

**Extract taken from Ecams document for MPs ([www.encams.org](http://www.encams.org))**

### **Dog fouling facts**

Dog fouling is consistently one of the highest sources of complaints by the public to MPs, local councillors and local authorities. Estimates put the UK dog population between 6.5 and 7.4 million, producing 1,000 tonnes of faeces every day.

### **What are the dog fouling laws?**

The Dogs (Fouling of Land) Act 1996 allows local authorities to designate any public land as poop scoop areas where dog owners must clean up after their pets. The land must be publicly accessible, although the following are not included:

- Carriageways with a speed limit of more than 40 mph
- Land used for agriculture or woodlands
- Land which is predominantly marshland, moor or heath

- Rural common land

### **Exceptions to the offence are:**

- The person in charge of the dog had a reasonable excuse for not clearing up (being unaware of the fouling or not having the means to clean up is not an excuse)
- The owner or occupier of the land has consented to the faeces being left
- The person puts the faeces in a bin on the land
- The person in charge of the dog has a registered visual impairment

### **Whose responsibility is it to clean up dog fouling?**

The Litter (Animal Droppings) Order 1991 of the Environmental Protection Act 1990 places a duty on local authorities to keep the following areas clear of dog faeces:

- Any public walk or pleasure ground
- Any land laid out as a garden or used for the purpose of recreation
- Any part of the seashore which is frequently used by large numbers of people, and managed by the person having direct control of it as a tourist resort or recreational facility
- Any esplanade or promenade which is above the place where the tide flows
- Any land not forming part of a highway, which is open to the 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

### **There is no legal requirement to provide signs or dog waste bins. What action can local authorities take?**

Under the Dogs (Fouling of Land) Act 1996 failure to clean up dog fouling is an offence subject to a maximum fine of £1,000. Local authorities can also give offenders the option of paying a fixed penalty fine of £50 rather than going to court. Authorities can authorise contractors such as dog wardens to enforce the scheme and can also give the powers to other designated persons such as parish councillors. Research from the ENCAMS dog fouling campaign in June 2002 found that most local authorities are committed to educating their residents about responsible dog ownership. For example, 94% of councils were found to employ a dog warden, whose job entailed responding to various issues surrounding dogs, not just fouling.

However, problems arose from the fact that dog wardens were spending more time dealing with stray dogs than dealing with issues such as dog fouling. Flaws were also found in the way that local councils reacted to the problem of dog fouling, as many

authorities were reluctant to prosecute dog owners for their dog's 'littering' despite local authorities being inundated by public complaints about fouling. For example, nearly 28% of local authorities, with fixed penalty schemes in place to deter dog fouling, had not actually issued any fines during the period April 2001-2002.

#### **What can individuals do?**

If individuals wish to take action against a dog owner who has not cleaned up after their dog, they should note the details of the offence as soon as possible. Details should include the name and address of the person in charge of the dog, a description of the dog, plus details of the date, time and place. They should then contact their local authority and ask for details of their dog control procedures. It is important to describe clearly the place being fouled to find out what regulations cover that area.

#### **What are the health risks associated with dog fouling?**

Dog faeces carry harmful infections, the most widely known being Toxocariasis. Human toxocariasis is potentially a serious infection and is a direct consequence of soil or sand contamination with faeces carrying eggs of the parasite. The parasite can only infect humans if swallowed. Once swallowed the infection can last between six and 24 months. Frequently the infection is through the hands, but can also be with the dogs themselves or through inanimate objects such as wheels of toys, soles of shoes, etc. Many infected soil samples are found in children's play areas and in the streets and as a result of this, toxocariasis is mainly found in children between 18 months and five years. Eye disorders are the most commonly reported complaint associated with toxocariasis, although other symptoms are vague aches, dizziness, nausea, asthma and epileptic fits.

#### **How can these health risks be avoided?**

Toxocara eggs are not infectious until they mature, which usually takes at least 2-3 weeks after they have been deposited by a dog. Dog faeces will only contaminate the soil when it has been left on the ground for this period of time, so if owners immediately clean up after their dog the threat of toxocariasis would be virtually eradicated.

#### **What is the best way to clean up after a dog?**

The best way is to use a doggy bag, or a carrier bag, to pick up the faeces. Ideally this should then be placed in a designated dog bin. If this is not possible, the bag should be taken home and placed in an outside bin, or as a last resort, the faeces should be double wrapped and put in a normal litter bin. Pooper scoops can also be used and are available from most pet stores.