the hearings. Members were content with the programme as proposed.

DECISION

NOTED the Scrutiny Work Programme

The meeting concluded at 1.00 pm

Responsible Dog Ownership Strategy Review 2018-2022

Bethany Lloyd
Principal Regulatory Services Officer
Trading Standards & Animal Health



2018 Recommendations

It was recommended the Council:

- ▶ Notes the findings of the report on the Responsible dog Ownership Strategy and associated enforcement pilot; - **COMPLETED**
- ▶ Agrees to an updated Responsible Dog Ownership Strategy 2018-2022, as a publication, to be prepared based on outcomes and findings of the Pilot and reflective of the new Corporate Plan and that this will be available within six months; - **COMPLETED**
- ▶ Instructs the Service Director Assets and Infrastructure to enter into negotiations for a contract for the future provision of dog bags from a third party, which has no costs to the Council in their provision or maintenance; - **COMPLETED***
- ▶ Agrees to the delivery of enforcement activity via the Police Community Action Team under the agreed Terms of Reference as part of a responsive, intelligence-led and prioritised service integral to the Local Policing Plan; - **COMPLETED**
- ▶ Consider the establishment of an Information and Education Officer post to develop and implement an educational programme in conjunction with Protective Services personnel to support the Responsible Dog Ownership Strategy and to act as an intelligence liaison officer between SBC and the Community Action Team - **COMPLETED**

Key Objectives of Strategy



Key Objectives

The Responsible Dog ownership Strategy set out the following key objectives across six delivery action areas:

- ▶ To educate dog owners in the principles of responsible dog ownership.
- ▶ To raise awareness of the legal responsibilities associated with dog ownership.
- ▶ To reduce the number of dog fouling instances through education, partnership working and enforcement.
- ▶ To improve the use of information and intelligence and share this with key partners.
- ▶ To clarify and raise awareness of the roles and responsibilities of Scottish Borders Council and those of our key partners including Police Scotland.
- ▶ To improve and simplify the way in which members of the public can report instances of dog fouling.
- ▶ To work more closely with communities on developing local solutions.
- ▶ To ensure that robust enforcement action is taken, where appropriate.

Delivery Action Areas

- 1) Education and Awareness
- 2) Promotion and Events
- 3) Community Empowerment
- 4) Information and Intelligence
- 5) Enforcement
- 6) Partnerships

To educate dog owners in the principles of responsible dog ownership.

- ▶ Created a new permanent 'Dog Education Officer' post in 2019.
- ▶ Updated SBC's Responsible Dog Ownership Webpage so all information concise and in one place.
- ▶ Created dog education posters which show on all Council screens in contact centres, libraries and HQ.
- ▶ Worked with our partner Dogs Trust to provide free dog poo bags.
- ▶ Winner of Dogs Trust Partnership Scheme Award 2018/19 on Responsible Dog Ownership.

**Dogs Trust Partnership Scheme
2018/2019**

WINNER 

To educate dog owners in the principles of responsible dog ownership.

Young Person's Guide to **SAFETY WITH DOGS**

Dogs should always be treated with respect and they rarely ever bite for no reason. Stay safe and know the signs.

Never approach an unknown dog or shout loudly near a strange dog - it may scare him and he could react angrily.

Never take food from a dog when they're eating.



Always ask the owners permission to pet their dog.

Do not tease a dog.

Never stare into a dog's eyes or put your face close to theirs - this can seem threatening to the dog.

Never approach a dog that is tied up.

Calmly walk away from a dog if he growls at you or seems unfriendly. Don't run.

Do not disturb a dog while he's sleeping.



Do not take a bone or a toy away from a dog if they're playing with it.



Always be a respectful, responsible dog owner



"It's OK, my dog is friendly..."

It's **NOT** OK!

Your dog may be friendly, but not all dogs are.

Please remember...



Never let your dog run up to a dog on lead - they could be scared or become reactive.

If someone asks you to put your dog back on lead, it may be because their dog is anxious or reactive.

Try to respect other owners and their need for space - owners with reactive dogs are always on high alert.

If you have no voice control over your dog off lead, **always** keep them on lead.



Always be a respectful, responsible dog owner

BEEN CAUGHT SHORT?

FREE DOG POO BAGS ARE NOW AVAILABLE AT COUNCIL CONTACT CENTRES



BE A RESPONSIBLE DOG OWNER, PLAY #YOURPART AND PICK UP AFTER YOUR PET

FIND OUT MORE AT WWW.SCOTBORDERS.GOV.UK/DOGS



To educate dog owners in the principles of responsible dog ownership.

Education Activity	2019	2020	To date 2021
School Visits	6	14	0
Walks	7	4	10
Community Councils	5	2	0
Clubs	0	2	0
Events	3	0	0

To raise awareness of the legal responsibilities associated with dog ownership.

DID YOU KNOW...

UK Law requires that your dog must wear a collar and tag when out in public.

A microchip does not replace the requirement of a collar and tag.

For your dog's safety, ensure your tag includes your address and contact details and that your microchip details are up-to-date.

Exceptions to the collar and tag laws include:

- Working dogs
- Guide & Hearing dogs
- Assistance dogs
- Police dogs
- Sporting dogs
- Search & Rescue dogs

For more information go to legislation.gov.uk



WHAT HAPPENS IF YOUR DOG STRAYS

If your dog strays, it will be collected and taken to designated kennels by Council Officers.

It will then be scanned for a microchip - so make sure your current details are up to date so the Council can contact you.

If we are currently holding your dog, contact our **Environmental Health** team on **0300 100 1800** for details on how to claim your dog.

Stray dogs will be taken to our holding kennels and kept for 7 days. During this time the owner can contact us to reclaim their dog, which will be returned to the home address once a claiming fee is paid.

Stray dogs not claimed within the 7 day period will become property of Scottish Borders Council and will be transferred for rehoming.

Contactable hours:
Monday - Thursday
8:45am - 4:00pm
Friday
8:45am - 3:30pm



To raise awareness of the legal responsibilities associated with dog ownership.



CLEAN IT UP!

PICK UP YOUR DOG'S POO OR AN **£80 FINE** AWAITS YOU



BAG IT AND BIN IT



KIDS DON'T WANT TO PLAY IN POO

SO PICK UP AFTER YOUR DOG GOES TO THE LOO



To raise awareness of the legal responsibilities associated with dog ownership.

IS YOUR DOG MICROCHIPPED?

ALL DOGS MUST BE MICROCHIPPED AND YOU NEED TO KEEP YOUR CONTACT DETAILS UP TO DATE

SCOTTISH BORDERS COUNCIL HAS TEAMED UP WITH CHARITY DOGS TRUST TO OFFER FREE MICROCHIPPING.

BE A RESPONSIBLE DOG OWNER, PLAY #YOURPART AND MICROCHIP YOUR PET

FIND OUT MORE AT
WWW.SCOTBORDERS.GOV.UK/DOGS



#yourpart

To reduce the number of dog fouling instances through education, partnership working and enforcement.

- ▶ Dog Fouling posters and stencils – with posters available for the public to download from SBC website.
- ▶ New reporting process to allow Neighbourhoods cleansing teams to remove dog fouling.
- ▶ Power BI reports to target anti-fouling resources.
- ▶ Free dog poo bags* from our partner Dogs Trust.
- ▶ Dog Education Officer visits and walks.
- ▶ Child education prioritised to change parental / adult behaviour to picking up after their dog.
- ▶ Fixed Penalty Notices to be served as default position if supported by a willing witness.

To improve the use of information and intelligence and share this with key partners.

- ▶ Worked with Scottish Improvement Service on a dog control notice database proof of concept.
- ▶ Respond to all Scottish Government consultations in relation to companion animals.
- ▶ Share intelligence with Police Scotland and the SSPCA.
- ▶ Updated internal reporting codes on Uniform database for more accurate recording and reporting on activities.
- ▶ Improved working relationship with CAT Team, Community Safety and Neighbourhoods.

To clarify and raise awareness of the roles and responsibilities of Scottish Borders Council and those of our key partners including Police Scotland.

- ▶ Rolled out a hugely successful online PowerPoint training package to Police Scotland;
 - Improved communication
 - Improved sharing of intelligence
 - All new officers are required to complete the training

- ▶ Details roles and responsibilities of Scottish Borders Council and those of Police Scotland in relation to:
 - Dangerous Dogs Act 1991
 - Control of Dogs (Scotland) Act 2010
 - Environmental Protection Act 1990 (stray dogs and barking)
 - Microchipping of Dogs Regulations (Scotland) Regulations 2016
 - Control of Dogs Order 1992
 - Civic Government (Scotland) Act 1982
 - Dogs (Protection of Livestock) Act 1953
 - Dog Fouling (Scotland) Act 2003



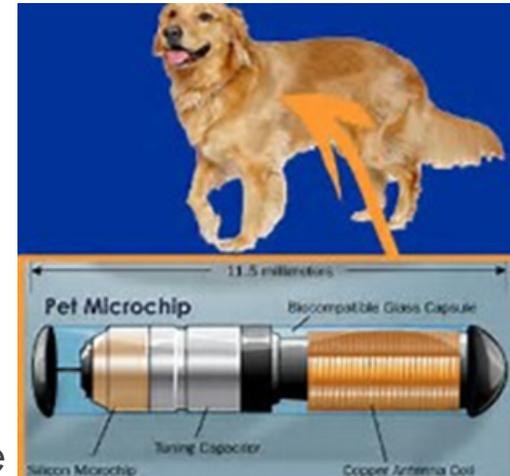
To improve and simplify the way in which members of the public can report instances of dog fouling.

