

REPORT TO: Executive Board

DATE: 28th March 2013

REPORTING OFFICER: Strategic Director, Communities

PORTFOLIO: Environmental Sustainability

SUBJECT: Kennelling arrangements and out-of-hours collection of stray dogs

WARD(S) Borough-wide

1.0 **PURPOSE OF THE REPORT**

1.1 To inform about the proposed changes for the kennelling arrangements and out of hours collection of stray dogs

2.0 **RECOMMENDATION: That Executive Board approve the proposed changes for the kennelling arrangements and out-of-hours collection of stray dogs.**

3.0 **SUPPORTING INFORMATION**

3.1 **Background**

3.1.1 **Legislation**

The Environmental Protection Act (EPA) 1990 places a duty on each local authority to appoint an officer to deal with the issue of stray dogs. They have a duty to seize dogs found to be straying in a public place and keep them in satisfactory conditions for a period of up to seven days, allowing owners time to reclaim their dogs after payment of the appropriate fee.

The Clean Neighbourhoods and Environment Act (CNEA) 2005 (Section 68) was implemented with effect from April 2008. This removed any duty on the Police to deal with stray dogs out-of-hours and made the local authority solely responsible for dealing with the matter. (Although the Police retain responsibility for banned breeds and any dog that is dangerously out of control). Local authorities are not expected to search and seek stray dogs outside normal office hours but are required to provide a 'reception point' where a stray dog may be taken, out-of-hours (evenings, weekends and bank holidays).

3.1.2 **Current Arrangements**

Following the introduction of the CNEA legislation, Halton, Knowsley,

Liverpool and St Helens worked together as a consortium to jointly procure stray dog arrangements. After the full procurement process, the contract for kennelling the dogs went to the RSPCA Halewood (Liverpool) Branch and collection of stray dogs out-of-hours went to Animal Wardens Ltd. The contracts were awarded for a three year period and will end in April 2013.

3.1.3 Kennelling Re-Charges

The current kennel re-claim fees are £42 for owners who claim their dogs within 48 hours from the kennels and £100 for owners who claim their dog after 48 hours but within seven days.

At the end of seven days the ownership and responsibility for the dog passes to the RSPCA. Whenever possible dogs suitable for rehoming will be given every opportunity to find a new home & owner. However, on some occasions due to age, health and temperament, it may be necessary for the dog to be euthanized.

3.1.4 Halton Kennelling Costs

In Halton between 2009-2012, 85% of stray dogs were claimed within the first 48 hours, and 15% claimed after 48 hours.

For all dogs not claimed, Halton is charged £100 by the RSPCA.

In 2011-12, Halton's total bill for kennelling only, was £24,871. £6,111 was received from reclaim fees so that the cost to Halton for kennelling in 2011 was £18,760.

3.1.5 Out-of-Hours Service

The cost of the current out-of-hours stray dog collection service carried out by Animal Wardens for Halton is £9,420. The total costs for the consortium are divided in proportion with population figures at the start of the contract.

The company is encouraged to minimise the number of dogs they collect and transfer to the RSPCA in Halewood by returning dogs to owners whenever possible and by offering a dedicated telephone facility where trained staff can assist people with lost dogs.

In Halton during 2011-2012 441 out of hours request for service were received. 102 dogs were collected and transferred to kennels by the service. 204 dogs were returned to their owners so that kennelling was not required. This has considerably reduced the potential kennelling fees for stray dogs to each local authority. The remaining requests included dogs that were not found or advice given.

The out-of-hours-contract is reviewed quarterly with each authority

meeting with the service provider.

3.2 Proposed Future Kennelling Arrangements

When the original contract was first awarded in 2009, the RSPCA were the only organisation to register an interest in providing the kennelling service. They had suitable accommodation and experience to deliver the service.

However, due to a change in policy at national level, the RSPCA have indicated that they will not be providing this service, nationally or locally, after the current contract expires in April 2013.

