



# South Bucks District Council



## DOG FOULING AND THE LAW A GUIDE TO THE PUBLIC

### Background

It is estimated that the UK dog population is between 6.5 to 7.4 million producing 1000 tonnes of excrement per day. It should therefore not come as a surprise to anyone that dog fouling is a major issue in many parts of the UK, and no less in South Bucks District. This leaflet is designed to serve as a guide to dog owners on their responsibilities to their dogs and their civic duty regarding dog excrement in the environment in which they live. Unfortunately some owners are not as responsible about their pets as they should be and dog excrement in public places is unpleasant and can be a significant nuisance if not properly controlled. South Bucks District Council will always offer advice and information to dog owners in order to resolve problems and avoid nuisance.

### What Does The Law Say?



The Clean Neighbourhoods and Environment Act 2005 has repealed the Dogs (Fouling of Land) Act 1996, although the areas already designated by the council will remain for the moment, dog fouling can be regulated by way of Dog Control Orders.

## Dog Control Orders.

Where persistent problems of dog fouling are recorded in any area within the District, the Council may designate areas of land and make a Dog Control Order. Such land should be open to the air on at least one side and accessible to public access (with or without a pavement). Prior to an area being designated with a Dog Control Order, other statutory provisions such as the Environmental Protection Act and existing local byelaw would apply. In considering the appropriateness of any measures to designate any land with a Dog Control Order, the Council shall have regard to balancing the needs of the dog owners with the interests of the wider public, as well as practical considerations for enforcement on the land.

## Keeping Within the Law.

The owner or handler of any dog is responsible for cleaning the dog's faeces. This would suggest that a 'responsible dog owner' whilst walking their dog in a public place would have a 'poop scoop' to hand in the event that the dog decides to relieve itself. The District and County Councils are jointly required under provisions set out in Section 89 of the Environmental Protection Act 1990 and the Litter (Animal Droppings) Order 1991 to keep the following types of land clear of dog faeces: -

- Any public walk or pleasure ground
- Any land laid out as a garden and used for the purposes of recreation;
- Any land not forming part of a highway, which is open to air, which the public are permitted to use on foot only, and which provides access to retail premises;
- A trunk road picnic area;
- A picnic site

The best way to clean up after your dog is to use a doggy bag, or carrier bag, to pick up the faeces. Ideally, these should be placed in a designated dog bin. Where dog bins are not located in close proximity, you should take the bag home or, as a last resort, double wrap the faeces and put in a normal litterbin. Poop scoops can also be used and they are available from most reputable pet stores. You may wish to note that South Bucks District Council stores a reasonable quantity of poop scoops, which are free and can be obtained at the Council offices in Denham, while stocks last.

## How Do I Report A Dog Fouling Offence?

If you wish action to be taken against a dog owner who has failed to clean up after their dog, you should note what has happened as soon as possible. You should be able to give an accurate description of the location of the incident, the name and an address of the person in charge of the dog (where practicable), a description of the dog, plus details of the date and time of the offence including what the owner/handler was wearing when the incident occurred. It is important that you are able to describe the area being fouled or where the fouling took place to enable the Council to identify, what regulations cover that area.

You should report your observations to the Environmental Health unit at South Bucks District Council as soon as possible on 01895 837 264. It may be possible for an Environmental Health Practitioner or for a designated dog warden or Police Community Safety Officer (PCSO) to witness the fouling. You may be asked to provide the Council with a witness statement and be prepared to attend Court, if

necessary. In most cases, the Council, will warn offenders in writing, in the first instance. Where evidence is obtained of persistent fouling by the same dog, considerations may be made for legal action to commence against the person responsible. Please note that dog-fouling offences are not applicable to working dogs or guide dogs, although other types of offences can apply under certain circumstances.

## Profile Of A Dog Fouler



Various surveys commissioned by DEFRA during 2001 and 2002 have identified the behavioural traits of a dog fouler. It is based on a generalised profile of irresponsible dog ownership in the UK. The profile shows that most dog foulers would clear up after their dogs, if they were 'shaken' or 'shocked' into doing so. Such dog foulers tend to justify their behaviour largely on the grounds that they do not know what to do and that everyone else seems to be doing it. Dog foulers tend to be more often male than female and cut across all age groups with slightly elevated numbers existing within the 18 - 24 age groups. They represent all classes of society and will only admit that they have allowed their dog to foul when pressed. They all know they could be fined but the majority did not believe that they would ever be caught.

## HEALTH RISKS

Animals including dogs are known to carry diseases and parasites including a variety of zoonotic organisms capable of causing serious illness in people. Most often quoted is *Toxocara canis*, which can pose a significant risk to young children. Dog owners should ensure that their dogs are regularly inoculated on the advice of a veterinary surgeon. If this were done and every dog owner treated their dog regularly with a worming preparation, and cleared up after it, diseases such as Toxocariasis, would be virtually eradicated.

## FURTHER INFORMATION: -

Should you wish to discuss comments noted in this leaflet, wish to make a complaint or obtain a free poop scoop sample; please visit us at the District Council offices at the following address:

Environmental Health  
Capswood  
Oxford Road  
Denham  
UB9 4LH

Tel: 01895 837 264

Fax: 01895 837 399

E-mail: [Envhealth@southbucks.gov.uk](mailto:Envhealth@southbucks.gov.uk)

Web: [www.southbucks.gov.uk](http://www.southbucks.gov.uk)

## OTHER USEFUL CONTACTS

1. Community Hygiene Concern  
Manor Gardens Centre  
6-9 Manor Gardens, London. N7 6LA  
Tel: 020 7686 4321 Web: [www.chc.org](http://www.chc.org)
2. Defra - Information Resource Centre  
Lower Ground Floor, Ergon House, c/o Nobel House  
17 Smith Square, London. SW1P 3JR  
Tel: 08459 33 55 77 Web: [www.ndwa.co.uk](http://www.ndwa.co.uk)
3. Kennel Club  
1-5 Clarges Street, Picadilly, London, W1J 8AB  
Tel: 0870 606 6750 Fax: 020 7518 1058  
Web: [www.the-kennel-club.org.uk](http://www.the-kennel-club.org.uk)
4. Dogs Trust  
17 Wakely Street, London, EC1V 7RQ  
Tel: 020 7837 0006 Fax: 020 7833 2701  
Web: [www.dogstrust.org.uk](http://www.dogstrust.org.uk)
5. RSPCA  
Wilberforce Way, Southwater, West Sussex. RH13 9RS  
Tel: 0870 5555 999 Fax: 0870 7530 284  
Web: [www.rspca.org.uk](http://www.rspca.org.uk)