- ▶ New online dog fouling reporting form went live 22 April 2021.
- ▶ <https://www.scotborders.gov.uk/xfp/form/665>
- ▶ Streamlined and saves officer times as online report generates a witness statement containing all the collated details from the online fields and emailed direct to Police Scotland.
- ▶ Improved customer service as allows for email updates to be sent to the customer as their fouling complaint is progressed.
- ▶ Generates Power BI Report of fouling incidences so we can target resources.
- ▶ New QR code on anti - dog fouling posters which will take you straight to the reporting form.
- ▶ Fouling can still be reported in person or by telephone.



To work more closely with communities on developing local solutions

- ▶ Implemented a free dog microchipping service – 82 dogs chipped.
- ▶ Introduced a new procedure to resolve dog barking complaints before they are investigated as a statutory nuisance.
- ▶ Worked with housing associations to provide guidance leaflets and advice in relation to responsible dog ownership.
- ▶ Attendance at Community Council meetings to highlight the services we provide.
- ▶ Green Dog Walkers Scheme and anti-dog fouling toolkit.
- ▶ Use of social media to highlight campaigns e.g. dog control and dogs die in hot cars.
- ▶ Amalgamated all animal related services into one department for 'one stop shop' for members of the public.



To ensure that robust enforcement action is taken, where appropriate

- ▶ Fixed Penalty Notices issued for dog fouling as a default where supported by evidence and within time limits.
- ▶ Recordable Police warnings (police record) as a secondary option.

Date	Complaints Received	Complaints Referred to Police	FPN Served	Police Warnings
From 22 April 2021	22	11	2	6
1 Jan -21 Apr 21	25	5	1	unknown
2020	37	5	1	unknown
2019	70	8	3	unknown

To ensure that robust enforcement action is taken, where appropriate

- ▶ All dog control complaints are investigated by the Dog Control Officer.
- ▶ All breaches of Dog Control Notices reported to the Procurator Fiscal.

Date	No. Dog Control Complaints	No. of DCNs Served	No. of DCN Breaches reported to PF	No. of Written Warnings
2020	116	4	0	34
2019	119	1	0	45
2018	116	6	0	21

To ensure that robust enforcement action is taken, where appropriate

- ▶ All dog barking complaints referred to Environmental Health as a statutory noise nuisance are investigated and action taken in line with the Council's enforcement policy.



	2019	2020	2021 to date
Complaints Received	91	83	60
Resolved	68	54	36
Referred to ASBU	5	7	7
Referred to Environmental Health	1	12	12
Referred to Housing	15	3	2
Referred to Police	2	5	0
Referred to SSPCA	0	2	3

Thank You.

QUESTIONS?

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UPDATE REPORT – THE RESPONSIBLE DOG OWNERSHIP STRATEGY & MEASURES TO CONTROL DOG FOULING

Service Director Assets and Infrastructure

SCOTTISH BORDERS COUNCIL

31 May 2018

1. PURPOSE AND SUMMARY

1.1 This report provides an update on both the Responsible Dog Ownership Strategy and the pilot approach undertaken to enforcement in relation to dog fouling.

1.2 Scottish Borders Council agreed to pilot a new approach to dog fouling enforcement, as part of a wider Responsible Dog Ownership Strategy, in February 2016. The Strategy encompasses three aims – Reduce dog fouling; Reduce incidents relating to noise caused by dogs; Respond to report of stray dogs and injury caused by dog attacks.

1.3 The report summarises the outcomes and lessons learned from the pilot and other work undertaken as part of the Responsible Dog Ownership Strategy around dog fouling detailing activities undertaken across six delivery action areas (refer Section 3.3).

1.4 The pilot has created significant opportunities for lessons learned and these are contained in the following report and appendices, however the most significant and consistent message is that in order to have an effective Responsible Dog Ownership Strategy, it requires to be integrated as part of a wider strategy to educate dog owners which needs to be resourced over a sustained period of time in order to measure its effectiveness and demonstrate its success within the community.

2. RECOMMENDATIONS

2.1 I recommend that the Council:-

(a) Notes the findings of the report on the Responsible dog Ownership Strategy and associated enforcement pilot;

(b) Agrees to an updated Responsible Dog Ownership Strategy 2018-2022, as a publication, to be prepared based on outcomes and findings of the Pilot and reflective of the new Corporate Plan and that this will be available within six months;

- (c) Instructs the Service Director Assets and Infrastructure to enter into negotiations for a contract for the future provision of dog bags from a third party, which has no costs to the Council in their provision or maintenance;**
- (d) Agrees to the delivery of enforcement activity via the Police Community Action Team under the agreed Terms of Reference as part of a responsive, intelligence-led and prioritised service integral to the Local Policing Plan.**

3. THE STRATEGY

- 3.1 In February 2016 the Council agreed to the adoption of the Responsible Dog Ownership Strategy encompassing three aims – Reducing dog fouling; Reducing incidents relating to noise caused by dogs; Respond to report of stray dogs and injury caused by dog attacks.
- 3.2 The Responsible Dog Ownership Strategy set out key objectives;
1. To educate dog owners in the principles of responsible dog ownership.
 2. To raise awareness of the legal responsibilities associated with dog ownership.
 3. To reduce the number of dog fouling instances through education, partnership working and enforcement.
 4. To improve the use of information and intelligence and share this with key partners.
 5. To clarify and raise awareness of the roles and responsibilities of Scottish Borders Council and those of our key partners including Police Scotland.
 6. To improve and simplify the way in which members of the public can report instances of dog fouling.
 7. To work more closely with communities on developing local solutions.
 8. To ensure that robust enforcement action is taken, where appropriate.
- 3.3 The Strategy contains six delivery action areas aimed at achieving those objectives, including the Enforcement pilot trialling a new approach to enforcement action. The six delivery action areas were as follows;
- 1 Education and Awareness
 - 2 Promotion and Events
 - 3 Community Empowerment
 - 4 Information and Intelligence
 - 5 Enforcement
 - 6 Partnerships
- 3.4 Since the adoption of the Strategy in 2016 the project team have undertaken a range of activities and have been monitoring and reviewing outcomes across these six action areas, as detailed in section 4.0. The outcomes of the work to date, including challenges, opportunities and next steps are detailed in section 5.0.
- 3.5 In agreeing the strategy, Members also agreed to the undertaking of a pilot focussed on enforcement. This centred on a new approach to enforcement action, with enforcement being undertaken by a third-party organisation on behalf of the Council. The pilot commenced in June 2016.

4. DELIVERY ACTION AREAS

4.1 Education and Awareness

- 4.1.1 The strategy set out a range of activities to be undertaken aimed at raising awareness through outreach work, communication streams such as social media, and improved signage provision. Significant progress has been made in areas such as dedicated web pages for reporting dog fouling (as well as general information and FAQs), regular media releases and social media posts have been managed by our dedicated Communications Officer. Pavement stencilling in known problem areas and signage have also been deployed.
- 4.1.2 A group of officers, including the Dog Control Officer and Countryside Rangers, have attended a range of events across schools and communities. New bins have been provided in strategic sites, carrying A3 Anti Dog Fouling Posters, as well as signage across general street bins conveying they are 'dual use'. Laminated posters have been distributed across problem areas – this was initially proposed to be metal signage, however the Councils' funding bid to the Tesco 'Bags for Life' Scheme was unsuccessful but permanent signage will continue to be considered as part of any future strategy.
- 4.1.3 Pupils of Hawick High School were also commissioned to produce an anti-dog fouling film. A team of pupils produced a two-minute news report video discussing the health risks of dog fouling and included interviews with local dog walkers. The team also coined the slogan – 'Bag the poo – any litter bin will do'. This video is linked to the Council's social media channels;
(<https://www.youtube.com/watch?v=njz7z4KPRMk>)
- 4.1.4 Officers are also working with a number of local primary schools including Gordon Primary School, Lauder and St Peters in Galashiels.

4.2 Promotion and Events

- 4.2.1 The strategy set out a raft of actions seeking to promote the key messages of responsible dog ownership. Actions included attendance at events, participation in local and national campaigns, working in partnership with other groups such as Keep Scotland Beautiful and participating in the national Dog Fouling Strategy Forum.
- 4.2.2 The Green Dog Walkers Scheme is a UK-wide initiative that originated in Falkirk and seeks to promote the message of responsible dog ownership through community empowerment (see 4.3). Throughout the region, promotion has been undertaken at a range of local and regional events such as the Border Union Show (see Appendix 1 for full list). These events

provided a great platform for promotion as well as intelligence gathering – questionnaires were issued to attendees and feedback from the community sought (see 4.4). Community councils and relevant local businesses were also contacted to promote the Strategy and the Green Dog Walkers initiative.

- 4.2.3 Since the adoption of the Responsible Dog Ownership Strategy, there has been no further progress with the National Dog Fouling Forum led by Keep Scotland Beautiful (KSB); however officers continue to work with Keep Scotland Beautiful and Zero Waste Scotland as part of the roll-out of the National Litter Strategy. A component of this is the creation of litter action plans. At this time, Scottish Borders is not included in the first phase of this roll-out with partners, however when the initiative reaches the Scottish Borders, officers will engage and include dog fouling as an important part of the Litter Action Plan.
- 4.2.4 In support of Keep Scotland Beautiful (KSB) activities around dog fouling, officers liaise with KSB and provide information on litter picks, attended the 2017 KSB Community Workshop in Lauder and supported their initiatives through provision of litter picking equipment to local community groups.
- 4.2.5 The Council have played a positive role since the introduction of compulsory dog microchipping by the Scottish Government in April 2016, supporting events run by groups such as the PDSA and Borders Pet Rescue for free micro chipping. This has had a positive impact on responsible dog ownership across the region.
- 4.2.6 As outlined in 4.1, targeted media coverage has been sustained throughout the Strategy, led by our Communications Officer - see Appendix two for some examples.

