

<b>Committee</b> Overview and Scrutiny	<b>Date</b> 3 <sup>rd</sup> November 2009	<b>Classification</b> Unrestricted	<b>Report No.</b>	<b>Agenda Item No.</b>
<b>Report of:</b> Assistant Chief Executive  <b>Originating Officer(s):</b> Ashraf Ali Scrutiny Policy Officer		<b>Title:</b> Scrutiny Challenge Session – Dangerous Dogs  <b>Ward(s) affected: All</b>		

## 1. Summary

- 1.1 This report updates the Overview and Scrutiny Committee on the outcome of the Scrutiny Challenge Session Dangerous Dogs held on 4<sup>th</sup> August 2009.

## 2. Recommendation

The Overview and Scrutiny Committee is asked to –

- 2.1 Note the information in the report about the Scrutiny Challenge Session Dangerous Dogs.  
2.2 Agree the recommendations contained in the report.

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### LOCAL GOVERNMENT ACT, 2000 (SECTION 97)

#### LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT

Background papers

Name and telephone number of and address  
where open to inspection

N/A

Ashraf Ali

### **3. Introduction**

- 3.1 This report provides a summary of the scrutiny challenge session held on Dangerous Dogs which provided members with an opportunity to learn more about the background and context of the issue.
- 3.2 The session was attended by 75 residents with Cllr Bill Turner (Chair), Cllr Rachel Saunders and Cllr Abdul Aziz Sardar.

### **4. Purpose**

- 4.1 Challenge sessions are designed as a quick way for a group of members to get to grips with key policy issues and ensure a robust check on the Council's policies.

The purpose of this scrutiny challenge session was:

- To increase Members understanding of the issues that are common when dealing with dangerous dogs
  - To consider and evaluate the Council's approach to dealing with the rise of dangerous dogs
  - To give residents an opportunity to express their views and concerns
  - To develop recommendations for future approaches to dealing with this issue
- 4.2 Members and residents received presentations during the course of the session, as outlined below:
- London overview and MET response (Ian McParland, Status Dogs Unit, Metropolitan Police)
  - A local perspective (Clive Shipman, Assistant Head, Tower Hamlets Environmental Health and Environmental Protection & Dawn Sammons, Principle Animal Warden)
  - Animal ownership – from a Tower Hamlets Registered Social Landlord (RSL) perspective (Sarah Castro, Community Safety Manger, Poplar HARCA)
  - Status dogs - the challenges and the solutions (Clare Robinson, RSPCA)

### **5. Background**

- 5.1 In the UK, dangerous dogs are classified by "type", not by breed label. This means that whether a dog is considered dangerous, and therefore prohibited, will depend on a judgment about its physical characteristics, and whether they match the description of a prohibited 'type'.
- 5.2 The Dangerous Dogs Act 1991 (as amended 1997) prohibits certain types of dogs and allowing a dog of any type to be dangerously out of control in a public place or a private place where it is not allowed to be. The law also provides for such dogs to be seized. The act prohibits the breeding, sale, exchange, advertising, or gift of four particular types of dogs:

- the Pit Bull Terrier
- the Japanese tosa
- the Dogo Argentino
- the Fila Brasileiro

5.3 The Act makes it an offence for an owner or a person in charge of a dog to be 'dangerously out of control in a public place'. This offence is aggravated if the dog injures a person whilst out of control. The Police and Local Authorities are empowered to seize any type of breed that appears dangerously out of control.

5.4 The Animal Welfare Act 2006 reforms the law relating to protecting animals. It introduced several welfare related offences and the most significant are set out below.

- *Section 4* - causing unnecessary suffering to an animal by an act or failure to act whereby a person responsible for an animal permits or fails to take steps to prevent unnecessary suffering by an act or failure to act by another person.
- *Section 8* - creates a number of offences associated with animal fights, the organisation of animal fights and its associated activities, such as betting on and videoing animal fights.
- *Section 9* - places a duty of care on those responsible for animals to ensure the welfare needs of an animal are met. It encompasses those who abandon animals, as by doing so they cannot be said to have taken all reasonable steps to ensure the animal's needs have been met.

