

CABINET

10 AUGUST 2011

REPORT OF ENVIRONMENTAL PORTFOLIO HOLDER

A.5 RETURNING THE DOG WARDEN SERVICE IN HOUSE

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To recommend that Tendring District Council run its in house Dog Warden service instead of using a contract following notice of termination of the existing contract by the contractor.

EXECUTIVE SUMMARY

Tendring District Council has a statutory duty to provide a service for stray dogs under Section 68 of the Clean Neighbourhoods & Environment Act 2005 and Section 149 of the Environmental Protection Act 1990.

Currently Animal Wardens Ltd provides this service for Tendring District Council but this company has not complied with conditions of the contract which has led to frequent complaints from members of public and kennel owners.

Officers consider that as the company declined to sign the contract as tendered and then sought to re-negotiate some of its terms, a disagreement ensued and attempts to find a viable way forward have been fruitless. This has culminated in the company giving TDC 3 months' notice terminating the contract on 30 September 2011.

This report recommends that Tendring District Council run its own in –house service that will provide a more efficient delivery of service to the residents of Tendring with a financial saving.

RECOMMENDATION(S)

That the Acting Head of Environmental Services is authorised to:

- (a) accept the notice of termination of the dog warden service from Animal Wardens.**
- (b) Arrange, in consultation with the Head of Human Resources, for the current wardens employed by Animal Wardens to be transferred to the employment of Tendring District Council in accordance with TUPE regulations.**
- (c) Contracts with Hiskeys Farm Kennels, Lt Bromley, Essex to provide kennelling services to Tendring District Council on the agreed terms.**
- (d) arranges for a holding kennel to be constructed at a suitable location for the reception of stray dogs.**

(e) instigate new charges as set out below;

- £25 statutory Fee
- £25 Seizure Fee (in line with all other neighbouring authorities)
- £15 optional micro chipping fee on return of dog
- £10 optional return fee for dog to be taken back to owners home.

(f) take any other actions necessary to maintain continuity of the Dog Warden service when the current contract comes to an end.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council aims to deliver excellent and sustainable services to everyone in the district. By approving the proposals in this report the council would be protecting and enhancing our environment, countryside and coast by reducing dog fouling, enforcing dog control orders and current legislation.

In addition it would also be contributing towards making the Council a more proactive player by enabling it to develop the dog warden service if and when an opportunity arises

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The proposal will be funded by the existing budget allocated to the provision of the Dog Wardens with income generated by introducing new charges which would bring Tendring District Council in line with other neighbouring authorities. Set up costs would be approximately £3000 for installing a holding kennel and £200 for uniform and sundries. There would be ongoing costs for salary, kennel fees, vet fees and vehicle lease.

The financial case is shown in Appendix 1.

Tendring District Council would be employing 2 more members of staff under TUPE regulations who earn minimum wage which is below the lowest grade scale.

The procurement rules of the Council have been complied with in that this is a matter of urgency as the current contractor has given notice of his intention to terminate the contract as from the 30 September 2011.

Risk

The number of stray dogs unclaimed has risen in recent years which would have a negative effect on income and expenditure. More visual patrols, promotion of service and information regarding prosecution would deter and educate. If this contract was re-tendered indications are that the price would rise by up to 30% depending on the service specification although no other company has been approached for quotation. To review the contract and obtain quotes would take more than 3 months and therefore alternative arrangements need to be put into place.

LEGAL

Tendring District Council has a statutory duty to provide a service for stray dogs under Section 68 of the Clean Neighbourhoods & Environment Act 2005 and Section 149 of the Environmental Protection Act 1990.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Dog fouling, allowing a dog to stray and allowing a dog to cause a noise nuisance are all considered crimes

All wards will be affected but this will provide a more responsive service than they receive at present.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

In April 2008 an amendment to The Clean Neighbourhoods and Environment Act 2005 placed a duty local authorities take full responsibility for the handling of stray dogs.

The current contract for the provision of Dog Warden Services was awarded to Animal Wardens in March 2008 following a tendering exercise. At this time it was known that all responsibility for stray dogs was to be placed with the local authorities and that the police would have no further responsibility for this work.

This was recognised in the tender specification and contractors were expected to take account of this when submitting their tenders.

CURRENT POSITION

Tendring District Council currently contracts with Animal Wardens Ltd to provide this service at a budget cost of £58,380 per annum. The service specification includes for the seizure and kennelling of stray and dangerous dogs, enforcement of dog control bylaws, relevant orders and legislation, investigation of barking complaints and the provision of an emergency out of hour's service.