4.3 **Community Empowerment**

- 4.3.1 The Responsible Dog Ownership Strategy set out to work with communities on developing local solutions. A key activity within this was to develop an 'anti-dog fouling toolkit' which can be used by local communities, as well as targeted initiatives such as The Green Dog Walkers and the Waste Off Our Footways (WOOFs) campaign, which has been in operation in Berwickshire for several years .
- 4.3.2 The Green Dog Walkers (GDW) scheme was patented by Falkirk Council and has been running since 2008. Through this, community members pledge, and seek pledges from others, to observe and promote responsible dog ownership, creating a network of locally active community members. The project team have established Scottish Borders Council as a licence holder. Each GDW Licence holder is provided with a "Green Dog Walkers Tool Kit" which can be used by community groups and volunteer organisations which become an official GDW group, thus

supporting community led activities and seeking to change public attitudes.

- 4.3.3 Since April 2016, Officers have successfully established three Green Dog Walker initiatives in Newtown St Boswells (see Appendix three), Lauder and St Abbs. Individuals can 'pledge' to become Green Dog Walkers, thereby actively promoting a behavioural change from the heart of the community. Since the launch of the Strategy a total of 243 dog owners have 'pledged' across the region (see Appendix four for details).
- 4.3.4 Extending the potential reach of the Strategy, officers met with Registered Social Landlord's (RSLs) to promote the scheme and as a result both SBHA and Waverley Housing have agreed to promotional GDW literature being issued to all new tenants with dogs and existing tenants seeking permission to have a dog.
- 4.3.5 The GDW provides communities with an 'anti-fouling' toolkit. Alongside this, communities have access to a 'toolkit' of resources from the Council;
- pavement stencilling kits for localised, targeted temporary signage to highlight problem areas.
 - dog legislation leaflets for local promotion of the legal responsibilities of dog owners.
 - Litter Pick Kits, available for loan for local litter picking events.

4.4 **Information and Intelligence**

- 4.4.1 The Strategy set out how the Council will gather intelligence on instances of dog fouling and work closely with POLICE Scotland, SSPCA, RSLs and community groups for sharing intelligence, thus enabling targeted enforcement. Public support of the Strategy and reporting of incidents is key.
- 4.4.2 Information and intelligence gathering has been through a number of channels;
- Local events - attendance at local events such as the 2016 and 2017 Borders Union Show provided a forum for capturing anecdotal feedback. A survey was also undertaken to gauge public opinion on SBC's Strategy, visitors to SBCs stand were also able to report issues and problems in their area.
 - Online reporting - reporting via the website is now simple and direct, with a dedicated online form.
 - Telephone - members of the public can now use the 0300 number.
 - Contact Centres - face to face (Customer Service staff received updated scripts to ensure accurate data capture.)
- 4.4.3 All forms of reporting can be anonymous. Prior to the commencement of the enforcement pilot the public were invited,

via media campaigns and local events, to come forward and identify known problem areas (and, where possible, known offenders). A total of 507 reports were received and the data gathered was analysed to inform the locations targeted by the enforcement Pilot.

- 4.4.4 The sharing of this intelligence with key partners is essential to the targeted and effective deployment of resources. All data provided is logged and analysed to ensure up to date records effective deployment of resources in priority areas. Throughout the pilot, weekly reports on dog fouling enquiries were provided to the Enforcement Officers. It is notable that 13 of 19 Fixed Penalty Notices issued for dog fouling FPNs were based directly on intelligence provided by public (see section 4.5.3).

4.5 Enforcement

- 4.5.1 The Strategy sought to review enforcement activities and ensure a targeted, effective and fair enforcement service is delivered. As part of this a review of key internal stakeholders and Authorised officers was proposed, as well as a review of relevant external agencies. A pilot programme, utilising an experienced 3rd party to deliver a targeted approach was agreed.
- 4.5.2 The enforcement activity was outsourced to a third party, 3GS, who have prior experience of tackling dog fouling. 3GS have worked on similar initiatives in England and Wales and have experience of the challenges faced. The contract for enforcement activities ran for the pilot period from June 2016 to May 2017, with services continuing on a monthly basis, providing cover until April 2018. The project was the first of its kind in Scotland. The initiative around enforcement has brought with it numerous lessons learned which will support future decision making around enforcement (see section 5.0). As part of the pilot the enforcement powers extended to include littering.
- 4.5.3 During the pilot there have been 19 FPN's served for dog fouling, and 185 FPN's for litter/fly-tipping, by the Enforcement Officer/s employed by the private contractor. A further five FPN's for dog fouling offences were issued by POLICE Scotland.
- 4.5.4 The payment rate for 3GS issued FPNs for dog fouling is 47% (9); this rises to 58% (11) when we factor in those that received Fiscal Fines (2). The remaining went unpaid due to a number of varying factors including the incorrect serving of notices, offenders providing false personal information or 3rd parties failing to provide information to meet prescribed timeframes. A record of all dog fouling and littering FPNs issued is now available to view online. The information includes date of issue, location of offence and payment status, and can be viewed at https://www.scotborders.gov.uk/info/20052/environmental_problems/583/dog_fouling/2

4.6 Partnerships

4.6.1 The strategy highlighted the need for effective partnerships in delivering the strategic objectives. Through the work of the project team various strands of partnership working have been developed and/or enhanced;

- **Enhanced Community Partnerships** - in areas such as Newtown St Boswells (see Appendix one); communities have become actively engaged and supported via the Green Dog Walkers Initiative.
- **Police Scotland/SSPCA/PDSA** – the Dog Control Officer has established a strong working relationship, and the project team worked closely with the SSPCA/PDSA on dog welfare at events such as that held at Wilton Lodge Park in 2017. Community Safety officers continue to work closely with Police Scotland, including measures around community empowerment and local stewardship
- **Procurator Fiscal** – Officers met with the local Procurator Fiscal to discuss the issue of dog fouling in the Scottish Borders and to gauge his willingness to bring such matters to the court. The meeting was very positive. The Fiscal intimated that he certainly would be willing to raise such proceedings, and provided advice on matters such as the quality of evidence which would be needed to secure conviction and the timescales and processes within which such offences would need to be reported. A key action during 2016/17 was to progress appropriate cases to the Procurator Fiscal to further support the strong message that failure to deal with dog-fouling will not be tolerated. Challenges remain however as noted in 5.6.6.
- **RSLs** – meetings with RSL's have established a working relationship that has broadened the reach of awareness raising measures to include RSL's tenants and their grounds.

4.6.2 Internal partnership working with officers in Environmental Health, Waste Services, Countryside Access and Protective Services continues to be developed.

5 OUTCOMES AND NEXT STEPS

5.1. Across all delivery action areas, there has been significant progress and lessons learned throughout the pilot period. As with any pilot, there have been challenges faced, and opportunities identified that can inform a revised Strategy. The following summarises the outcomes, and makes recommendations for next steps, across each delivery action area.

5.2. Education and Awareness

5.2.1 The work done to date has raised awareness across communities, and based on the responsible dog ownership survey questionnaires, 98% of respondents agreed with the strategy of

education, community involvement and enforcement actions. While the majority of respondents were aware of the appointment of enforcement officers, awareness of some other aspects of the Strategy (such as the toolkit) were low. Feedback also highlighted the emphasis placed on dog bin provision by the public, with quantity and distribution of bins a priority. Awareness of enforcement measures was highlighted as an aspect that the public felt had scope for improvement.

- 5.2.2 The work done to date with Hawick High School and a number of primary schools has proved successful, raising awareness amongst young people and working towards a culture shift.
- 5.2.3 During the pilot, it was recorded that one of the reasons for failure to pick up dog fouling often cited is a lack of a suitable bag being available at the time. In order to overcome this problem consideration is required to explore and if possible introduce stations to distribute free bags.
- 5.2.4 Officers have identified a third party organisation ('Tikspac') who provide bags free to local authorities for dispensing at fixed sites at which advertising is sold by the organisation to local businesses. The business model promotes corporate social responsibility by enabling the public to clean up after their dogs without additional costs to the public or to the Council (see Appendix 4).
- 5.2.5 It has been established that several Councils in Scotland have either trialled the initiative or contracted Tikspac for the provision of dispensing units in their areas. Feedback from those Authorities is that the initiative has led to a positive public response and improvements to levels of dog fouling incidents within their areas. If agreed, there is an option to negotiate and enter into a contract within the Scottish Borders to install dispensing stations providing free bags at known problems sites, and at no cost to the Council, subject to any appropriate permissions being granted.
- 5.2.6 In order to continue the good work done to date, officers recommend the following next steps;

- Develop a training programme for use in primary/secondary school pupils, community groups etc.
- Support schools in running Eco/Community Projects
- Develop a new media campaign raising awareness of the Legislation / Reporting mechanisms (via Local Radio, Schools, Members Update, Community Groups)
- Negotiate the introduction of the Tikspac Dog Poo Bag Dispensers (as summarised above)
- Review type/distribution and servicing of all litter bins. e.g. Big Belly Bins and the Gumball/Gumdrop Initiative

5.3 Promotion and Events

- 5.3.1 Sustained promotion both demonstrates to the public how seriously the Council take the issues of dog fouling and raises awareness of the problem amongst possible offenders.
- 5.3.2 The attendance at events such as the Borders Union Show provided a good showcase for the key messages of the strategy. A dedicated suite of promotional equipment would help raise the profile further, with display stands, marquee/trailer, and appropriate equipment.
- 5.3.3 The success of the promotional events carried out to date suggest the following as next steps;

