



SPECIAL CABINET – 17TH JULY 2024

SUBJECT: PROPOSED INCREASED CHARGES FOR KENNELING STRAY DOGS

REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT

1. PURPOSE OF REPORT

1.1 To seek approval to increase charges for owners to retrieve impounded stray dogs.

2. SUMMARY

2.1 The local authority has a statutory responsibility set out in the Environmental Protection Act 1990 for the seizure, detainment, and disposal of stray dogs. The local authority must appoint an officer for the purpose of discharging their stray dog functions.

2.2 The local authority must make provision for detaining the stray dogs. This can be done through third party kennels. The facilities should comply with the standards specified by the Chartered Institute of Environmental Health and the general duty of care under the Animal Welfare Act 2006.

2.3 Dogs that are not reclaimed within this statutory 7 day period are rehomed however, those not suitable for re-homing (whether due to behavioural or health issues) are euthanised. The 7 day statutory period is the prescribed time that a dog should be held by the Local Authority before it is liable to be disposed of, as set out in Section 149 of Environmental Protection Act 1990.

2.4 The Authority does not have its own kennelling provision and therefore uses a local private kennel. The current kennel contract was awarded to Cefn Y Crib Boarding Kennels, Hafodyrynys for the period between 2019 to 2024.

2.5 The Authority has recently undertaken a tender process for a new contract to provide dog kennelling services for stray dogs receiving one tender application which was the current provider Cefn Y Crib Boarding Kennels. The new contract is for an initial three-year period, with an option to extend for up to a further two twelve (12) months periods or twenty four (24) months in total.

- 2.6 In submission of their tender, Cefn Y Crib Boarding Kennels have outlined increases to their daily charging rate, to reflect the increased cost of utilities, feed and salaries etc. The new price per dog per day is £18 (previously £9.50), therefore a maximum stay of 7 days, (before a dog is rehomed) will now be £126, whereas previously this would be £66.50. Additionally, dogs presented out of office hours will attract an additional charge of £50 thus equating to £176 over 7 days. A comparison of costs across the Gwent region is detailed in paragraph 5.10.
- 2.7 At present, the Authority charges a fixed release fee of £66.50 for the retrieval of stray dogs by owners. All other Local Authorities in Gwent charge a release fee which is based on kennelling fees, officer time, resources such as fuel and the £25 penalty fee set out in The Environmental Protection (Stray Dogs) Regulations 1992. This fee is paid in addition to a daily kennel fee.
- 2.8 The revised contract costs have prompted the service to review the charging structure and to make comparisons with charges imposed by other Gwent local authorities. Cabinet are asked to consider and approve increased charges as detailed in the recommendations below.

3. RECOMMENDATIONS

- 3.1 It is recommended that Cabinet:
1. Approve an increase in the daily kennel charge to £18 per dog (08:00 – 17:00) kennel charge is approved; and that any dog taken to the kennels outside these hours will incur an additional charge of £50 with effect from 1st August 2024.
 2. Approve the introduction of a Release Fee of £90 with a £20 discount if the dog is micro-chipped with correct keepership details, in addition to the recurring £18 daily fee with effect from 1st August 2024..
 3. Approve that any future revisions to these charges as a result of changes to costs charged to the Authority by the kennelling provider are agreed by the Director or Head of Service in consultation with the relevant Cabinet Member.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The charges associated with the new contract to provide kennelling facilities for seized stray dogs have increased and the proposed charges to owners to retrieve impounded stray dogs are necessary to recover the costs incurred.
- 4.2 To ensure the Authority provides the seizure, detainment, and disposal of stray dogs, in accordance with the legislative requirements.