5.5 The department for Environment, Food and Rural Affairs (defra), National guidance for enforcers states that:

*'Local authorities with powers through Dog Control Orders (DCO) can place restrictions on access to or exclude dogs from, open spaces to which the public have access, as well as the power, to make owners place dogs on leads. Local authorities may issue Fixed Penalty Notices (FNPs) for those who do not adhere'.*

## **6. Key discussion points**

6.1 At the meeting Members and residents were given presentations by representatives of the Metropolitan Police, RSPCA and the Councils Animal Warden Service. Information was presented on the background to and the context of the rise of dangerous dogs in the borough. Members and residents were informed of the core approaches to tackling the issue, and how intelligence is collected on irresponsible owners that use dogs for illegal breeding.

6.2 It was stated that there has been an increase in dangerous dogs across London. This rise is shown through the recorded numbers of dogs seized across London:

2002 – 2006, 40 dogs  
 2006 – 2007, 143 dogs  
 2007 – 2008, 481 dogs  
 2008 – 2009, 719 dogs – of which 600 were Pitbull terriers

Ian McParland of the Status Dogs Unit at the Metropolitan Police said that figures are reflected locally. The Council's Animal Warden Service has taken in over 170 stray dogs since 1st April 2008, and 140 of them were Staffordshire bull terriers or similar crossbreeds. Of these, 105 had to be put down.

- 6.3 In response to a question asked regarding the powers the police have to prosecute those responsible for breeding and selling illegal dogs. Ian McParland stated that the Breeding and Sale of Dogs (welfare) Act 1999 extended the powers of the Local Authority to obtain a warrant to enter any premises, excluding a private dwelling house, in which it is believed that a dog breeding business is being carried out. This also includes all outbuildings, garages and sheds.
- 6.4 A discussion was held on how 'animal control' is being enforced in the borough and what improvements will be demonstrable as a result of this. Dawn Sammons, the Principle Animal Warden, outlined that Tower Hamlets has a team of Animal Wardens that receives complaints relating to dogs being out of control on estates and in parks. It offers various responsible dog ownership initiatives including local dog training classes and free neutering (a veterinary procedure which prevents pets from producing young, for bull terrier breed dogs).
- 6.5 Those in attendance sought information on what the Council and its partners are doing to rid the borough of dog fouling. Residents in particular stated that they have seen a rise of this in parks. It was explained that the Council has designated all the land in its streets, parks and housing estates under the Dogs (Fouling of Land) Act 1996, which makes it an offence if people don't immediately clear up mess left by their dog. Councillor Bill Tuner expressively stated that there are still areas where some people do not pick up after their dogs. Clive Shipman, Assistant Head, Tower Hamlets Environmental Health and Environmental Protection responded to Councillor Turners concerns. He said that the Council has run several hard hitting publicity campaigns to crack down on dog fouling and encourage owners to comply with the law. It also encourages members of the public to provide information about when and where regular dog fouling occurs, so patrols can target those areas. Also the Council carried out 120 enforcement actions under the Dogs (Fouling of Land) Act 1996 during April 2008 - March 2009.
- 6.6 The audience was informed that the Council works with the police to build intelligence of owners of dangerous dogs. It was said that when a dangerous dog is reported to the Animal Warden Service, the service passes information to the police who exercise their powers under the Dangerous Dogs Act 1996.
- 6.7 Further information was given on the work the Animal Warden Service undertakes to encourage responsible dog ownership and protecting people from being attacked. The key points were;-
- **Enforcing Collar and tags** - Under the Control of Dogs Order 1992, all dogs when out in a public place must wear a collar and tag with the name and address of the owner inscribed on it.
  - **Micro chipping** - Permanent identification of pets by implanting a tiny chip bearing a unique number underneath the animal's skin. Dog wardens, police and animal rescue centres routinely scan dogs which come into their care

with a special reader and, by checking the number against a central database, can swiftly connect lost pets with owners anywhere in the country.