- Identify more opportunities to attend events where the Responsible dog ownership strategy can be promoted (dog orientated shows/community-based events).
- Provision of a budget to purchase dedicated equipment – marquee, display tables and equipment etc.
- Attendance at Stakeholder events – KSB, The Dogs Trust

5.4 Community Empowerment

- 5.4.1 The community empowerment work done to date has seen several communities become actively engaged and empowered to champion responsible dog ownership in their locality. Newtown St. Boswells was the first to take the Green Dog Walkers Pledge, under the auspices of 'Dog Friendly Newtown'. Representatives presented their community initiative at the 2016 Keep Scotland Beautiful 'It's your Neighbourhood – Environment & Community' Seminar, and Council officers meet monthly with them to ensure continued support. Lauder Community Council has also engaged with the Green Dog Walkers Scheme, launching their own 'Good Dog Citizen' scheme with a dedicated volunteer based in the community. St Abbs Community Council have utilised GDW posters advertising the pledge within their community, starting to build interest.
- 5.4.2 The excellent work at Newtown St. Boswells of the Green Dog Walkers initiative continues to develop locally, and is being recognised nationally. The initiative is integral to the Responsible dog ownership strategy and sets a precedent for a network of initiatives across the Scottish Borders.
- 5.4.3 To build on the work done to date the next steps recommended are;

- Continued promotion of the Green Dog Walkers Scheme
- Engagement with resilient community groups within each Locality (based on the Dog Friendly Newtown model)

5.5 Information and Intelligence

- 5.5.1 During the Pilot, promotion of community reporting led to an increase in levels of reporting and intelligence gathering (see Appendix one). Monitoring and intelligence gathering proved critical in informing the work of the Enforcement Officers. Benchmarking of incidence rates in key problem areas was noted as an opportunity, to improve performance monitoring.
- 5.5.2 Following the launch of the strategy, levels of intelligence gathered helped inform our targeted approach to enforcement. Going forward, we would seek to develop that intelligence by encouraging people to report patterns of behaviour, routes. Thereafter we would employ appropriate techniques to undertake targeted enforcement at those locations.

- Performance monitoring – spot checks in problem areas to inspect levels of fouling and ascertain increases and decreases in the prevalence of dog fouling
- Promote the reporting routes and the need for detailed information
- Provision of regular performance data for review

5.6 Enforcement

- 5.6.1 The pilot opted to contract with a third party to explore an emerging market for private enforcement (which is more prevalent in England and Wales) and also due to the flexibility this allowed given the temporary nature of the pilot.
- 5.6.2 The pilot enabled the Project Team to quickly and effectively trial a new and innovative approach to enforcement. However the (relatively) short timescale limited the ability to have a significant impact on what is a long standing issue. As demonstrated elsewhere, a long-term sustained campaign of education and enforcement is key to building momentum and effecting real changes in attitude (see section 6.0).
- 5.6.3 The strengths of the enforcement pilot lay in the development of up-to-date local intelligence and increased engagement between communities and the Council. The utilisation of a body camera has helped support the process of enforcement and protects individuals from wrongfully being served FPNs, potentially leading to a criminal conviction. Body cameras are also being piloted and trialled by other teams within Assets & Infrastructure and it is intended that lessons learned by their application can be integrated elsewhere within the other services.
- 5.6.4 Some of the challenges encountered related to mobilisation and effectiveness of the external enforcement officers, who took time to become effectively engaged. Initiation and start-up took twice as long as programmed, which caused delays to enforcement

actions and reporting. There have also been significant challenges in creating an effective business support function with the contractor and this has led to several missed opportunities to improve on the number of FPNs served, thus resulting in non-payment or prosecution cases not being heard.

- 5.6.5 The report of February 2016 assumed; (1) FPN's would be issued as the method of enforcement and (2) The income generated from the payment of FPNs would offset some of the costs of service provision. Although it was recognised in agreeing the pilot that the legal systems relating to enforcement and recovery of fines differed in England to Scotland, it became clear very early on the significant impact this would have on the pilot compared to operations in England where the precedent to the pilot originated. In issuing FPN's in Scotland, where these remain unpaid the Council can only pursue recovery via civil measures. In England, however any unpaid FPN's can be escalated directly to the Courts for criminal prosecution and the costs of that court action would then be payable by the offender. Moreover, such court cases can in England be prosecuted directly by the Local Authority, whereas in contrast in Scotland only the Procurator Fiscal can raise prosecutions. These fundamental difference mean the likelihood of successful recovery is in fact lower. As a result the income generated from payment of fines was significantly lower than had been assumed.
- 5.6.6 A significant learning point also emerged during the pilot surrounding the processes required when cases did require to be escalated to the Procurator Fiscal (PF). All cases are first required to be considered by the Crown Office, whereby cases are vetted and scored to ascertain whether it merits escalation to the Procurator Fiscal. It became apparent that this involved a significant amount of officer work, with no guarantee of escalation. The assumption therefore that a prosecution case could readily be escalated to the PF didn't recognise this critical stage. Future partnership working will need to consider the most effective way of handling those cases which require to be escalated to the Fiscal.
- 5.6.7 Alternative opportunities for enforcement have been researched - one possible opportunity is to broaden the range of punitive measures to include a restorative justice approach, such as that taken in Glasgow where offenders are given the choice between 'Fine or Time' - either pay the FPN or complete a 2 hour community litter pick.
- 5.6.8 The Dog Fouling (Scotland) Act 2003 does not include an exemption for people under the age of 18. During the pilot no FPNs were served on under 18s. Appendix one outlines the scale of offenders who were observed to break the law as per the act. Anecdotal evidence indicates that under 18s are served FPNs in other Scottish authorities, as well as other forms of follow up

including sending correspondence to the offenders, their parents or guardians and schools.

- 5.6.9 Members of the public (over the age of 18) found committing an offence under the Environmental Protection (Scotland) Act 1990, section 87(1) of littering have been served FPNs during the pilot. No further action was taken to recover unpaid fines during the pilot.
- 5.6.10 The Enforcement pilot has enabled lessons to be learned on a short term basis, meeting the objectives of the Responsible Dog Ownership Strategy as set out in 2016. Lessons learned have informed future strategy planning and in the context of the lower than anticipated income, logistical and operational challenges outlined above, and the challenges around escalation of unpaid fines (outlined above), the 3rd party contract has been terminated.
- 5.6.11 Based on the Enforcement pilot, the project team have identified opportunities for future enforcement actions;

- Partnership working between the Council and Police Scotland's newly established Police Community Action Team
- Continue to work with the Procurator Fiscal in bringing successful prosecutions (for dog fouling and littering offences)
- Continue to work with partners and the Scottish Government to improve the effectiveness of enforcement arrangements
- Through partnership working review and reconsider the approach to under 18s and for littering and dog fouling offences seeking to retain integrity around future enforcement activities and the payment rates of FPNs
- Utilise intelligence supplied from the public to inform targeted and appropriate enforcement in future
- Explore restorative justice as an alternative to FPNs.

5.7 Community Policing

- 5.7.1 The Council will combine our existing resources with the work undertaken by the Police Community Action Team in delivering the Local Police Plan. The CAT will undertake local enforcement activities for all antisocial behaviour in responsive, intelligence-led and prioritised service.
- 5.7.2 In accordance with the Dog fouling Scotland act 2003, the Dog Control Officer (within Environmental Health) will also be the authorised person to issue FPNs on behalf of the Council.

5.8 Partnerships

- 5.8.1 As summarised in 4.6, through the work of the Project Team collaboration and outreach work has effectively established/enhanced partnership working with community groups

and stakeholders. It is clear from the pilot that communication, education and enforcement work hand in hand in tackling the issues around responsible dog ownership. To this end, the project team feel there is a need, through a revised Responsible Dog Ownership Strategy, to formally recognise the breadth of stakeholder involvement. The following actions are therefore recommended;

- Establish a Borders Responsible Dog Ownership Taskforce, ensuring clear and effective collaboration and intelligence sharing. This would include a range of partners;
 - POLICE Scotland
 - SBC Legal and Licensing
 - Procurator Fiscal
 - Registered Social Landlords
 - Debt Recovery Team
 - SBC Protective Services / Environmental Health
 - Portfolio Holder
 - Neighbourhood Services
 - Keep Scotland Beautiful/SSPCA/PDSA
 - The Dog's Trust
 - Area Forum Representatives
 - Corporate Communications
 - Safer Communities
- Hold regular Taskforce meetings to review effectiveness of the Strategy and share intelligence exploiting opportunities for promotion and awareness raising at a Scottish Borders level.

6. CONCLUSIONS

- 6.1 It is recognised from anecdotal evidence that while almost every Council in Scotland discharge their duties/powers through the use of enforcement, many integrate enforcement activities into a longer term, sustained and strategic approach to responsible dog ownership, encompassing education and community empowerment initiatives. It is therefore proposed that Scottish Borders Council adopt a similarly longer-term approach, allowing time to build in behavioural change and a growing body of education and awareness, within which a sustained campaign of enforcement can be integrated.
- 6.2 A review of the Responsible dog ownership strategy would build on the significant body of work done to date and enable the development of the 'next steps' outlined above. This should take in a 5-year period of 2018 – 2022, to enable cumulative and sustained impact. This would further develop the strands of education, empowerment and enforcement established throughout the pilot period. Performance indicators for the strategy need to be developed, as a measure of long term success – for example, rates of FPN's served, levels of FPN's paid versus unpaid, levels of fouling in problem areas, or customer satisfaction surveys can all help ascertain where to deploy future resources effectively and monitor success over time.

