

Report

Report to:	Cambuslang and Rutherglen Area Committee
Date of Meeting:	15 March 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Dog Warden: Role and Powers
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1. Purpose of Report

1.1. The purpose of the report is to:

- ♦ provide information on the Dog Warden's role, powers available to them and ways in which issues can be reported, following a request by a committee member

2. Recommendation(s)

2.1. The Committee is asked to note the content of the report.

3. Background

3.1. The Council has a statutory obligation to appoint a person responsible for the activities defined in the Environmental Protection Act 1990 (EPA 1990) Sections 149 and 150 relating to Stray Dogs. These sections cover the powers conferred on an authorised officer in relation to stray dogs found within that authority's area. South Lanarkshire Council has one appointed Dog Warden.

3.2. The Dog Warden post is located within Environmental Health, in the Environmental Crime Team (ECT).

4. Role and Powers

4.1. Stray Dogs can be reported during office hours 0303 123 1015 to the Contact Centre (Monday to Thursday 08:45 – 16:45; Friday 08:45 – 16:15). The Dog Warden is contacted immediately by phone with the necessary details relating to the stray dog. The Dog Warden will respond to the call as soon as possible and make attempts to collect that stray dog. If the dog has a collar, or is micro-chipped, then reasonable attempts are made to return the dog to the registered owner/keeper. Outwith these periods, stray dogs can be handed in to any Police Station. There is a legal obligation for Police Scotland to accept a dog presented at any station.

4.2. South Lanarkshire Council (SLC) has a contract with the Scottish Society for the Prevention of Cruelty to Animals (SSPCA) for the kennelling of stray dogs. Stray dogs who are not immediately returned to their owner, are kennelled at the SSPCA facility located on Bothwell Road, Hamilton. The kennelling facilities retain the stray dog under SLC's care for up to 8 days, allowing owners the opportunity to collect their dogs. There is a fee associated with the return of an SLC collected stray dog. The SSPCA work with SLC as part of the contract to ensure dogs are micro-chipped before release and/or details contained on the chip are accurate and up to date. This

encourages responsible dog ownership reducing the need for SLC to kennel the same stray dog again and consequentially reduce the issues associated with stray dogs, such as road traffic incidents, dog fouling and dog attacks to persons, property and/or other animals.

- 4.3. It is legal requirement under the Microchipping of Dogs (Scotland) Regulations 2016 for a dog to be chipped. Chipping involves inserting a harmless electronic tagging device under the skin of the animal which provides a unique serial number that can be checked via various dog chipping service websites to obtain details of the registered keeper of the dog. All dogs over 8 weeks must be chipped. The Dog Warden is responsible for ensuring, as far as is reasonably practicable, these obligations are met by dog owners, when collecting stray dogs.
- 4.4. The Dog Warden has the power to seize any dog they believe is a stray in a public space, however, within private property they need the permission of the landowner to do so.
- 4.5. Should a person wish to take ownership of a stray dog they have collected, there are legal forms available to declare an interest and a wish to become the new owner of the dog which they can be guided through by the Dog Warden. This assists with any stray dog being returned to the registered owner, without the need for kennelling by either the Police or the Local Authority.
- 4.6. The Dog Warden assists the officers in the ECT with dog fouling enforcement, when their statutory duties allow. The Dog Fouling (Scotland) Act 2003 allows Fixed Penalty Notices (£80) to be issued for offences and/or reports prepared and submitted to the Procurator Fiscal Service for criminal charges to be presented in relation to dog owners not picking up after their dog.
- 4.7. The Dog Warden can provide support to Officers investigating Dog Control issues but does not lead, nor investigate, nor enforce the provisions afforded in the Control of Dogs (Scotland) Act 2010. Dog Control matters are divided between the Police and Local Authority depending on the nature and extent of the distress/alarm or physical/property harm caused by an alleged out of control dog incident. Due to the Dog Warden's experience working with and handling dogs, they can provide support on interpreting animal behaviour traits which can help inform decisions in the interest of the future welfare and control of the dog.
- 4.8. Members of the public wishing to report a stray dog need to call the Contact Centre so that appropriate details can be obtained, and that information quickly relayed to the Dog Warden.

In relation to dog fouling issues or dog control incidents, this can be done through the Contact Centre 03030 123 1015 and/or the Council website. [Dog fouling - South Lanarkshire Council](#) and for Dogs Out of Control [Dangerous dogs - South Lanarkshire Council](#). There is further advice on these two issues provided on the website. There is also a Responsible Dog Ownership leaflet available on telephone request and/ or via the Councils website:-

[Customer service enquiry | Instructions \(southlanarkshire.gov.uk\)](#)

5. **Dog Warden / Dog Fouling / Dog Control Figures for South Lanarkshire Council**
- 5.1. The table overleaf provides some figures for South Lanarkshire Dog related issues (Strays/Lost Dogs/Dog Fouling/Dog Control)

Calendar Year	2017	2018	2019	2020	2021	2022
Stray Dog Reports	307	284	249	114	102	84
Lost Dog Reports	32	31	27	14	17	20
Dog Fouling Reports	899	768	710	548	569	582
Dog Control Reports	98	121	148	219	246	254

6 Employee Implications

6.1. There are no employee implications as a result of this report.

7 Financial Implications

7.1. There are no financial implications as a result of this report.

8 Climate Change, Sustainability and Environmental Implications

8.1. There are no climate change, sustainability and environmental implications as a result of this report.

9 Other Implications

9.1. There are no other risk implications as a result of this report.

10 Equality Impact Assessment and Consultation Arrangements

10.1. There are no impact assessment and consultation arrangements as a result of this report.

David Booth

Executive Director (Community and Enterprise Resources)

10 February 2023

Link(s) to Council Values/Priorities/Outcomes

Values

- ◆ Focused on people and their needs
- ◆ Working with and respecting others
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving
- ◆ Fair, open and sustainable
- ◆ Excellent employer

Priorities

- ◆ We will work to put people first and reduce inequality
- ◆ We will work towards a sustainable future in sustainable places
- ◆ We will work to recover, progress and improve

Outcomes

- ◆ Our children and young people thrive
- ◆ Good quality, suitable and sustainable places to live
- ◆ Thriving business, fair jobs and vibrant town centres
- ◆ Caring, connected, sustainable communities
- ◆ People live the healthiest lives possible
- ◆ Inspiring learners, transforming learning, strengthening partnerships

Previous References

- ◆ None

List of Background Papers

- ◆ None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Craig Brown, Environmental Services Manager
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