- **Prevent-a-bite-** The Animal Warden Service gives talks in schools to teach children how to act around strange dogs to avoid getting bitten.

- 6.8 There was a discussion on the difficulty residents faced when trying to report owners of dangerous dogs. One owner said that:

*"I am always frightened when leaving or entering my flat. My neighbour's dog is very intimidating and scares my children. I want to report this but do not know where".*

Another said:

*"Where do I report dangerous dogs? If I call the police they say contact your Safer Neighbourhood Team (SNT). If I call the SNT they say contact Tower Hamlets Council".*

- 6.9 A question was asked around the possible link between irresponsible dog ownership and wider issues such as poverty and worklessness. It was stated that many owners of dangerous dogs are young and unemployed. Andy Bamber from the Council's Community Safety team said that this statement is hard to corroborate as sufficient data is not available. Nevertheless, anecdotal evidence seemed to suggest that there is a link between those unemployed and those owning dangerous dogs. Council Officers said that tackling worklessness is a key theme in the Partnerships Community Plan.

- 6.10 Sarah Castro, Community Safety Manger, at Poplar HARCA was keen to know whether Animal Warden Service extends to all RSL's. It was argued that historically and currently, all social housing in Tower Hamlets (including council - now ALMO) are charged for services to deal with dog fouling. However Tower Hamlets residents who live in private or freehold properties don't pay. The Animal Warden Service said that all RSLs receive the same services in respect of statutory functions and have the same opportunities to enter into Service Level Agreements for provision of additional services.

## **7. Evidence from the Royal Society for the Prevention of Cruelty to Animals (RSPCA)**

- 7.1 Information from Clare Robinson informed attendees that as an animal welfare charity, the RSPCA exists to prevent the cruelty to animals and the growing trend to use dogs in ASB, to settle scores between gangs, or for organised dog fighting. She added that status and dangerous dogs are just another aspect of ASB and socio economic issues that blight many inner cities and towns.

- 7.2 It was expressed by Claire Robinson that many irresponsible dog owners do not realise how powerful and therefore potentially dangerous these status dogs are. The owners obtain these dogs because of the image the animals portray and the fear they instil in others. But they do not know how to control them properly and many

experts believe they do not appreciate that in effect they have a loaded weapon on the end of the lead.

- 7.3 Also that the RSPCA has received reports on an increasing number of dog fights in parks, on estates and on the streets, and that these appear to involve young people aged between 13-17 years. Also that this form of ASB is associated with other forms of ASB and crime, e.g. arson, youth offending etc. Very often such young people are already excluded from school or regularly truant and so are a difficult group to target effectively.
- 7.4 Claire Robinson recommended two possible solutions when dealing with irresponsible owners:
- **Education** – The fundamental issue is to encourage owners of dogs to get them neutered.
  - **Enforcement** – Those who breed from these dogs for profit are unlikely to heed any educational advice. Therefore agencies should consider other means of tackling the issue. Such as are there any welfare or cruelty offences being committed or are they breaking their tenancy agreement

## 8. Recommendations

- 8.1 Members recognised the need to support people to do the right thing. It was argued that it is important to tailor recommendations to tackle irresponsible dog ownership so that it incorporates both education and enforcement elements. Members recognised that some parts of the community will respond well to and are better suited to education and advice programmes, in other cases enforcement is the only appropriate action.
- 8.2 Members argued that education programmes should cover a number of different aspects and range from formal presentations or talks within schools, to more general advice and support offered on a day to day basis or at local community events.

**Recommendation 1** – That the Animal Warden Service works with schools to develop interactive activities for children of all ages, encouraging them to think about dog welfare and responsible ownership. This should be tailored to address particular dog welfare problems such as stray, status or dangerous dogs.