- 6.3 It is intended that the cost of the ongoing Education and Awareness, Promotion and Events, Community Empowerment and Partnerships activities will be met from the existing budget within the Neighbourhoods team.

7. IMPLICATIONS

7.1 Financial

- (a) During the first 6 months of the pilot the running costs (including income) were split equally between 3GS and Scottish Borders Council. The 12 month cost of the pilot to SBC was as follows:

Gross Cost	£49,879
Income	£ 3,800
Net Cost	£46,079

The following 7 months to Dec 2017 have been paid in full by Scottish Borders Council and are as follows:

Gross Cost	£25,030
Income	£ 560
Net Cost	£24,470

- (b) A budget to provide the promotional equipment detailed in section 5.3 would need to be identified from within existing resources. See 6.3. It is proposed that £25k per annum from the Neighbourhoods budget, which was being utilised to fund the pilot enforcement project, be allocated over the longer term to support ongoing Education and Awareness, Promotion or Events.

7.2 Risk and Mitigations

- (a) On the issue of the pilot there were reputational risks identified in the report of 25th February 2016 which would be mitigated by working in partnership with a third-party contractor. A total of five complaints were received during the pilot, of those four were in relation to the conduct of the enforcement officers. Following investigation by the contractor all were considered unjustified.
- (b) There is a risk arising as a result of choosing not to pursue any unpaid FPNs issued for littering offences. The public may choose to not pay the fines with no risk of further action being taken, resulting in increased levels of littering and ineffective enforcement. If FPNs for littering offences are to be issued consideration should be given to pursuing them with the aim of retaining the integrity of enforcement activities
- (c) There is a financial risk in pursuing unpaid FPN's for both dog fouling and littering, as the costs associated with pursuing payment may be significantly higher than the level of monies recovered by the Council. The mitigation of this is contained within the legislation which

increases the level of fine to £100 if the FPNs remain unpaid after 28 days.

- (d) There are known health risks associated with coming into contact with dog fouling. The pilot and any future enforcement measures which may arise from this report are control measures aimed at reducing/eliminating dog fouling through more responsible dog ownership.
- (e) Improved access for the public reporting instances of dog fouling was recognised as a risk in the previous report. The evidence shows an increase in the level of reports. Information from reports was analysed and used to deploy the enforcement officers to hot spots. All of the dogs fouling FPNs were issued in those hot spots.
- (f) Depending on the decisions which are taken regarding the future of the Responsible dog ownership strategy and the subject of environmental enforcement the most significant risk remaining is one of a reputational risk arising from the continuing perceived increase of dog fouling.

7.3 Equalities

The Responsible dog ownership strategy and Action plan does not unfairly discriminate any of the protected characteristics. The dog fouling (Scotland) Act 2003 includes exemptions which extend to; -

Blind people in charge of a dog;
A person in charge of a working dog;
A dog on official duties by a member of HM Armed Forces;
Customs and Excise or a Police constable;
A dog being used in emergency rescue work;
A disabled person with a physical impairment effecting manual dexterity.

7.4 Acting Sustainably

The social impact of dog fouling is understood to affect the quality of life for the people of the Borders. The Responsible dog ownership strategy aims to mitigate the effects of dog fouling and improve the quality of life for everyone in the Borders. Enforcement activities reassure and encourage the public to support the strategy and its implementation

7.5 Carbon Management

There are no effects of carbon emissions.

7.6 Rural Proofing

The Responsible dog ownership strategy does not unfairly discriminate against rural communities.

7.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to the scheme of administration.

8 CONSULTATION

8.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and the Clerk to the Council are being consulted and any comments received will be incorporated into the final report.

Approved by

Martin Joyce

Service Director Assets & Infrastructure Signature

Author(s)

Name	Designation and Contact Number
Jason Hedley	Neighbourhood Operations Manager
Jacqueline Whitelaw	Business Development and Support Officer

Background Papers: Scottish Borders Council 25th February 2016, item 7. New measures to control Dog Fouling

Previous Minute Reference: [Minutes](#)

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact - Jacqueline Whitelaw, Council Headquarters, Newtown St Boswells, TD6 0SA, 01835-824000, ext. 5431

Appendix one - Statistics

Responsible dog ownership strategy - 12 month review (1st June 2016 – 31st May 2017)

Excerpt from the Strategy -

The overarching objective of the Responsible dog ownership strategy is the promotion and encouragement of responsible dog ownership and the specific objectives of this strategy can be summarised as follows:

- To educate dog owners in the principles of responsible dog ownership.
- To raise awareness of the legal responsibilities associated with dog ownership.
- To reduce the number of dog fouling instances through education, partnership working and enforcement.
- To improve the use of information and intelligence and share this with key partners.
- To clarify and raise awareness of the roles and responsibilities of Scottish Borders Council and those of our key partners including Police Scotland.
- To improve and simplify the way in which members of the public can report instances of dog fouling.
- To work more closely with communities on developing local solutions.
- To ensure that robust enforcement action is taken, where appropriate.

Enforcement

- Two officers covering the Scottish Borders
- 40 hour/over 7 days
- Provision of weekly 'Confirm Enquiry Reports' for both dog fouling and littering
- Support from Neighbourhood Services Area Manager, Business Services Officer and a Regulatory Services Officer.

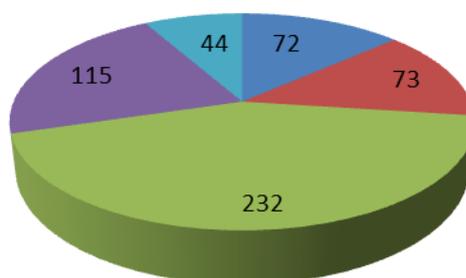
Confirm Enquiries

A total of 536 Dog Fouling enquiries were received during the pilot which is an 11% rise on the previous year. However, this may be attributed to a more robust reporting mechanism which included a new dedicated Webpage and online dog fouling/littering reporting form, the 0300 telephone number and face-to-face contact with the Contact Centre Advisors, who were also supplied a new script to aid customer handling..

Media releases have also encouraged residents affected by dog fouling and littering issues to formally report them. However, the quality of the information has been poor and often too generic. The provision of detailed information (i.e. location, times offences are being committed, name of offender, description of the dog) has helped target resources more effectively and resulted in offenders being caught and issued with fines.

Confirm Enquiries - by area

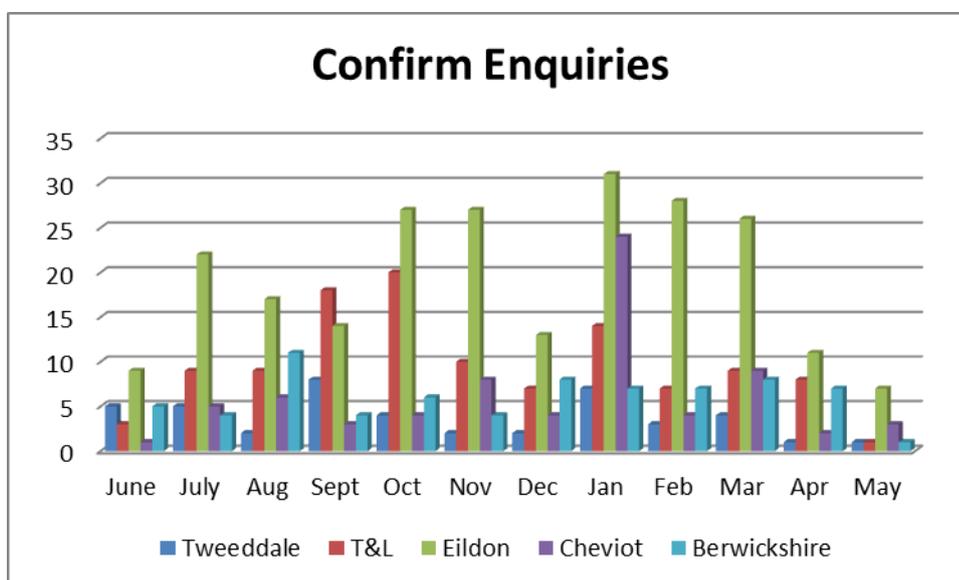
■ Berwickshire ■ Cheviot ■ Eildon ■ T&L ■ Twd



Enquiries by town (highest) include:

- **Berwickshire** - Eyemouth (15), Duns (11)
- **Cheviot** – Kelso (37), Jedburgh (21)
- **Eildon** – Galashiels (132), Selkirk (53), Tweedbank (13), Newtown St. Boswells (12)
- **Teviot & Liddesdale** – Hawick (108)
- **Tweeddale** – Peebles (19), Innerleithen (11)

Confirm Enquiries (Monthly)



	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
Tweeddale	5	5	2	8	4	2	2	7	3	4	1	1	44
T&L	3	9	9	18	20	10	7	14	7	9	8	1	115
Eildon	9	22	17	14	27	27	13	31	28	26	11	7	232
Cheviot	1	5	6	3	4	8	4	24	4	9	2	3	73
Berwickshire	5	4	11	4	6	4	8	7	7	8	7	1	72
Total	23	45	45	47	61	51	34	83	49	56	29	13	536

Historical confirm enquires;

Dog Fouling	Ber	Chev	Eil	T+L	Twd	Total
2013/14	43	56	104	131	39	373
2014/15	69	38	170	106	63	446
2015/16	66	51	156	82	58	413
2016/17	77	81	244	121	55	578
2017 -	21	17	47	25	16	126
Total	276	243	721	465	231	1936

Enforcement Powers

Recipients of a fixed penalty notice have the option to contest the fine and request a Hearing with the Procurator Fiscal (PF). However, instead of a fixed penalty notice, the Local Authority can choose to notify the matter to the PF for prosecution through the criminal courts. It is then a matter for the discretion of the Procurator Fiscal as to whether criminal proceedings should be raised. Prosecution can only be brought within six months of the offence having been committed.

