

Our Ref. EIR-17-1222
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ABERDEEN
CITY COUNCIL

21 September 2017



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Dear [REDACTED],

Environmental Information (Scotland) Regulations 2004

EIR-17-1222 – Dog Fouling and Littering

Thank you for your information request of 1 September 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Request under the Freedom of Information Act (Scotland) 2002. I respectfully request the following Information In relation to –

- **Enforcement of Dog Fouling under the Dog Fouling (Scotland) Act 2003;**
- **Littering under The Environmental Protection Act 1980, Section 88;**

For the period 1st June 2016 to 31st May 2017, unless otherwise stated.

1. How many Enforcement Officers (EOs) are employed by your organisation? If none, is this service undertaken by a Third Party?

Dog fouling: 2 dog wardens and 59 City Wardens authorised to issue dog fouling Fixed Penalty Notices.

Littering: 59 City Wardens.

2. Recipients of a Dog Fouling FPN have the option to dispute the validity of the fine and request a hearing. Within your organisation, does the officer issuing the FPN prepare the case (i.e. witness statement and prosecution case) and load this onto the Crown Office and Procurator Fiscal Service (COPFS) portal for consideration by the PF?

Alternatively, is the preparation of this documentation and loading of the case undertaken by a member of staff other than the enforcement officer?

Dog fouling: No cases prepared, however if pursued likely to be a joint exercise between the enforcing officer and manager.

ANGELA SCOTT
CHIEF EXECUTIVE



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3. How many FPN have been issued for dog fouling and littering during the time period specified?

Dog fouling: 22

Littering: 342

4. Of the FPNs issued for both dog fouling and littering:

a. How many paid the £80 fine

Dog fouling: 7

Littering: 130

b. Paid at £100 when Civil Recovery commenced

Dog fouling: none.

Littering: Information not held.

ACC is unable to provide you with information on **How many paid at £100 when Civil Recovery commenced for littering** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

c. Were passed to the Bailiff for debt recovery

Dog fouling: none.

Littering: Information not held.

ACC is unable to provide you with information on **How many were passed to the Bailiff for debt recovery for littering** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

5. Does your organisation issue FPNs to young people under 18 years of age?

Dog fouling: No.

Littering: No.

a. What is the age of the youngest person issued with an FPN for either dog fouling and/or littering?

Dog fouling: Information not held.

Littering: Information not held.

ACC is unable to provide you with information on **the age of the youngest person issued with an FPN for either dog fouling and/or littering** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

b. As an alternative to an FPN, does your organisation offer other options?

Dog fouling: No.

Littering: No.

6. In respect of dog fouling how many requests for Hearings were received?

1.

Of those:

a. How many cases were prepared and submitted for consideration by the Crown Office/Procurator Fiscal?

None.

b. How many cases went to Court and were heard by the Procurator Fiscal?

None.

7. Is your Organisation a member of Falkirk Council's 'Green Dog Walkers Scheme'?

No.

a. How many members do you currently have?

Not applicable.

b. How many Community Groups operate the scheme (i.e. Community Councils, Youth Groups)

Not applicable.

8. Does your organisation undertake any educational work in respect of dog fouling and littering? If yes, is that within schools, local community groups, community councils, local community events etc.

Dog fouling: Annually offer 'Responsible Dog Ownership' presentations to all Primary 5 children at all Aberdeen school. Majority of schools take up the offer. Additional presentation provided to schools, community groups and other organisations on request. Support initiatives undertaken by third party organisations such as the Dogs Trust. Attend and/or support events such as the Highland Games, community events

Littering: No.

9. Does your organisation provide dog poo bags

Yes, on request and at a charge.

b. If applicable, what is the cost of providing the bags to the public and/or your organisation

£3 per 100 bags.

10. Does your organisation work in partnership with any third party companies who supply dog poo bag dispensers and poo bags?

No.

a. If yes, have you seen a reduction in reports of dog fouling?

Not applicable.

11. For the time period specified has your organisation noticed an increase, decrease or no change on the previous year for reports of dog fouling and littering?

Dog fouling: No change.

Littering: increase.

12. Under Section 112, of the Civic Government (Scotland) Act 1982, does your organisation have any "management rules," in place prohibiting dogs entering children's play areas or area of a park that is designated a 'dog free area.'?

No.

If so:

a. How many are in place?

Not applicable.

b. Has this resulted in a reduction of dog fouling in those areas?

Not applicable.

13. How many reports/complaints have you received for dog fouling and littering?

Reports

Dog fouling: 614

Littering: 40

Complaints

Between 01/06/16 and 31/05/17 three complaints were received regarding dog fouling.

Between 01/06/16 and 31/05/17 one complaint was received regarding littering.

How does this compare for the same time period for the previous year?

Reports

Dog fouling: 556

Littering: 36

Complaints

This is more than the previous year with one complaint received regarding dog fouling between 01/06/15 and 31/05/16.

This is less than the previous year with three complaints received regarding littering between 01/06/15 and 31/05/16.

Please note, we follow the Scottish Local Authority Complaints Handling Procedure. Under this procedure, a 'complaint' is defined as "an expression of dissatisfaction regarding our actions, or lack of action, or the standard of service provided by us or on our behalf". There are some topics that cannot be considered as a 'complaint', including first time requests for a service e.g. reporting a pothole or broken pavement slab.

For more information please visit www.aberdeencity.gov.uk/complaints.

14. Does your organisation have any other Initiatives in place which help raise awareness of being a responsible dog owner, dog fouling or littering?

Dog fouling: No specific initiatives ongoing, however initiatives may be carried out on an ad-hoc basis if staffing resources and finances permit.

Littering: No.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA. However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

