

THE WORK OF THE ANIMAL CONTROL OFFICER

Direct & Trading Advisory Committee - 12 April 2016

Report of Chief Officer - Environmental & Operational Services

Status: For information

Key Decision: No

Executive Summary: This report details the wide range of Council's responsibilities and approach to animal welfare including the stray dog service and animal welfare licencing.

There will be a short presentation and the Council's Animal Control Officer will be available to give an insight into her work.

Officers will be accompanied by one of the council's successfully rehomed stray dogs.

This report supports the Key Aim of safe communities; green and healthy environment, a dynamic economy and effective management of council resources.

Portfolio Holder Cllr. Dickins

Contact Officer(s) Annie Sargent - Environmental Health Manager Ext. 3085

Alex Dawson - Assistant Environmental Health Manager
Ext. 3129

Recommendation to Direct & Trading Advisory Committee that the Committee note the report.

Introduction and Background

1. The animal control service is part of the shared environmental health partnership with Dartford Borough Council. There are two animal control officers (ACO's) within the service. Whilst both primarily undertake their duties within their original council areas, they do work jointly on initiatives, information share and assist and cover each other as necessary providing valuable resilience and experience to the service.

Budget

2. The 2015/16 budget for EH Animal Control Service is as follows:
 - Expenditure £30,548 (excluding salary)
 - Income £29,793

- Net expenditure £755
3. Local authorities play a major role in protecting both humans and animals from harm. Accordingly they enforce a wide range of legislation, provide advice and guidance to businesses, the public and others and undertake a wide range of educational activities to promote good animal ownership.
 4. The Council is responsible for enforcing the following animal welfare related legislation:
 - Animal Welfare Act 2006
 - Animal Boarding Establishments Act 1963
 - Anti-social, Behavior, Crime and Policing Act 2014
 - Breeding and Sale of Dogs (Welfare) Act 1999
 - Breeding of Dogs Act 1991
 - Control of Dogs Order 1992
 - Clean Neighborhoods and Environment Act 2005
 - Dangerous Dogs Act 1991 (Amended 1997)
 - Dangerous Wild Animals Act 1976
 - Dogs Act 1971
 - Dogs (Fouling of Land) Act 1996
 - Environmental Protection Act 1990
 - Environmental Protection (Stray Dogs) Regulations 1992
 - Guards Dogs Act 1975
 - Microchipping of Dogs (England) Regulations 2014
 - The Pet Animals Act 1951
 - The Control of Horses Act 2015
 - Performing Animals (Regulation) Act 1925
 - Riding Establishments Act 1964 and 1970
 - Road Traffic Act 1988
 - Town Police Clauses Act 1847 & 1989
 - Zoo Licensing Act 1981
 5. The work of the two ACOs covers the following five areas:
 - Stray dogs
 - Animal welfare licensing
 - Responsible animal ownership
 - Dog fouling
 - Other, including barking nuisance; dog attacks and assisting other organisations i.e. the police and RSPCA

Stray dogs

6. Stray dogs can cause a number of problems and are not only a danger to themselves but can be a risk or cause nuisance to the public. They can be involved in road traffic accidents, worry other animals or people, lead to unwanted puppies and defecate in public places.

7. Local Authorities have sole responsibility for stray dogs and a statutory duty to seize any unaccompanied dog on public land as a stray, regardless of whether it is wearing a collar and disc or has been microchipped. If it cannot be identified and returned to its owner at the time, it will be taken to kennels where it will be kept for seven days. On the eighth day, unclaimed dogs become the responsibility of the council.
8. Between 2014-2015, Local Authorities handled over 102,000 stray and abandoned dogs with over 47,500 remaining unclaimed.
9. Table 1: The number of stray dogs handled by Sevenoaks District Council

		2011/12	2012/13	2013/14	2014/15	2015/6
Dogs seized		157	216	222	170	165
Returned to owners	From kennels	84	104	93	78	66
	Directly	9	11	8	7	11
	Total	93	115	101	85	77
Number of dogs becoming the Councils responsibility		64	101	132	85	88
Rehomed via charity rescues		39	91	113	77	84
Status dogs		-	61	46	33	32
Put to sleep		25	10	8	8	4

10. Council procedure - Stray dogs are checked for identification by either their tag or collar or by using a microchip scanner. This enables the officers to check the owner's details via a national data base. Where possible the dog will be returned to the owner at the time and a fine of £25 will be made.
11. The overwhelming numbers of strays are however taken to kennels as the owners either cannot be traced because there is no microchip or its details are incorrect.
12. The Council use a private kennels, the location of which is not released at the request of the business. This is primarily to prevent threats from animal

owners who wish to take their animal without paying and for insurance purposes.

13. The kennels will collect all stray dogs reported out of hours and when neither of the ACOs can attend providing further service resilience.
14. Owners of stray dog are not entitled to the release and return of their animal, until they have paid a set fee and charge comprising of a payment toward the expenses incurred, a proscribed fine element and daily kenneling costs.
15. The ACOs have developed a number of excellent relationships with animal rescue and rehoming charities which ensure that Council strays are rehomed as quickly as possible to help reduce council kenneling costs.
16. The Council has responsibility for the welfare of all the seized animals which includes providing veterinary treatment where necessary.
17. The Council currently spends over £2000 pa on veterinary costs as a number of abandoned animals are found to be in need of urgent or other medical treatment. Again, both ACOs work very closely with the charity sector who will often pay the majority or full costs for treatment rather than the council.