Prosecution Cases

Two members of Business Services are now certified to submit Prosecution Files into the Crown Office portal for Dog Fouling and Littering offences.

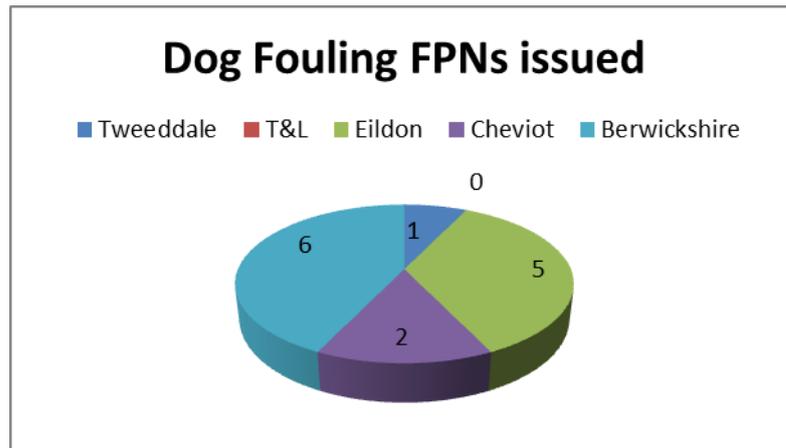
On issuing a FPN the Enforcement Officer is required to prepare a witness statement and the prosecution file. Using this information a SBC Officer prepares the submission for the Crown Office, which must be approved by our Chief Legal Officer. The case is then loaded onto the dedicated Crown Office portal for marking by a panel who decide if the case should be passed to the PF.

Fixed Penalty Notices (FPNs) – Dog Fouling

A total of 14 FPNs were issued during the pilot, six fines were paid within the 28 day timescale.

Three fines were contested and requested hearings; the Council prepared and submitted two for Prosecution, the third was void due to 3GS's preparing the relevant documentation out with the timescale determined by the Legislation. Three fines remained unpaid after 28 days and were passed for civil recovery; two were void as the offenders had provided false personal details and could not be traced; the third due 3GS issuing the FPN out with the timescale

determined by the Legislation. One FPN was issued on private ground in error and a further FPN made void due to the conduct of the Enforcement Officer.

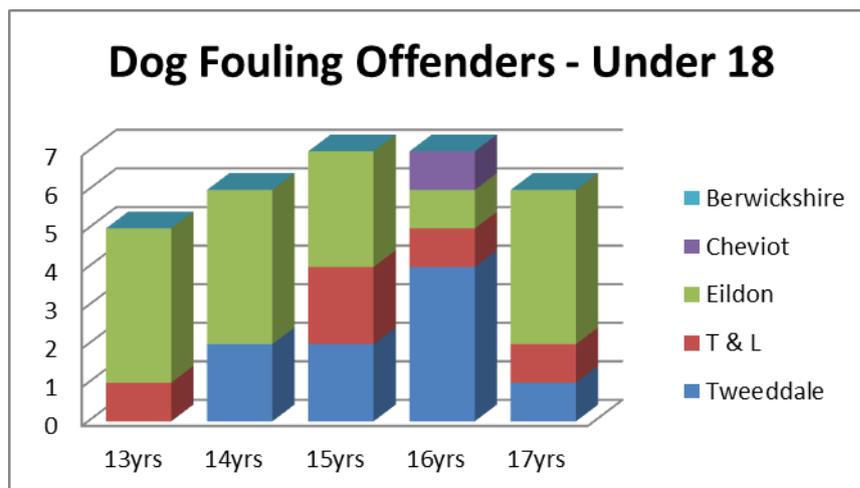


POLICE Scotland – FPNs (Dog Fouling)

Three FPNs were issued by the Police during this time period; one was paid, another voided due to a Police administration error and the third FPN was contested, SBC prepared and submitted the case for consideration by the Crown Office.

Dog Fouling (under 18s)

A total of 32 offenders 'under 18's, were observed and challenged for failing to immediately pick up dog faeces. Following advice from the Information Commissioner, no follow up action was taken to contact the parent or guardian. The age groups are broken down as follows –



The Eildon area accounted for 17 (53%) followed by Tweeddale 9 (28%), Teviot & Liddesdale 5 (16%), Cheviot 1 (3%), no under 18's were observed committing offences in Berwickshire.

Green Dog Walkers Scheme

GDW is a non-confrontational, friendly way to change attitudes about dog fouling in the Scottish Borders. The secret to the success of GDW is the volunteer groups and dog owners. Local community groups are being encouraged to set up and run a campaign within their area to sign up 'pledgers.'

'Dog Friendly Newtown (DFN)' was the first community to launch the scheme on the 1st April '16. Undertaking a dedicated campaign to keep their village clear of dog mess, and continue to encourage new members to pledge. They have also introduced a monthly 'kids club' whose aim is to promote responsible dog ownership and become ambassadors for their school. Representatives from DFN presented their initiative at the 2016 Keep Scotland Beautiful 'It's Your Neighbourhood – Environment & Community' Seminar. Monthly meeting with SBC enable the sharing of information and the opportunity to provide continuing support.

Number of GDW pledgers –

During the period of the pilot, a total of 197 dog owners have pledged, the key towns are - Newtown St. Boswells (72), Peebles and Selkirk (18), Kelso (15), Galashiels (11), a number of other town have a few pledgers.

Community Engagement –

To raise awareness of the Responsible dog ownership strategy and the GDW Scheme, a letter was sent to the 64 Community Councils and dog orientated businesses within the Scottish Borders which included – licensed dog breeders, boarding kennels, dog grooming parlours, vet's surgeries and dog walking businesses. Presentations were undertaken with members of each of the Area Forum.

Community Participation

A number of opportunities have enabled promotion of the Responsible dog ownership strategy, and to obtain feedback on the work being undertaken by the Council in response to the dog fouling and littering issue.

- Dog Friendly Newtown (launch) – April 2016
- Borders Union Agricultural Show (BUAS) – July '16.

- Earlston Civic Week 2016 (Pet Show) – July '16
- Floral Gateway – Sept '16
- Galashiels Rotary Club – March 2017
- Dog Friendly Newtown – Kids Club Enrolment Day (March '17) / Annual Family Fun Day (April '17)
- Schools – Kids Countryside Day – May '17 (invitations were extended to all 63 Primary Schools to work with them on an eco-project)
- Lauder in Bloom – May '17
- SBCs Family & Dog Day (Hawick) – July '17
- Borders Union Agricultural Show – July '17

Social Registered Landlords (SRLs)/Community Councils –

Two of the Region's SRLs are now promoting the GDW scheme to new and existing tenants;

- Scottish Borders Housing Association
- Waverly Housing Association

SBC provides posters and pledge forms for inclusion in tenancy packs and when existing tenants apply for permission to have a dog.

Gordon Primary School

SBC is currently working on a project with pupils at Gordon Primary School, plans include;

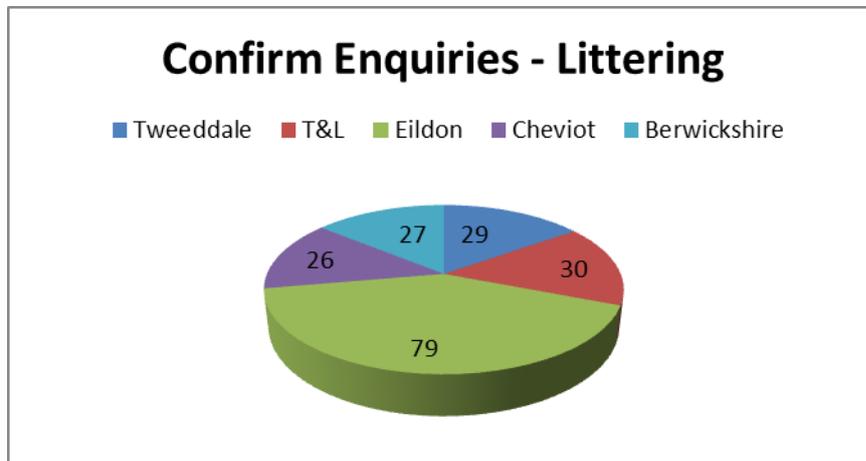
- Presentation on the Green Dog Walkers Scheme and helping support the school/community to roll this out in Gordon
- Supporting the children to undertake a 'poo' survey over a given period of time and then analyse the data (before and after). This could include us providing the school with chalk based spray paint to circle every 'poo' followed by our roads team clearing every 'poo' from the streets to enable good data to be collected.
- Footway 'anti-dog fouling stencilling' – sprayed in the streets en-route to the school
- Creation of a video – children planning and taking the footage and our communications team helping to edit/format and load it onto You Tube
- Provision of 'anti-dog' fouling posters which the children and teachers could place in and around the village
- Our Communications team would also undertake a new release to promote the school's campaign to rid the village of the problem.

Footway Stencils/Anti-Dog Fouling Signage

Footway stencils and signage – a dedicated programme of work is ongoing with stencilling and anti-dog fouling signage being placed in areas badly affected by dog fouling. Members of the public and community groups can also request problem areas to be stencilled and new signs to be erected.

Confirm Enquiries – Littering

A total of 191 Littering enquiries were received and logged in Confirm.



