

Crawley Borough Council



Report to Licensing Committee 7th January 2015

Animal Boarding Establishments Act 1963 (as amended) Adoption of Licence Conditions for the Home Boarding of Dogs

Report of the Head of Environmental Services
Report Number PES/166

1. Purpose

- 1.1 To ensure that the safety and welfare needs of animals being boarded are met by the implementation of a home boarding licensing scheme.

2. Recommendations

The Licensing Committee is requested to:

- 2.1 To recommend to adopt the licence conditions for dog home boarding as appended to the Report.

3. Background

- 3.1 Under the Animal Boarding Establishments Act 1963 (as amended) any person who keeps an animal boarding establishment for cats or dogs is required to hold a licence issued by the local authority. The Act defines the keeping of a boarding establishment for animals as “the carrying on by him at premises of any nature (including a private dwelling) of a business of providing accommodation for other people’s animals.”
- 3.2 Crawley Borough Council currently licence commercial dog boarding establishments. The licence conditions relate solely to commercial premises and are not appropriate for domestic premises. There is currently 1 licensed commercial animal boarding establishments in Crawley. These are subject to annual inspections during which compliance with the licensing conditions is assessed. If a licence is issued it remains in force until the end of the year to which it relates.
- 3.3 The Animal Boarding Establishments Act 1963 (as amended) also applies where persons carry on a business of providing accommodation for other peoples’ animals at a private dwelling, that is, home boarding. Home boarding of animals means that the animals must live in the home as family pets and must not be kept in any external accommodation. These are different arrangements for keeping animals compared to the commercial situation. Therefore to ensure the welfare of the animals being kept, more specific conditions are required for home boarding to ensure that the requirements of the Act are met.

- 3.4 Crawley Borough Council does not currently implement a home boarding licensing scheme. However over the last 12 months, 7 enquiries have been received from individuals who wish their homes to be licensed as home boarding establishments and 2 enquiries have been received from 2 existing commercial companies that are in existence and operating in other authority areas. The companies propose to provide the facility through individuals who would be contracted and paid to accommodate a dog/s at their home address.
- 3.5 The aim of the proposed home boarding licence conditions is to ensure that the safety and welfare needs of the animals being boarded are being met. The proposed conditions are shown in Appendix 1 "Licence Conditions for the Home Boarding of Dogs". These conditions have been drafted following consultation with other authorities and from Model Conditions that were published in 2005 by the former LACORS organisation.
- 3.6 Relevance to key plans and strategies
- The adoption of licence conditions for the home boarding of dogs links to the published Environmental Protection Department's Business Plan objective of providing a fair and safe trading environment, with well-informed consumers and businesses.
- 3.7 Future monitoring and enforcement
- Officers within the Environmental Services are authorised to enforce the Animal Boarding Establishments Act 1963. These officers will inspect premises upon receipt of an application for home boarding. Enquiries will also be made of those individuals who are found advertising home boarding services in order to establish if they need to be licensed.

4. Implications

- 4.1 Legal - Provision of a licence under the proposed conditions would not give the licence holder any exemption from the requirements of preventing any statutory nuisance e.g. odour or noise.
- 4.2 Financial - The cost of licensing a commercial animal boarding establishment is currently £107-30 per year, plus any veterinary fees incurred. It is intended that the licence fee for home boarding establishments will be charged at the same rate.
- 4.3 Human Resources - Dependent upon the number of applications received for home boarding which will require officer time to process the application and undertake the necessary inspection of the premises. It is anticipated that only a small number of applications will be made and these can be met by existing staff resources.
- 4.4 Should the licence conditions for home boarding of dogs not be adopted there will continue to be no means of ensuring that animals are being boarded in suitable and adequate conditions.
- 4.5 The Council has not presently received any complaints of dogs being boarded in poor conditions. Currently it may only deal with the noise nuisance under the remit of the Environmental Protection Act 1991, as it has no remit to deal with non-licensed home boarding establishments.