Animal Welfare Licensing

18. The Council has a statutory duty to licence Boarding Establishments for Cats and Dogs; Dog Breeding Establishments; Pet Shops; Riding Establishments; Owners of Dangerous Wild Animals and Zoos and register Performing Animals.
19. The ACOs seek to maintain animal welfare standards and ensure such establishments comply with licence conditions by annual inspections or more often if in response to complaints.
20. The standards relate to structure, safety, security, infectious disease control, numbers, record keeping and the suitability of the licence holder.
21. The aim is to:
 - ensure the welfare of animals
 - prevent the spread of disease
 - ensure the safety of the public visiting these premises
22. The table below sets out the numbers and types of animal welfare establishments currently licensed.

Pet shops	11
Dog boarding establishments	12
Cat boarding establishments	6
Dog and cat boarding establishments	7
Riding establishments	8

Dog breeder	1
Zoo	1
Performing animals registration	2
Dangerous Wild Animals *Bengal cat	1
Home boarding	4

23. Fees are dependent on the type of licence and are regularly reviewed, typically annually, and raised in line with inflation where appropriate. Fee levels are set and balanced between recovery of administering the licence and keeping the financial burden on business to a minimum.

Responsible animal ownership

24. The council promotes responsible animal ownership not only to help owners comply with the requirements of the Animal Welfare Act 2006 by ensuring that their pets remain happy and healthy, but also to help reduce the incidence of straying, dog fouling and unwanted litters.
25. Responsible pet ownership involves neutering, microchipping and educating owners about dog fouling, worm and flea treatments and vaccinations.
26. The ACO works closely with a variety of organisations such as West Kent Housing Association, Moat, the Dogs Trust, the RSPCA and other animal charities to promote responsible dog ownership. This includes:
- Actively encouraging and undertaking free or reduced price microchipping by attending local events on estates, village halls and pet shows and by giving talks to local groups
 - Promoting low cost neutering by issuing subsidised neutering vouchers provided by the Dogs Trust to people for example on benefits and who own status breeds
 - Visiting schools in 2015 as part of the ‘Love where you live’ campaign to encourage children to spread the responsible ownership message to parents
 - Targeting areas of known fouling with posters and signs as well as spraying a stenciled message ‘Clear up after your dog’ on the pavement where fouling is a particular problem.
27. The council provides advice and guidance on dog legislation and being a responsible dog owner via our website, information leaflets and through regular articles in WKHA newsletters, In Shape and press releases.
28. The ACOs will also promote responsible animal ownership when investigating complaints and undertaking normal duties as well as interacting generally with dog owners and walkers.

Dog fouling

29. Dog fouling is an eyesore and it has been estimated that 1000 tonnes of dog excreta is produced each day in the UK.
30. Dog faeces can also cause infections and carry diseases which can affect other dogs and humans, particularly a serious disease called toxocariasis. This is caused by the roundworm *Toxocara canis* and can lead to blindness.
31. Dog owners have a legal duty to clean up after their dog has fouled in most public places. This obligation does not include woodland or agriculture land, rural common land, marshland, moors or heaths or roads and adjoining land with a speed limit of more than 40mph.
32. The ACO and other designated officers can issue a fixed penalty notice fine of £50 to any person who they witness failing to remove their dog's waste. Failure to pay can result in a maximum court fine of £1000.
33. Dog waste in public areas is dealt with through the normal process of street cleansing and is usually removed during scheduled street cleaning. The ACO will however, investigate any allegations of persistent fouling and will put up dog fouling warning signs where appropriate.
34. The ACO works closely with parish and town councils when requested to help tackle dog fouling and will patrol to act as a deterrent and use stenciling where appropriate.
35. The ACO has just commenced an initiative (jointly funded with Communities & Business) to give away a limited number of free 'poo' bags at the Council reception and to parish and town councils.

Other areas of work

36. The ACOs and the Environmental Protection team investigate a wide range of animal related complaints ranging from nuisance from dogs barking through to vicious dog attacks on other dogs.
37. During 2015, the service dealt with the following numbers and types of complaints:
 - Dog fouling - 109
 - Barking nuisance - 99
 - Animal welfare* - 30
 - Dog welfare - 44
 - Vicious/Dangerous/out of control dogs - 116
 - Noise from other animals/birds - 10
 - Animal welfare licence enquires - 18

*These include concerns about horses, some dogs and other animals, dead animals and requests to re-home animals on welfare grounds.

38. Fly grazing is the deliberate grazing or abandonment of horses on both public and private land without the land owner or occupier's permission. Illegal grazing can damage property, have a negative effect on a horse's welfare and can lead to road traffic accidents if they wander onto roads.
39. It is estimated that about 3000 horses illegally graze in the UK. The owner or the occupier is responsible for the removal of horses where their owner cannot be found or comes forward. The Dartford ACO has extensive knowledge and experience of both horses and fly grazing and will provide advice to aid with their removal.
40. Dangerous dogs - The Dangerous Dogs Act 1991 makes it an offence for any dog to be dangerously out of control in any place, including all private property. It is the responsibility of the police to investigate those incidents where a dog has attacked a person or if they are in real fear of being injured. The ACO will assist the police when investigating many such cases.
41. Whilst dog on dog attacks where one dog is attacked and injured by another is a civil matter, the ACO depending on the circumstances will investigate such incidents.

Key Implications

Financial

There are no direct financial implications arising from this report other than the approved annual budget.

Legal Implications and Risk Assessment Statement.

The council has a statutory duty to provide a stray dog service, licence animal welfare establishments and investigate animal nuisance. The various legislation is detailed above.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Appendices

Background *Aforementioned legislation in Section 3*

Papers:

<http://cds.sevenoaks.gov.uk/CeListDocuments.aspx?Committeed=128&MeetingId=744&DF=26%2f01%2f2010&Ver=2>

Richard Wilson

Chief Officer Environmental and Operational Services