	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
Tweeddale	7	1	2	0	4	0	2	3	1	3	2	4	29
T&L	5	1	4	3	2	0	2	2	5	4	1	1	30
Eildon	6	2	3	7	7	3	4	8	9	13	10	7	79
Cheviot	1	2	2	4	2	4	1	1	1	4	3	1	26
Berwickshire	6	0	3	0	2	0	3	1	2	6	0	4	27
Total	25	6	14	14	17	7	12	15	18	30	16	17	191

Enquiries by town (highest) include –

- Berwickshire – Eyemouth (11)
- Cheviot – Kelso (13)
- Eildon – Galashiels (47)
- Teviot & Liddesdale – Hawick (22)
- Tweeddale – Peebles (23)

Number of Litter FPNs issued

A total of 133 Littering fines were issued, of those 64 were paid. No action has been taken to recover the non-paid fines.

	Litter - Cigarette	Litter - Litter	Litter - Spitting	Litter - Chewing Gum	Litter - Food Waste	Total
Tweeddale	3	3	0	0	0	6
T&L	10	1	1	0	0	12
Eildon	61	6	4	1	1	73
Cheviot	26	0	1	0	1	28
Berwickshire	13	1	0	0	0	14
Total	113	11	6	1	2	133

Litter – (under 18s)

No information was collated for the time period of the trial.

3GS - Schools Littering Report

A detailed report prepared by the 3GS, Senior Enforcement Officer outlines the issues of littering around the regions High Schools between 12pm – 2pm. The schools were rated worst to best for littering/anti-social behaviour;

1. Galashiels Academy	6. Kelso High School
2. Hawick High School	7. Earlston High School
3. Selkirk High School	8. Jedburgh Grammar School
4. Berwickshire High School	9. Peebles High School
5. Eyemouth High school	

Galashiels Academy – identified as the worst school for students littering and engaging in anti-social behaviour; students from Hawick High for throwing away spent chewing gum. The main problem at Selkirk High was students throwing away cigarette ends and spitting. Students at Peebles High caused the least problems in terms of anti-social behaviour and littering

Litter Picking Kits – (Community Events)

The equipment hire launched on the 1st June during that time three community events have been held. SBC have a dedicated Webpage page and an online booking form. The equipment is delivered to the event organiser and collected after the event along with the bagged rubbish.

- Jedburgh Grammar School (June) – 9 black bags
- Kelso in Bloom (June) - 17 Black bags
- Kelso in Bloom (July) - 14 Black Bags

Complaints

Complaints are managed by SBC in line with SPSO guidelines and logged onto Lagan. A total of four complaints were made against 3GS.

- May 2016 – (Other) Complaint regarding the outsourcing of Enforcement for Dog Fouling/Littering. **Outcome - Invalid**
- September 2016 – (Employee Behaviour) Aggressive behaviour towards a member of the public being issued with a fine. **Outcome - Unjustified**
- September 2016 – (Bias & Discrimination) Victimised for throwing litter. **Outcome - Unjustified**
- October 2016 – (Other) Complaint regarding the location of the officer in relation to the offender at the time offence committed. **Outcome - Unjustified**

Appendix two – Media coverage montage

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Scottish Borders Council brings in stencilled messages to combat dog poo

Written by Jenni Davidson on 25 July 2016 in News

Scottish Borders Council is to spray paint 'clean it up' messages in dog fouling blackspots





SCOTTISH BORDERS COUNCIL

A football team in the Borders has urged members of the public to help it

Inaugural dogs' day out is a walk in park



Logan Darling with Harley the Saint Bernard.

'Bag the poo!' urge Hawick pupils



Hawick High News members Natasha Burns and Daniel Frankland with Cllr David Paterson

f t g+ e 0 comments

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HAWICK High School pupils have created a video to highlight the issue of dog fouling.

The video was made by the news team students to support Scottish Borders

Dog owners' initiative



SBBN Dog Owners initiative

Published: 09:41 Tuesday 05 April 2016

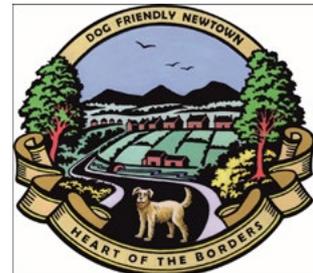


Borderers are being asked to pledge to become a Green Dog Walker.

Scottish Borders Council (SBC) is the latest local authority to sign up to the initiative, which aims to change the attitudes of owners to dog fouling in a non-



Dog Friendly Newtown case study



Introduction to the group

Dog Friendly Newtown (DFN) was started by Newtown St Boswells and Eildon Community Council after dog fouling was highlighted as one of the top litter complaints for the community. In addition, it was felt, as only one out of ten dog owners do not pick up after their dog, that it was a manageable issue to tackle. One of the main objectives is to reduce dog fouling in the village by encouraging responsible and enjoyable dog ownership.

Veronica, leader of the group, originally got in touch with Keep Scotland Beautiful in winter 2015, to hire dog costumes for their launch event. This was when she was introduced to the Litter Pick Plus toolkit, which went on to help shape the development of her dog fouling campaigns. DFN has been very successful in taking action and campaigning to promote behaviour change in the village, to prevent further dog fouling.

Taking Action

As a new initiative, it was highlighted that one of the key elements to success would be to plan activities in detail to ensure success. Moreover, the group began to network to seek support within the community. Veronica reached out to the local authority, which agreed to assist the group to pilot 'Green Dog Walkers' within the Borders. In addition, she made contact with Keep Scotland Beautiful, who agreed to attend their opening event to promote Litter Pick Plus and to support the development of DFN using the Litter Pick Plus toolkit.

DFN launched in April 2016 with an open event for the local community. This coincided with a Clean Up Scotland general litter pick in the village, to build momentum around a clean and tidy village.

Keep Scotland Beautiful, local dog related businesses, such as a puppy training school, and a local vet all held stalls at the event, offering goody bags and reduced price microchipping. As an introduction to a potentially off-putting subject, DFN felt it was essential to add other activities to attract people and get their interest.

Alongside the fun activities, the group began to seek additional volunteers for the group, and to better understand local people's concerns about dog fouling through questionnaires. Through these activities, DFN began to build a solid example of, and basis for future action, as outlined in the Litter Pick Plus toolkit, "Taking Action".

Dog Friendly Newtown case study

Communication

As Newtown St Boswells is a relatively small village, when they first started out, Veronica simply spoke to the people she saw with a dog. This kept it informal and friendly, but as the interest in the group progressed, DFN utilised community council noticeboards and organised a press release for the launch event. Following a suggestion in Litter Pick Plus to ensure that all communication is tailored to local issues and tastes, the group also ran a competition for children to design their own posters about dog fouling to further raise awareness.

DFN has also delivered several engaging presentations, sharing the learnings and top tips from the group. These have been carried out locally, and on a national scale, speaking to over 150 people at the It's Your Neighbourhood seminar. By linking in with wider initiatives associated with Litter Pick Plus, DFN has become an example for those wishing to tackle dog fouling across Scotland, and has inspired action as far north as Aberdeenshire.

Campaigning

One of the key Litter Pick Plus successes of the group is the development and delivery of their own nudge activity. Background information on nudges is available within the "campaigning" section of the Litter Pick Plus toolkit, with suggestions on different activities to try, and guidance on how to structure the monitoring and evaluation of these.

DFN's nudge activity is 'Poo Patrol'. Not only does this reduce the amount of dog fouls in the village, it specifically promotes behaviour change by raising awareness of the issue and showing dog fouling offenders that it is unacceptable within the village.

Poo Patrol is a small group of volunteers who check the streets for any dog fouling. Any poos found get a 'ring of shame' chalked around them to increase their visibility to pedestrians and to offending dog owners. The poo is then picked up after 24 hours and disposed of, with the frequency recorded for each street. Poo Patrol amazingly saw dog fouling drop in the village by over 60%, during the first four months.

The group has continued to develop their dog fouling campaign, and aims to further prevent dog fouls by promoting responsible dog ownership by targeting young people. DFN Juniors is open to all young people in the village. A range of educational and fun activities are offered, including walks, dog classes and visits to local pet rescues. All of the young people are further encouraged to volunteer within their local community to further develop Newtown St Boswells as a clean and welcoming environment to all.

The group is a perfect example of prevention being better than cure. By engaging with the local community through a range of means, they are creating a sustainable campaign in their village.

Recruiting and maintaining volunteers for Poo Patrol has not been an easy task. Veronica explains:

“ Poo isn't exactly an exciting subject, and often people feel it's too dirty to get involved, or they're too squeamish. When someone doesn't want to get involved because they think that it's too dirty, I don't argue with them. Instead I'd say 'That's fine, but how else can you help? Would you be happy to get involved as a buddy for a Poo Patroller, or on general litter picks, or by putting up posters?' If it's a parent's concern for a child's cleanliness, I encourage them to see the cleanliness of the streets and village as an extension of this. I always try to give them something to do so everyone can be involved in some way.

Often there seems to be a bit of a shift later down the line as they get more accustomed to litter and dog fouling. In some circumstances, they will then start doing more as it seems less gross. For example, we've had someone starting to pick up when it's winter and the poop is frozen. Keeping people involved in a way relevant to them is the best way to reach new and unengaged people. ”

Veronica's final thoughts and top tips for litter prevention are:

“ People can't see litter; they're either completely unconscious of it, or they do see it but they don't see it as a problem. DFN and the general litter picks done by the community council are a way of raising awareness and saying that it isn't acceptable here.

Litter is often seen as a losing battle, and who wants to get engaged with that? When somewhere is really heavily littered, it can seem too hard to tackle. Another example is really graffitied flats, which completely improve after a little investment as people start to feel there is more value to them and that they are worth taking care of.