5. Appendices

Appendix 1: Licence Conditions for the Home Boarding of Dogs

6. Background Papers

LACORS
Model Conditions Published 2005.

Head of Environmental Services

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APPENDIX 1

STANDARD LICENCE CONDITIONS FOR HOME BOARDING OF DOGS **ANIMAL BOARDING ESTABLISHMENTS ACT 1963**

1 INTRODUCTION

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or which are used in association with the boarding of dogs whether on a daytime only or overnight boarding. .
- 1.2 Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
- 1.3 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
- 1.4 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
- 1.5 Dog hybrids registered under the Dangerous Wild Animals Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
- 1.6 Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together or boarded with resident dogs. Puppies under 6 months of age must not be boarded with other dogs including resident dogs.

2 LICENCE DISPLAY

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

3 NUMBERS OF ANIMALS

- 3.1 The maximum number of dogs to be kept at any one time is to be determined by the local authority and is displayed on the licence.
- 3.2 Dogs must be from one household unless with the specific written agreement of the dog owners.
- 3.3 If dogs from different households are boarded at the same time the licensee must carry out a trial familiarisation session prior to the period of boarding. The trial must be fully documented. Familiarisation should be carried out prior to accepting any such dogs for a period of boarding when the owners may be unavailable. If the trial period determines the dogs are not compatible, they shall not be boarded.
- 3.4 Dogs from different households boarded at the same time must be kept in separate secure areas when left unattended.

- 3.5 Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session. The trial must be fully documented. Familiarisation should be carried out prior to accepting any such dogs for a period of boarding when the owners may be unavailable. If the trial period determines the dogs are not compatible, they shall not be boarded.
- 3.6 The Licensee will be required to make an assessment of the risks of home boarding to include the risk to or caused by children who are likely to be at the property and to take the appropriate action arising out of any risks identified.

4 CONSTRUCTION

- 4.1 Dogs shall at all times be kept in suitable accommodation. Regard will be had to room sizes, number of occupants, exercise facilities and environmental conditions.
- 4.2 Dogs must live in the home as family pets. There must be no use of external buildings, cages or runs.
- 4.3 The premises shall have its own entrance and must not have shared access e.g. communal stairs.
- 4.4 There must be adequate space, light, heat and ventilation for the dogs.
- 4.5 The areas where the dogs are housed must be kept at a minimum temperature of 10°C (50°F). In summer temperatures, poorly insulated premises could cause internal temperatures to build up to excessive levels. A maximum temperature of 26°C (79°F) is realistic in normal circumstances.

Notes: Some summer temperatures will naturally exceed 26°C (79°F). Inadequate construction or ventilation must not be an excuse to allow unnecessarily high temperatures being attained. Where temperatures are likely to rise above the maximum levels specified some means of mechanical or automatic cooling/ventilation must be provided.

- 4.6 As far as reasonably practicable all areas/rooms within the home to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs.
- 4.7 If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided.

5 MANAGEMENT

5.1 TRAINING

- 5.1.1 A written training policy for any employees must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 CLEANLINESS

- 5.2.1 All areas where the dogs have access to, including the kitchen etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.

- 5.2.2 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.
- 5.2.3 The licensee shall clean up all dog faeces deposited in public areas by dogs in their care.
- 5.2.4 All bedding areas must be kept clean and dry.
- 5.2.5 All fittings and bedding must be thoroughly cleansed and disinfected at the end of each dog's stay.
- 5.2.6 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final route for all such waste shall comply with current waste regulations.
- 5.2.7 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

5.3 FOOD AND WATER SUPPLIES

- 5.3.1 All dogs shall have an adequate supply of suitable food as directed by the client.
- 5.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 5.3.3 All reasonable efforts must be taken by the licensee to encourage clients to provide each dog with its own bedding, bowls, grooming materials etc. These items must be cleaned regularly to prevent cross-infection. The Licensee however should also be able to provide extra bedding material should the need arise.
- 5.3.4 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

5.4 KITCHEN FACILITIES

- 5.4.1 Where fresh meats are stored, refrigeration facilities must be provided and food contamination must be avoided.
- 5.4.2 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 5.4.3 All bulk supplies of food shall be kept in vermin proof containers.