**Recommendation 2** – That Community Action Events are arranged by the Animal Warden Service, in partnership with RSPCA, SNT's and RSL's that work with local communities to promote responsible pet ownership.

- 8.3 Enforcement action was viewed as a more serious consideration. However Members argued that in some serious instances where animal cruelty or human safety needs to be protected, it may be the only option. In the discussion with residents, Members were specifically told that some parks and children play areas continue to have dog foul. Officers also told Members that there are not enough resources to patrol all parks and open spaces in the borough.

- 8.4 Residents furthermore indicated that they do not know who to contact when trying to report a dangerous dog. To this end, Members suggested that contact details and numbers be given to all residents.

**Recommendation 3** – That the Animal Warden Service provides solutions to dog fouling by reporting offenders for prosecution where offences are witnessed in parks and open spaces, in particular around children's play areas.

**Recommendation 4** – That the Animal Warden Service use East End Life to send out clear information to all residents informing them on whom to contact and the information needed to prosecute an owner of a dangerous dog.

- 8.5 Members were also keen to strengthen the partnership approach to enforcement. Cllr Bill Turner argued that this is an effective means of tackling many issues as limited resources can be used more effectively through multi agency approaches. Cllr Turner argued that the partnership needs to include Animal Welfare Officers, the Council, SNTs, RSLs, Status Dogs Unit, Tower Hamlets Enforcement Officers (THEOs) and the RSPCA. Also that the partnership should aim to:

- Reduce numbers of dangerous dogs in the borough
- Educate the community about animal welfare and the implications of irresponsible ownership
- Reduce numbers of dangerous dogs in the borough
- Reduce levels of ASB linked to misuse of dogs
- Reduce number of incidence where dogs are mistreated
- Protect and reassure the community by reducing irresponsible activities involving dogs, with appropriate use of legislation

**Recommendation 5** – A partnership amongst Animal Welfare Officers, the Council, SNTs, RSLs, Status Dogs Unit, THEOs and the RSPCA is officially set up to work together on dog welfare and ownership issues. Also to reduce incidents where dogs are misused and investigating ASB linked to misuse of dogs. It needs to also share intelligence and information, preventing issues arising by educating dog owning and non dog owning members of the public and enforcement using appropriate legislation. Four steps are proposed to make this successful:

1. Setting up a partnership – get commitment from all agencies
2. Develop a strategy to tackle dangerous dogs
3. Consider the possibility of forming a network with other London boroughs to share best practice
4. Offer staff training on how to effectively deal with residents calling to report a dangerous dog. This will improve quality and speed of response.

## **9. Conclusion**

- 9.1 The Challenge Session was an opportunity for Members and residents to discuss the key issues around tackling the rise of dangerous dogs. The session enabled Members and residents to ask key questions such as how enforcement is carried out and where to access information about reporting dangerous dogs. Members expressed the need to develop a better multi agency approach that uses a wide range of partnership expertise.

## **10. Concurrent Report of the Assistant Chief Executive (Legal)**

- 10.1 There are no immediate legal implications arising from this report. It is within the functions of the overview and scrutiny committee to make recommendations in respect of Council functions.

## **11. Comments of the Chief Financial Officer**

- 11.1 This report updates the Overview and Scrutiny Committee on the outcome of the Scrutiny Challenge Session Dangerous Dogs held on 4<sup>th</sup> August 2009. There are no specific financial implications emanating from this report but in the event that the Council agrees further action in response to the report's recommendations, officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

There are no direct financial implications arising from this report.

## **12. One Tower Hamlets Considerations**

- 12.1 Discussions implied that there is a possible link between irresponsible dog ownership and wider issues such as poverty and worklessness. Anecdotal evidence seems to corroborate this. Reducing poverty is a key requirement to achieving a 'One Tower Hamlets'.

## **13. Risk Management**

- 13.1 There are no direct risk management actions arising from this report.