5. THE REPORT

- 5.1 Section 149 of the Environmental Protection Act 1990 states that local authorities have a statutory responsibility for the seizure, detainment and disposal of stray dogs. The local authority must appoint an officer for the purpose of discharging their stray dog functions.
- 5.2 The local authority must make provision for detaining the stray dogs. The Authority does not have its own kennelling provision and therefore contracts a local private kennel. The facilities should comply with the standards specified by the Chartered Institute of Environmental Health and the general duty of care under the Animal Welfare Act 2006. The number of impounded stray dogs over the last few years are as follows: 2020/21 – 92, 2021/22 – 97, 2022/23 – 76, and 2023/24 – 81. It should be noted that this data reflects the number of dogs that are detained at the boarding kennels and not the total number of strays picked up by the Dog Wardens. Dogs that are microchipped or have a collar with a tag are returned to the owners with a warning and are usually the cases where the dog has accidentally escaped. Also, the power of social media has facilitated the reporting of lost and found dogs, thus allowing dogs to be promptly reunited with their owners.
- 5.3 The local authority also has a responsibility to care for the animals that are injured or require treatment and therefore have arrangements in place with the local veterinary surgeons.
- 5.4 Dogs that are not reclaimed within this statutory 7 day period are rehomed however, those not suitable for re-homing (whether due to behavioural or health issues) are euthanised. The 7 day statutory period is the prescribed time that a dog should be held by the Local Authority before it is liable to be disposed of, as set out in Section 149 of Environmental Protection Act 1990. In exceptional circumstances, the dogs may remain at the kennels for longer than 7 days. The cost of kennelling all un-claimed dogs is charged to Environmental Health.
- 5.5 It is a legal requirement under The Microchipping of Dogs (Wales) Regulations 2015 for all dogs to be microchipped with correct details. In practice however, there remains a small number of individuals and dogs that are not legally compliant. Every dog that is picked up by a Dog Warden is scanned for a microchip and if one is found the owners are contacted, often without the need to detain the dog at the kennels. Therefore, responsible dog owners who microchip their dogs and ensure correct keepership details are more likely to be able to claim their dog more quickly and therefore pay less of a kennelling fee. Those who have not microchipped their dog are likely to have a lower chance of retrieving their dog and will have a higher kennelling fee due to the increased time to trace the correct owner.
- 5.6 Our Pest Control Operators are trained and up-skilled to carry out Dog Warden and Control duties in conjunction with their pest control duties. They also have specialised vehicles and equipment to transport dogs.
- 5.7 The current kennel contract was awarded to Cefn Y Crib Boarding Kennels, Hafodyrynys for the period between 2019 to 2024. The Authority has therefore recently

undertaken a tender process for a new contract to provide dog kennelling services for stray dogs. The new contract is for an initial three-year period, with an option to extend for up to a further two twelve (12) months periods or twenty four (24) months in total.

- 5.8 Only one tender was received to provide the kennelling service, which was the current provider Cefn Y Crib Boarding Kennels. However, their charges have increased, to reflect the increased cost of utilities, feed and salaries etc. The new price per dog per day is £18 (previously £9.50), therefore a maximum stay of 7 days, (before a dog is rehomed) will now be £126 whereas previously this would be £66.50. Additionally, dogs presented out of office hours will attract an additional charge of £50 thus equating to £176 over 7 days. Office hours are between 9am to 5pm Monday through Friday. There is provision for members of the public and the police etc. to take stray dogs to the kennels up to 22:00 hours.
- 5.9 Section 149 (5) of the Environmental Protection Act 1990 states “A person claiming to be the owner of a dog seized under this section shall not be entitled to have the dog returned to him unless he pays all the expenses incurred by reason of its detention and such further amount as is for the time being prescribed.” The release fee contributes to the operational costs of undertaking the service, as well as the £25 prescribed fee set out in The Environmental Protection (Stray Dogs) Regulations 1992.
- 5.10 The revised contract costs have prompted the service to review the charging structure and to make comparisons with charges imposed by other Gwent local authorities. Table 1 below, demonstrates the charges per local authority. It is therefore proposed that the daily fees be re-charged to the owners of the dogs, i.e. a charge of £18 per day will apply. The daily charge will include the day the dog was delivered to the kennels through to the day it is retrieved from the kennels. In addition to paying the recurring daily charge for the retrieval of dogs it is also proposed that a release fee of £90 is applied. As an incentive to encourage more responsible dog ownership, and to improve the numbers of dogs that are micro-chipped, it is proposed that a £20 discount be applied to the release fee for dogs that are micro-chipped.

Table 1

Gwent Local Authority Retrieval Charges

	<u>CCBC</u>	Blaenau Gwent CBC	Torfaen CBC	Newport CC	Monmouth shire CC*
<i>Day 1</i>	£108	£108	£100	£108.16	£60
<i>Day 2</i>	£126	£128	£120	£123.60	£85
<i>Day 3</i>	£144	£148	£140	£142.48	£110
<i>Day 4</i>	£162	£168	£160	£155.53	£135
<i>Day 5</i>	£180	£188	£180	£174.72	£160

Day 6	£198	£208	£200	£190.32	£185
Day 7	£216	£228	£220	£202.96	£210

**Excludes mileage fee & £60 collection charge*

These figures are taken from financial year 2023/24. These do not include any OOH charges or concessions for benefits or microchipping.

- 5.11 It is important to consider that those residents that will be charged the most, have likely committed an offence to let their dog stray without a collar with name and address. Additionally, a possible positive impact is that through implementation and education, the price increases act as a deterrent to dog owners that enable their dogs to stray – they should now avoid these instances, ensure their dogs have a collar with name and address and ensure their microchipping keepership details are fully updated. This will not only reduce stray dog instances, but also ensure dog stays entering the kennels are kept to a minimum, thus reducing fees. It is therefore proposed that the authority delivers a publicity campaign regarding micro-chipping and another reminder about responsible dog ownership.
- 5.12 This report is presented to Cabinet because the increase of charges proposed exceeds the generic increase of 5% as assumed for Fees and Charges agreed by Council in the 2024/25 Budget Proposals on 27th February 2024. However, it is proposed that any future revisions to these charges because of changes to costs charged to the Authority by the kennelling provider are agreed by the Director or Head of Service in consultation with the relevant Cabinet Member.