5.5 DISEASE CONTROL AND VACCINATION

- 5.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.

- 5.5.2 Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded and detailed in a booking record.
- 5.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 5.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 5.5.6 All reasonable precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident dogs. Proof must be maintained of all routine and emergency treatment for parasites.
- 5.5.7 The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.
- 5.5.8 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.
- 5.6 **ISOLATION AND INFECTIOUS DISEASE OUTBREAK**
- 5.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 5.6.2 The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.
- 5.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be agreed with the licensee's veterinary surgeon.
- 5.6.4 The Licensing Authority must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary practice until the owners return.
- 5.7 **REGISTER**
- 5.7.1 A register must be kept of all dogs boarded. The information kept must include the following:
- Date of arrival
 - Name of dog, any identification system such as microchip number, tattoo
 - Description, breed, age and gender of dog
 - Name, address and telephone number of owner or keeper

- Name, address and telephone number of contact person whilst boarded
- Name, address and telephone number of dog's veterinary surgeon
- Anticipated and actual date of departure
- Evidence of current vaccinations including dates, medical history and requirements
- Health, welfare nutrition and exercise requirements
- Photograph of dog/s

5.7.2 Such a register is to be available for inspection at all times by an officer of Licensing Authority or their authorised veterinary surgeon.

5.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

5.7.4 If medication is to be administered, this must be recorded.

5.7.5 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff at the premises at all times.

5.8 SUPERVISION

5.8.1 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal cautions for any animal welfare related offence.

5.8.2 Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unsupervised in the licensed property for longer than 3 hours at a time and then not on a regular basis.

5.8.3 No home where there are children under 5 years of age will be licensed.

5.8.4 No person under 16 years of age shall walk the dogs in public places.

5.9 EXERCISE

5.9.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission. They should not be let off if they can not be controlled off the lead or if they are likely to cause a hazard or nuisance to wildlife, property or members of the public. They shall not be let off the lead in or near areas containing livestock or children under the age of 16 years or who appear to be under 16 years of age.

5.9.2 There must be direct access to a suitable outside area. The area / garden must only be for use by the occupier (not shared with other residents). The area must be kept clean and dog faeces not allowed to accumulate.

5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be secure and safe. Fencing must be adequate to offer security to prevent escape or uncontrolled contact with legitimate visitors e.g. postmen and be safe, with no dangerous sharp objects or protrusions. Gates must be closed at all times and be able to be locked.

5.9.4 If there is a pond, it must be covered to avoid drowning.

5.9.5 Dogs must wear their own collar and the licensee to provide an identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.

5.9.6 Any lost dog must be reported to the police immediately.

5.9.7 The Licensing Authority must be informed by the next working day if a dog is lost.

5.10 FIRE / EMERGENCY PRECAUTIONS

5.10.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.

5.10.2 The occupier of the property must be aware of the location of the dogs in the property at all times.

5.10.3 Dogs' sleeping areas must be so sited to ensure that the dogs can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.

5.10.4 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premise is rendered uninhabitable.

5.10.5 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.

5.10.6 All doors to rooms must be kept closed at night.

5.10.7 All electrical installations and appliances must be regularly checked and maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.

5.10.8 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.

5.10.9 A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

6 SPECIFIC CONDITIONS

6.1 Specific appropriate conditions may also be added to the licence relevant to each licensed premises.

7 ADDITIONAL NOTES:

7.1 It is strongly recommended that the establishment introduces formal boarding agreements, stating clearly the responsibilities of both parties during the duration of the boarding. Owners should be encouraged to sign an authorisation for veterinary treatment also.