

REPORT TO CABINET

REPORT OF: Head of Environmental Health & Licensing

REPORT NO. ENV 216

DATE: 11th October 2004

TITLE:	DOG WARDEN SERVICE
FORWARD PLAN ITEM:	No
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	No

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Councillor Ray Auger, Environment
CORPORATE PRIORITY:	Yes – Statutory duty
CRIME AND DISORDER IMPLICATIONS:	No
FREEDOM OF INFORMATION ACT IMPLICATIONS:	None
BACKGROUND PAPERS:	Previous Committee Reports

1. PURPOSE OF REPORT AND SUMMARY

To seek approval to advertise for a dog warden service, the new service to commence when the current dog warden contract expires on 31 March 2005.

2. RECOMMENDATIONS

That authority is given to advertise for a dog warden service in line with the local authorities statutory responsibilities, including the flexibility to provide an out-of-hours service if the legislation is amended.

3. DETAILS OF REPORT

The dog warden service was first provided in SKDC in 1995 when its primary function was to remove stray dogs from the streets. In 1997, a second warden was appointed to primarily address dog fouling issues. The current contractor, K9 (Euro) Ltd, has been the Council's dog warden contractor since 1995. The current contract price for the service is approximately £43,000 per annum. The current dog warden contract provides for two dog wardens operating a shift system to provide a service over 52 weeks a year, during the extended working day. The contract includes:

- (1) Patrolling, receiving, seizing and kennelling of stray dogs.
- (2) Investigation of dog barking and complaints of fouling in gardens.
- (3) Complaints of dog fouling in public places.
- (4) Enforcement of the Dogs (Fouling of Land) Act 1996 including the enforcement of the fixed penalty provisions.
- (5) Enforcement of Council bylaws on dog fouling.
- (6) Erection of "No Fouling" signs.
- (7) At least six promotional and educational projects per year.

The provision of the dog warden service is a statutory requirement (priority Y in the prioritisation process). The other functions, such as the investigation of noise complaints, the provision of promotional talks and the direct enforcement of the Dogs (Fouling of Land) Act 1996, are not necessarily a requirement for the dog warden service, as other officers and the Police Community Support Officers are authorised to undertake enforcement action against offenders.

Currently, the public can either take stray dogs to the nearest police station, as well as reporting strays to the local authority. The current DEFRA consultation document, "*Clean Neighbourhoods July 2004*", proposes amending Section 150 of the Environmental Protection Act 1990 and giving sole responsibility for stray dogs to the local authority. This would require that the local authority provide an out-of-hours service for the retrieval of stray dogs.

In 2003/04 there were 354 reports of stray dogs. The proposal is to award a contract for the catching and retrieval of stray dogs between the hours of 8.00 am and 8.00 pm, 52 weeks of the year. The contract would also provide the flexibility to require that the contractor provides an out-of-hours service for the collection and holding of strays until the next working day for 7 days a week (the kennelling of stray dogs is not included within this contract) and to deal with dangerous dogs.

In addition, the contract would have the facility for the Council to buy in additional services, should these be required.

4. OTHER OPTIONS CONSIDERED AND ASSESSED

Consideration has been given to a wide variety of options, including the enhancement of the warden service to increase enforcement patrols. Other options include the possibility of creating approved dog exercise areas; in providing dog-waste bins and poop scoop dispensers and increased education.

Bringing part of the service in-house to enable more direction and flexibility and an integrated approach to all “street scene” enforcement, is likely to be most effective.

5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

Awarding an output contract in this manner would provide a more efficient service for the public and may provide a cost saving. It will be important to set good output targets against which to manage the contract, to ensure the potential savings are delivered.

6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

It is understood that the value of the proposed new contract will be below the EU threshold for service contracts. If so, there is no need to proceed in accordance with EU procedures and it will be appropriate to advertise in trade magazines etc. Although proposing a change in the current service provision, it is considered that this is not a key decision, with no significant impact bringing some aspects of the existing contract in-house.

7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

If the implementation of street wardens progresses then they could certainly take on the enforcement of dog fouling, however, the area inspectors have or are taking on additional duties, namely abandoned vehicles and fly tip investigations, and therefore would be stretched to carry out any further duties.

8. CONCLUSION/SUMMARY

The local authority has a duty to provide a dog warden service for stray dogs. This service may need to be an out-of-hours service, should the Environmental Protection Act be amended, to give sole responsibility for stray dogs to the local authority.

It is proposed to revise the dog warden arrangements and introduce a contract to collect and control stray dogs and to deal with dangerous dogs. It is also proposed to integrate other duties within existing SKDC arrangements.

9. CONTACT OFFICER

M J Brown (Environmental Health Manager – Environment)
Tel: 01476 406326 e-mail: m.brown@southkesteven.gov.uk
R D Hadfield (Head of Environmental Health & Licensing)
Tel: 01476 406306 e-mail: b.hadfield@southkesteven.gov.uk