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|  | ITEM NO. |

**REPORT OF**

**Phil Morton**

**TO**

**Lead Member for Environment**

**ON**

**16th April 2012**

**TITLE:** Fees for Dealing with Stray Dogs

**RECOMMENDATION:**

That Lead Member approves the proposed fees which are to be levied by the Directorate in dealing with stray dogs and that such fees may be increased in future years in line with increases in the retail prices index.

**EXECUTIVE SUMMARY:**

The purpose of this report is to advise Lead Member of the process undertaken by the Directorate in dealing with stray dogs and to seek approval for the implementation of a fee structure in relation to this work.

**DETAIL**

The Clean Neighbourhoods and Environment Act 2005 transferred the responsibility for dealing with stray dogs from the police to local authorities.

Prior to April 2011, the City Council’s Dog Warden service was outsourced to a private company as part of an AGMA brokered contract which came to an end in March last year.

In view of the cost and limitations of the service provided by the contractor, a decision was made to bring the service back in house, operating within the Environmental Crime Unit, with effect from the 1st April 2011. The service has been running successfully since then.

Turnpike House has had purpose built dog kennels for a number of years however; they have never been used to house stray dogs. These kennels were refurbished and are now utilised to hold dogs overnight prior to returning them to their owners, or transferring them to our kennel providers at Leigh Dogs and Cats Home should they not be claimed by their owners.

At the present time, if a dog is retrieved from Turnpike House kennels, the Directorate does not require the owner to make payment in respect of the recovery and housing of the animal. On average, 15 dogs per month are collected by their owners from Turnpike House

However if a dog is not collected by the owner it is transferred to Leigh Dogs and Cats Home. The cost to the owner of retrieval is currently £70. The home charges the Directorate £46 to cover their expenses in the event of the owner not collecting the dog.

The Environmental Protection (Stray Dogs) Regulations 1992 prescribes the amount to be paid by the owner of a stray dog seized by an authorised officer before the dog can be returned to the owner. Regulation 2 makes provision for certain charges to be levied in respect of stray dogs which have been seized.

*Prescribed amount to be paid by the owner of seized dog*

*For the purposes of section 149(5) of the Act, the sum of £25 (twenty-five pounds) is hereby prescribed as the further amount (additional to all expenses) to be paid by a person claiming to be the owner of a seized dog before he is entitled to have the dog returned to him.*

**PROPOSAL**

In fulfilling our obligations under the Clean Neighbourhoods and Environment Act 2005 it is proposed that the following scale of charges be levied in addition to the prescribed amount in order to cover the Directorate’s expenses in undertaking this function.

***If the dog is retrieved from Turnpike House;***

The prescribed amount of £25.

This will cover the cost of kenneling, feeding and officer time in dealing with the animal. It is important that any fee which is levied should not give rise to owners failing to collect their dogs on the ground of cost as this would result in the Directorate incurring further costs from Leigh Dogs and Cats home.

The average number of dogs reclaimed from Turnpike House is 15 per month which would provide an annual income of approximately £4500.

***If the dog is retrieved from Leigh Dogs and Cats home****;*

£86,comprising £25 as the prescribed amount, £15 additional expenses covering transferring dog to Leigh and officer time plus £46 costs levied by the home. In these circumstances the total fee of £86 would be collected by the home and the Directorate would be reimbursed with its costs.

***If the dog is not retrieved from Leigh Dogs and Cats Home;***

In the event of a dog not being reclaimed by the owner within 7 days, the dog becomes gifted to the home. In these circumstances the home endeavours to find a new home for the dog but if this is not successful, the animal will be put to sleep. In either case the home charges the Directorate £25.

The average number of dogs reclaimed from the home is 7 per month however, in January 2012, of the 30 dogs taken to the home only 3 were reclaimed by their owners, 21 were re homed and 3 were humanely destroyed.

The projected income from these proposals would amount to £4500 from Turnpike House and £3360 from Leigh Dogs and Cats Home, making a total income of **£7860**.

BACKGROUND DOCUMENTS: Environmental Protection (Stray Dogs)

(Available for public inspection) Regulations 1992

KEY DECISION: Yes

KEY COUNCIL POLICIES:

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:- Consideration may be given to payment in instalments in cases of genuine financial hardship.

ASSESSMENT OF RISK: None

SOURCE OF FUNDING – N/A

LEGAL IMPLICATIONS. The Clean Neighbourhoods and Environment Act 2005 transferred the responsibility for dealing with stray dogs from the Police to local authorities. The Environmental Protection (Stray Dogs) Regulations 1992 makes provision for a prescribed monetary amount of £25, in addition to any other expenses, to be paid by a person claiming to be the owner of a seized dog before they are entitled to have the dog returned to them.

FINANCIAL IMPLICATIONS The introduction of fees to cover the costs incurred by the Directorate in dealing with stray dogs will offset some of the cost of the Dog Warden Service.

OTHER DIRECTORATES CONSULTED: None

CONTACT OFFICER: Phil Morton TEL. NO. 925 1304

WARD(S) TO WHICH REPORT RELATE(S): All

AUTHORISATION:

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| Approved by Assistant Director | Signature:  Date: |  |
| Approved by Strategic / Deputy Director | Signature:  Date: |  |