Conclusion

- 5.13 The charges associated with the new contract to provide kennelling facilities for seized stray dogs have increased. The charging structure for owners of the dogs to retrieve their dogs has been amended to reflect the increases and increased costs in operating the service. Such changes are necessary to recover the costs incurred and make the Authority more comparable with the rest of the region.

6. ASSUMPTIONS

- 6.1 It has been assumed that the number of stray dogs taken to the kennels based on the previous year's figures will be 70 to 150.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 The Integrated Impact Assessment outlines that the proposal will have a mostly 'neutral impact'. The proposal is a price increase for an already established statutory function, therefore the consideration is purely made on the impact of charging a higher fee for kennelling stray dogs. The higher fee can be attributed to the private kennels' increasing operational costs associated with food, utilities, staff wages and insurance

etc.

- 7.2 There are potential negative impacts on The Council's ability to comply with their second well-being objective through supporting residents with the 'cost of living crisis'. However, an important consideration is that those residents that will be charged, have likely committed an offence to let their dog stray without a collar with name and address. Additionally, a possible positive impact is that through implementation and education, the price increase acts as a deterrent to dog owners that enable their dogs to stray – they should now avoid these instances, ensure their dogs have a collar with name & address and also ensure their microchipping keepership details are fully updated. This will not only reduce stray dog instances, but also ensure dog stays are kept to a minimum, thus reducing fees.
- 7.3 For stray dogs that are not retrieved within the 7-day statutory period, The Council will be liable for the full charge including any veterinary fees. This is an unfortunate eventuality that is not able to be mitigated. Conversely, the costs have remained low for many years and the increase brings it closer to the fees charged by neighbouring authorities. A link to the full Integrated Impact Assessment is provided below:

[Link to IIA](#)

8. FINANCIAL IMPLICATIONS

- 8.1 The new kennelling price per dog per day is £18 (previously £9.50), therefore a 7-day statutory stay will now be £126, in comparison with the previous charge of £66.50. Additionally, dogs presented out of hours will attract an additional charge of £50 thus equating to £176. Owners that retrieved their dog will pay the daily fee plus the release fee to the authority so the cost in these cases is recouped. However, the cost of kennelling unclaimed dogs will be paid by Environmental Health, in which case the 7 day kennelling charge of £126 is paid by the Authority, plus the possibility of a £50 out of hours charge if the dog is received outside office hours.
- 8.2 In a typical year, circa 90 to 100 dogs are seized and detained at the kennels, however only circa a quarter of those dogs are reclaimed by the owners, leaving three quarters to be rehomed or destroyed, at a cost to the authority. These increases may be offset by a reduced number of impounded dogs, however, in either event the cost will need to be met from existing budgets.
- 8.3 Table 2 below provides comparisons for pre and post proposed transactional changes to the charging structure. This table has been populated using statistics from impounded stray dogs 2023/24. The amounts calculated is per 100 dogs with an average retrieval rate of 27% and an average dog stay of 6 days. No costs are included for service delivery.

Table 2

	2023/24 (£9.50)	2024/25 (£18)
Total payments to kennels	£5,700.00	£10,800.00

Retrieval income charged to owner	£1,539.00	£2,916.00
Proposed Release Fee (£90)	-	£2,430.00
Total income	£1,539.00	£5346.00
Total payments to kennels minus income received by LA	£4,161.00	£5,454.00

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications as the duties are already in place, as stated the Pest Control Operatives carry out the duties in conjunction with their pest control duties.

10. CONSULTATIONS

- 10.1 The consultees listed below have been consulted on this report and their views have been incorporated accordingly.

11. STATUTORY POWER

- 11.1 Environmental Protection Act 1990

Author: Gary Mumford, Senior Environmental Health Officer

Consultees: Councillor Philippa Leonard, Cabinet Member for Planning and Public Protection
Councillor Andrew Whitcombe, Chair of Housing and Environment Scrutiny Committee
Councillor Shane Williams, Vice Chair of Housing and Environment Scrutiny Committee
Dave Street, Deputy Chief Executive
Gareth Jenkins, Interim Director for Social Services
Richard Edmunds, Corporate Director for Education and Corporate Services
Mark S. Williams, Corporate Director, Economy and Environment
Rob Hartshorn, Head of Public Protection, Community and Leisure Services
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager
Ceri Edwards, Environmental Health Manager
Rob Tranter, Head of Legal Services and Monitoring Officer
Stephen Harris, Head of Financial Services and Section 151 Officer
Leanne Sykes, Deputy Head of Financial Services and S151 Officer
Lynne Donovan, Head of People Services
Anwen Cullinane, Senior Policy Officer, Equalities and Welsh Language

Background Papers: None