

## **Stray Dogs**

**EXECUTIVE MEMBER:** Deputy Leader Councillor George Clements  
Portfolio Holder Councillor Geoff Blackwell  
**LEAD OFFICER:** Keith Parker, Head of Leisure and Environmental  
Services  
**REPORT AUTHOR:** Toni Magean, Open Spaces Manager

### **Summary and Recommendation:**

This report advises executive that section 68 of the Clean Neighbourhoods and Environment Act will commence on the 6 April 2008 and all statutory duties for police in relation to stray dogs will be repealed from existing legislation and local authorities will have sole responsibility at all times for the function of stray dogs. Although the police will still be responsible for dealing with dangerous dogs, they will no longer collect or accept stray dogs.

That the Executive Board

1. Note the change in the statutory duties in relation to control of stray dogs
2. Agree that the options listed in 3.2 are investigated and the findings and recommendations are reported back to Executive

## **1. INTRODUCTION**

1.1 On the 19 October 2007 DEFRA wrote to all local authorities informing that an agreement on funding the commencement of section 68 of the Clean Neighbourhoods and Environment Act has been reached removing responsibility for stray dogs, with the exception of dangerous dogs, from the police and leaving local authorities in England and Wales with sole responsibility for dealing with stray dogs from April 2007

1.2 Local authorities in England and Wales will be funded a total of £4 Million a year through Revenue Support Grant. This funding is intended to cover the additional costs of providing an out of hour's service for stray dogs. Daytime arrangements remain as they have been, and new funding is not being provided for daytime services.

## **2. ARGUMENT**

2.1 During office hours, the Council provides the service for the investigation and collection of reported stray dogs, and is delivered through existing resources.

2.2 Outside office hours the Council is expected, where practicable, to provide a place to which a stray dog can be taken and accepted into local authority care. This place does not have to be a local authority managed kennel; it can be to kennels operated by a commercial or charitable interest.

2.3 The Council will be expected to provide a cost effective service, which might make use of third party kennels to accept stray dogs on behalf of the council, outside of office hours. There is no expectation on Copeland to provide a search and collection service outside of office hours as this is not a service offered by the police, and therefore there is no expectation that one should be introduced.

2.4 The additional non-ring fenced funding to be provided also covers the administrative costs for local authorities to provide DEFRA with information so they can monitor the out of hour's arrangements.

## **3. OPTIONS TO BE CONSIDERED**

3.1 The Stray Dogs Service during office hours is contained within existing resources.

3.2 However, during out of office hours Copeland Borough Council are required to extend stray dog service, options recommended:-

3.2.1 Explore options/costs with the Councils current Kennel Provider (Windmill Kennels) for the provision of an out of hour's service.

3.2.2 Explore with Allerdale Borough Council the option/costs for a shared solution (economy of scale) to out of hour's stray dogs.

3.3.3 Review the recovery charges for owners of stray dog, to support financial implications placed upon the council

## **4. CONCLUSIONS**

4.1 From April 2008 Copeland Borough Council will be solely responsible for discharging stray dog functions, the minimum requirement of the extended duty is that where practical Copeland Borough Council provide a place to which dogs can be taken outside normal office hours, however it is not expected that Copeland Borough Council is to provide a round-the-clock call out service.

4.2 A number of options are to be explored to look how this provision of an out of hour's stray dog service can be most effectively put in place. A report will be presented to Executive detailing the outcome of the investigation along with proposed recommendations for the future delivery of the service

## **5. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)**

5.1 DEFRA intend that the financial costs for the out of hours stray dog service is to be contained within the share of addition £4 million funding to all local authorities in England & Wales (through the Revenue Support Grant)

5.2 A review of the recovery charges of stray dogs to owners will provide opportunities for raising income.

5.3 With the combination of the financial grant and the introduction of new charges, it is expected that the service provision will not make a significant impact on the council's medium term financial strategy.

## **6. IMPACT ON CORPORATE PLAN**

4.1 Effective enforcement activities have a key role in supporting the Councils environmental protection and quality of life objectives.

### **List of Background Documents:**

Clean Neighbourhood and Environmental Act 2005  
Environmental Protection Act 1990 and the Environmental Protection (Stray Dogs) Regulations 1992  
Control of Dog Order 1992  
DEFRA Stray Dog Guidance

### **List of Consultees:**

Councillor George Clements  
Councillor Geoff Blackwell  
Corporate Team

## **CHECKLIST FOR DEALING WITH KEY ISSUES**

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	Effective enforcement contributes towards crime and disorder reduction
Impact on Sustainability	None
Impact on Rural Proofing	None
Health and Safety Implications	Stray Dogs can be a danger to the public
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	Stray Dogs can be a danger to Children
Human Rights Act Implications	None
s.151 issues	With reference to point 5.3 it is anticipated that there will not be an increase to the base budget in respect of this service.
Legal issues	No further comments additional to the report

Please say if this report will require the making of a Key Decision    NO