I think we need to do the same to prevent litter. The aim is to have one absolutely pristine area, such as a children's playpark, and be really fussy about how it looks as an example. The hope is that the anti-littering message expands beyond that as people begin to see how good an area can be. This way, we're not fighting a losing battle, but starting out at a win. ”



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Clean public spaces



Providing Clean Public
Spaces through Corporate
Social Responsibility

Increase well-being with free dog waste bags

The concept is completely FREE of CHARGE to all Local Authorities.

The number of dogs in England is constantly growing. Dog owners have a great responsibility for their animals, but have an additional responsibility to the environment and the community as a whole. Notwithstanding, the fact that, in many council districts, neglecting to pick up after your dog is a violation of the law, many dog owners still do not comply.

The TiksPac concept is an environmental concept whereby stations for the FREE distribution of dog waste bags are placed at selected locations, such as footpaths, parks, recreation grounds and other public areas.

The TiksPac concept - including TiksPac stations and TiksPac dog waste bags - comes at no cost to the local authority, whose duty it is to ensure that dog waste bags are always available at each established TiksPac station. The concept is sponsored by local businesses who gain exposure for their brand and simultaneously display their commitment to their community and their belief in C.S.R.

TiksPac AB/Ltd has stations in approximately 300 municipalities in Sweden, Norway, Denmark, Finland and England.



Our products

TiksPac-station

The TiksPac station is made from high quality Annealed Steel, which has high anti-corrosion properties, it is also anti-graffiti coated for easy cleaning. The design is exclusive to TiksPac and is eye-catching, yet unobtrusive. The dog waste bags are secured by an innovative plastic spool which allows quick, easy refilling whilst preventing multiple removals, thus avoiding littering.



TiksPac-dog waste bags

The dog waste bags are biodegradable in accordance with European Standard EN-13432. The dog waste bags are 100% eco-friendly.





First impressions are the longest lasting!

In order, for people to be happy in their community, the local authority must be able to provide good conditions in which to live and work. Something that is often a high priority when choosing an area to live in, or a location for a company, is that the public spaces are clean and tidy. When residents and businesses are pleased with the municipal environment, and speak well of it, the area will become more appealing to potential residents.



Over 300 Local Authorities throughout Europe act on their C.S.R.

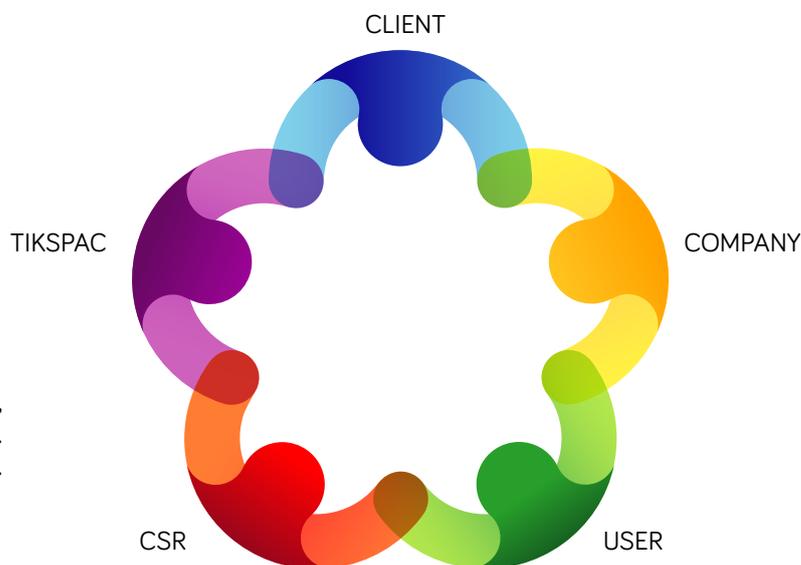
The TiksPac concept is provided to Local Authorities at NO cost and is conducive to the fulfilment of the wishes of service users to have a clean towns, cities and natural environments.

- TiksPac has approximately 7000 stations throughout the Nordic countries and England.
- TiksPac has approximately 4000 customers.
- TiksPac stations can be found in approximately 300 regions throughout the Nordic countries and England.
- Over 20 million FREE dog waste bags are supplied each year.

*All participants are awarded
A certificate indicating
their C.S.R. contribution.*



Corporate Social Responsibility

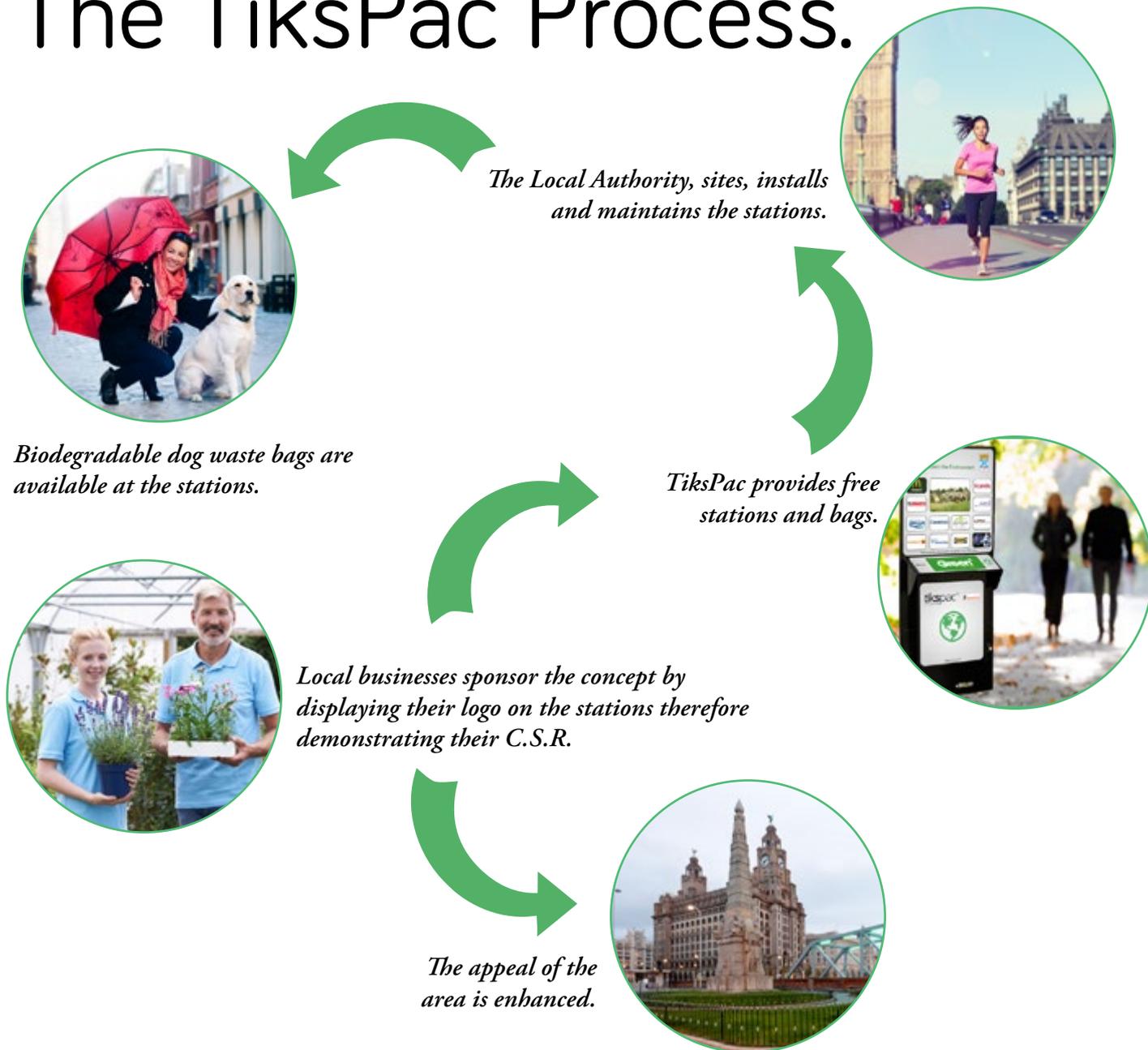


The concept is funded by sponsors, customers that are acting on their C.S.R. - Corporate Social Responsibility.

C.S.R. = Corporate Social Responsibility

- Corporate Social Responsibility (C.S.R.) entails companies taking responsibility for how they affect the community from financial, environmental and social perspectives.
- C.S.R. involves taking social responsibility and working towards long-term and sustainable development.
- C.S.R. is a well-known concept throughout the world.

The TiksPac Process.



Frequently asked questions:

Who is responsible for installing and overseeing the stations?

The local authority, usually the service department.

Where, should the TiksPac stations be placed?

As landowners, local authority make this decision based on several operational factors.

Who contacts the sponsors?

TiksPacs' sales organisation enters into agreements with local sponsors.

What happens if a TiksPac station becomes damaged?

TiksPac performs all repairs or replacements FREE of charge.

Why use the TiksPac concept?

An average-sized council spends millions of pounds each year on cleansing and sanitation. The TiksPac concept allows the council to reduce its sanitation expenses without having to raise taxes or implement fees, thereby relieving the council budget.



Cleaner Environment

In 2001, TiksPac introduced a solution for issues relating to sanitation and general public well-being that affect virtually all local authorities, land owners, and caretakers that work in both rural and urban areas. The solution involves installing stations for the distribution of FREE dog waste bags.

The concept is in line with many of our clients' environmental initiatives and aspirations toward sustainable business operations. This is the reason the concept has earned such a warm reception. We currently have operations in the Nordic countries and England.

Partners



Since 2009, TiksPac AB has been working with the Royal Court of Sweden, which uses our concept in the royal parks.



TiksPac collaborates with Business Sweden on international launches.



tikspac[®]
Clean public spaces

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