The Consortium has an excellent working relationship with the RSPCA and has been discussing with them, the best future arrangements. All parties have now considered that the best option is for the Consortium to lease the current stray dogs kennel block in Halewood from RSPCA and to find through procurement, an organisation to staff and manage the facility on behalf of the Consortium. The advantages to this approach are:

- There would be no capital outlay
- There would be no long term contract between the local authorities and the RSPCA
- The RSPCA would still have an input to ensuring that dog welfare conditions are assured.
- There would be a seamless mode of operation
- Stray & abandoned dogs would continue to be cared for at a well-established and known site within the region.

Liverpool City Council's Property and Asset Management Team have inspected the accommodation together with surveyors to ascertain if any further works are required. The Asset Management Team has entered discussions with RSPCA about lease arrangements, service charges and rental agreements for use of the facilities by the Consortium.

3.2.1 Kennelling Staff & Management

The highly specialist nature of this work, the working hours required and skill base required to undertake the work has mean that it is not generally possible for a local authority to directly carry out the work themselves. Only two local authorities in the country currently operate their own kennels: Wirral & Southampton. The future of Wirral Kennels is uncertain as they are currently undergoing major budget considerations.

Liverpool City Council Procurement Team is taking the lead to prepare the necessary documentation for the tendering process for the appointment of an operator to staff and manage the facility. Halton's Procurement Team is involved in the process and has commented on all documentation.

3.2.2 Out-of-Hours collection and Kennelling

After discussions with Procurement teams, the Consortium has decided to incorporate the out-of-hours stray dog collection within the kennelling contract. This would streamline the whole process and therefore the contracts taken with organisations. This would mean that local authority animal wardens will transfer stray dogs seized during the day service hours directly to the kennels and the organisation selected by procurement will be responsible for the collection of dogs out of hours (i.e. evenings, weekends, bank holidays).

3.2.3 Responsible Dog Ownership

The annual cost to the local authority for the collection of stray dogs emphasises the need for the wide promotion of responsible dog ownership throughout the Borough.

Halton BC works with the Merseyside Dog Forum, other local authorities, national animal charities including RSPCA, Dogs Trust, PDSA, Guide-Dogs Association to promote responsible dog ownership. Events that have been organised include free micro-chipping, health checks and animal neutering.

This multi-agency work was recognised by the RSPCA Community Awards 2012 when the Merseyside Dog Forum won the award for 'innovation' in the joint work carried out to reduce the number of stray dogs in Merseyside. The award was presented at the House of Lords on 3rd December 2012.

4.0 POLICY IMPLICATIONS

4.1 The Environmental Health Service will continue to collect stray dogs during office hours and arrange for kennelling.

4.2 The Environmental Health service will continue to charge dog owners if their dog is collected as a stray within the Borough. The charges will be reviewed regularly taking into account cost to the local authority. The charges will be same for each member of the consortium.

5.0 FINANCIAL IMPLICATIONS

During 2011-12, the cost to Halton BC for the kennelling of stray dogs and collection of stray dogs during out-of-hours was a total of £34,291.

An income of £6,111 was generated from owners re-claiming their dogs so the net cost to the authority was £28,180

Negotiations are still underway for leasing the facilities from RSPCA. The cost of the staffing and management of the service on the site will be

ascertained after the procurement process, overseen by Procurement officers across all the local authorities is completed. This charge will be apportioned in accordance with population figures across all four authorities. The estimated cost for the service will be approximately £30,000, procurement are currently evaluating the submissions. This should be completed within the next 4 weeks. The consortium will be responsible for some of the future building maintenance costs of the kennels.

The whole process must be completed by April 2013. Stray dogs may present a safety and health risk to residents in Halton if they are allowed to roam indefinitely throughout the Borough.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

Stray dogs in open spaces such as parks and gardens can present a risk to the safety of children and young people.

6.2 Employment, Learning & Skills in Halton

There are not considered to be any significant impact on employment learning and skills in Halton.

6.3 A Healthy Halton

Stray dogs may present a safety and health risk to residents in Halton if they are allowed to roam indefinitely throughout the Borough.

6.4 A Safer Halton

Stray dogs may present a safety and health risk to residents in Halton if they are allowed to roam indefinitely throughout the Borough.

6.5 Halton's Urban Renewal

Stray dogs can have a negative impact on the environment.

7.0 RISK ANALYSIS

7.1 There are not considered to be any significant risks associated with this proposal

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are not considered to be any equality or diversity issues associated with this proposal

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF
THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.