The contract commenced in April 2008 and was due to run until April 2013 however Animal Wardens have given 3 months notice of their intention to terminate the contract on 30 September 2011. This action follows many months of negotiation with Animal Wardens to secure the delivery of the contract terms however finally it has not been possible to reach a satisfactory agreement.

Currently Animal Wardens use West End Farm Kennels in Buxhall, Stowmarket which is some 40 miles from Weeley. This kennel provides this service for 6 other local authorities and handles approximately 1500 dogs per year. This has led to a large number of dogs that cannot be re-homed being put down. Any dog seized is taken straight away to Stowmarket kennels even though most people enquire about their lost dog a few hours after it is found.

Although Animal Wardens have been contracted to provide a 24hr manned telephone line, it has become obvious that this service is not being provided to the level required by the contract for which they tendered. Animal Wardens have stated they will not provide this service and will only provide a message service after 10pm and at weekends. As a result persons reporting a stray dog on occasions not getting a response for up to 4 hours or sometimes not receiving a response until the next day. This has led to frequent complaints to the Council.

Animal Wardens have little contact with their staff, provide no supervision or direction and give orders via text message. All stationery, IT equipment and sundries are provided by TDC.

Any person wanting to collect their dog has to travel to Stowmarket and is then liable for any fees incurred. This distance gives people without their own transport problems with collection as the kennel is not readily accessible by public transport. For example one owner had to pay over £100 for a taxi to collect their dog which had been seized by the wardens in addition to the seizure fees. A more local kennel would enable more people to easily collect their dog and Hiskeys Farm kennels in Lt Bromley have offered their services at the same cost.

As only dogs seized in Tendring would be kennelled at Little Bromley there would be a reduction in dogs to be re-homed and with a reduction in the number of dogs that currently have to be put down.

Currently TDC does not receive any income from fees incurred. With an in-house service all fees would become payable to TDC as well as any extra services such as micro chipping or dog return services the Council could offer.

With the service being provided in house it proposed that a holding kennel be installed at Weeley offices. Dogs would be held for a period of time before being transferred late afternoon to Lt Bromley. This would save on kennel fees and travelling expenses. In addition many dogs are claimed within a few hours of being seized as a stray. Holding them for a temporary period would enable the dog to be returned to its owner with a minimum of trouble and stress to the animal.

The proposed holding kennel will be used for holding the dogs both during the daytime as well as during overnight. Currently the proposed building is used temporarily during the day on occasions and has not given rise to single complaint regarding noise.

With respect to costs of the service the only fees that are charged are kennelling fees,

any vet care and statutory seizure fee. All neighbouring authorities charge a release fee and/or an administration fee. Adding this fee to the charges levied by the Council would reduce the net cost to the Council and bring TDC in line with other authorities.

It is recommended that dog owners are charged as follows;

- £25 statutory Fee
- £25 Seizure Fee (in line with all other neighbouring authorities)
- All kenneling and veterinary fees incurred
- £15 optional micro chipping fee on return of dog
- £10 optional return fee for dog to be taken back to owners home.

Currently the dog wardens are on call during evenings and weekends but are paid extra for each call out.

Environmental Health Officers are paid a standby allowance for evenings and weekends and would be used to provide an out of hour's service to receive dogs at the holding kennels at the Weeley offices. Environmental Services administration staff and Careline staff would process all calls received. This would be at no extra cost to the Council. A rehoming page on TDC website would promote this service and reduce costs for the destruction of unwanted dogs.

The financial case for this is shown in Appendix 1.

APPENDICES

Appendix 1: Financial breakdown

A.5 APPENDIX 1

Estimated Costs and Income for in House Dog Warden Service		
	Income (£)	Expenditure(£)
Salaries of 2 x Wardens on SCP 4 including 20 % on cost		29,148
Approximate cost for out of hour call outs for wardens to handle dangerous dogs at current call out fee of £48 and 2 call outs per Month.		1152
10 week cover cost for annual leave and sickness inc 20% on cost		2,802
Estimated seizure fees based on average of 27 dogs per month	8,100	
Estimated Statutory fee for average 27 dogs per month	8,100	
2 x Van Lease		6,000
Fuel based on current usage		3,600
kennel fees based on current average + 10%		13200
Last years costs to destroy uncollected and non rehomed dogs		3,120
Chipping fee on return of dog based on 50% of dogs not chipped	2,430	
Purchase and registration of chips for above		810
Vet fees at max £100 per dog not collected. Current average of 12 per year		1,200
Totals	18,630	61,032
Total Net Cost	£42,402	
Current Budget	£58,380	
Saving on current expenditure	£15,978	