

Wiltshire Council

Environment Select Committee

18 June 2019

Briefing Note: Dog Excrement

Background

Following a Briefing Note received by the Environment Select Committee (ESC) on Ragwort on [8 January 2019](#), it was resolved that the Committee receive a Briefing Note on Dog Excrement and the impact that it has on Wiltshire's countryside and livestock.

Main Considerations

National Context

Dog fouling is regarded as a national concern, with the UK's dog population excreting around 10,000 tonnes per week.

Dog excrement can spread infections and diseases, such as Toxocariasis, which affects humans. Symptoms include dizziness and nausea, asthma and epileptic seizures and Toxocariasis can lead to serious eye damage or, in some cases, permanent blindness. Dog mess also harbours parasites that can harm farm animals, especially cows and sheep.

[Dogs \(Protection of wildlife\) Act 1953](#) states that dog owners, whether they live rurally or are simply visiting the countryside for a walk, have a responsibility to keep their pets under control at all times. All dogs should be on a close lead when walking anywhere near livestock. Dogs caught worrying sheep are liable to be shot and their owners liable to prosecution and heavy costs. [The Animals Act 1971](#) places civil liability for damages done by a dog on the keeper of the dog. This includes damage by killing or injuring livestock.

Natural England's [Countryside Code](#) details that dog owners must take particular care to ensure that their animal does not scare livestock, or birds and other wildlife nesting on the ground. It asks that owners clear up dog mess responsibly and regularly worm their dog; to protect it, other animals and people. The Code also states that in some areas of 'access land', dogs may need to be kept on a lead and dog owners should always adhere to any such signs.

Wiltshire Council¹

Wiltshire's Rights of Way network provides over 3,800 miles of footpaths, bridleways and byways, together with 67,000 acres of 'access land' across the county. Many of Wiltshire's public rights of way cross fields used to grow crops or graze animals.

¹ Wiltshire Council, A guide for dog owners and dog walkers [\[online\]](#)

People walking their dogs are welcome, provided that dogs are kept under control and their owners clear up after them.

The Council [asks](#) that dog owners do not let their animal foul in a public right of way, or open space. The Council encourages dog owners to train their pet to use the garden, before taking the animal out for a walk. Dog owners are also asked to always carry a plastic bag, in the instance that the dog's mess can be picked up and disposed of properly.

PCSOs (Policy Community Support Officers) and the Council's Dog Wardens can serve residents with a Fixed Penalty Notice (FPN) and individuals can be fined up to £1000, if they are found guilty of not clearing up after their dog.

The Council highlights to dog owners that it is an offence to allow a dog to chase or attack livestock and a farmer is legally entitled to shoot a dog, if they are unable to stop it chasing or worrying livestock. The Countryside Code states that dogs should be kept under close control and the Council asks dog owners to walk dogs on a lead, if the animal(s) does not respond to the owner's call and is prone to wandering out of sight.

If someone witnesses a dog fouling and an owner not clearing up the mess, they are encouraged to report this to the Council's Dog Wardens. It is often difficult to catch offenders without the following information and an authorised officer usually needs to witness the offence being committed, before a FPN can be issued:

- Time/date/location of incident
- Frequency of offence - if it happens regularly
- Description/breed of dog
- Descriptions of the offender
- A photo of the dog/incident is useful to identify the dog (however this cannot be used as evidence)
- Witness' name/address/phone number
- Name/address of offender, if known.

According to the Council's Rights of Way Officers, dog fouling is seen to be an issue in Wiltshire. For example, in some areas where there is a Public Right of Way (PROW), it is almost impossible for livestock to graze; because of dogs and humans not walking along the correct pathway. Additionally, dog excrement contaminates hay and thus, the inability to make use of a PROW field for hay because of a dog's uncleared mess, places an economic burden on the farmer. This matter is also replicated in Wiltshire's playing fields, where uncleared dog excrement causes contamination problems.

Wirral Council²

[Wirral Council](#) recently considered banning dogs from more than 100 public places, following concerns raised about excessive dog mess in the locality. The proposed ban was set to limit the maximum number of dogs that can be walked by a single

² BBC News, January 2019, Wirral dog ban plan rejected by councillors [\[online\]](#)

individual to six, and leads were not allowed to be more than two metres. Significantly, the Council's Environment Overview and Scrutiny Committee [voted](#) to reject the ban and the Cabinet Member has not yet made a formal decision on the matter.

Whilst this ban is not currently in force in the Wirral, the Council does currently ban dogs from some public areas, such as children's playgrounds. The rejected ban would have also seen dogs prohibited from cemeteries and picnic areas. The scrutiny committee was informed that a minority of dog owners, in this case two per cent, behave irresponsibly and the proposed ban could therefore represent a disproportionate response.

Proposal

That the Environment Select Committee considers whether further action, in terms of scrutiny engagement, is required.

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