

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Environmental Health Portfolio Holder 25 January 2007
AUTHOR/S: Executive Director / Environment Services Manager

DOG WARDEN SERVICE

Purpose

1. To consider the implications of the Council's agreed Medium Term Financial Strategy on the Council's dog warden service

Background

2. The Council has a statutory duty under the Environmental Protection Act 1990 (the Act) to appoint an officer whose purpose is the discharge of the functions imposed by the Act in dealing with stray dogs i.e. seizure, collection and kennelling. The Corporate Manager – Health & Environmental Services is the appointed officer and discharges these functions through appropriate delegations to the dog warden via the dog warden service and other officers. The dog warden service also promotes responsible dog ownership through a combination of legislative enforcement, complaint investigation, educational activities, provision of information and advice.
3. The dog warden post has however been vacant since the resignation of the last dog warden in July 2005 and frozen as part of the Council's response to capping. Since that time temporary arrangements using resources within the department have been put in place to meet the council's statutory duty. Under these arrangements however it has not been possible to undertake any of the other dog related activities listed at paragraph 2 above, including complaints regarding dog ownership, nuisance and dangerous dogs, dog fouling etc. and those requesting these activities have been advised accordingly.

Considerations

4. At the meeting of full Council on 23rd November 2006, Council resolved to approve the Medium Term Financial Strategy (MTFS). The MTFS anticipated the deletion of the dog warden service in all respects, apart from dealing with stray dogs, in order to meet the Council's required levels of savings. The deletion of the dog warden service would result in complaints regarding dog ownership, dangerous dogs, dog-fouling etc no longer being dealt with.
5. In an effort to try to secure alternative means of provision of the deleted elements of the service, discussions have been held with the Cambridgeshire Association of Local Councils (CALC). Following the introduction of The Clean Neighbourhoods & Environment Act 2005 (The 2005 Act), the powers of both District and Parish Councils to control dogs have been extended. CALC has expressed a preliminary view that the majority of Parish Councils are unlikely to have the necessary enforcement personnel, skills or support services to adopt the powers in the 2005 Act and are therefore unlikely to be able to take over any of the deleted elements of the service.

6. An EU compliant advertisement has also been placed for expressions of interest in providing some or all of the dog warden service activities. A total of four expressions were received and of these only one was prepared to provide cost estimates, of between £29,000 - £36,000 per year, for a collection and dog fouling enforcement service. The collection service excluded kennelling costs (currently £4,000 per year). The result of this level of expenditure would be a net increase in the current dog service budget and would therefore not meet the level of savings required under the MTFS.
7. The 2005 Act also transfers all Police responsibility for accepting stray dogs, currently a 24-hour service, to local authorities. The transfer is however dependent on an agreement between the Police and local authorities over funding to cover the additional responsibilities and as yet no such agreement has been reached. It is therefore uncertain when Police responsibilities will be transferred to local authorities or what precisely the responsibilities will be, but a 24-hour response service of some sort could then be required. All four companies were reluctant to consider entering into long term contracts until the implications of the transfer of Police responsibility for dogs to local authorities was known.

Options

8. The savings required by the MTFS in relation to the dog warden service can only be achieved by the deletion of the dog warden post and all elements of the dog service, except those dealing with stray dogs in order to meet the Council's statutory duty under the Environmental Protection Act 1990 (the Act). It will not be possible to undertake any other dog-related activities, including complaints regarding dog ownership, nuisance and dangerous dogs, dog fouling etc. It is envisaged that the department's Pest Control Operatives will assist with the collection of stray dogs.

Implications

9. Financial	The deletion of the dog warden service, except for dealing with stray dogs, will achieve the level of savings required by the MTFS.
Legal	Alternative arrangements will have to be made to enable the council to continue to meet its statutory duty under the Environmental Protection Act 1990 (the Act) in dealing with stray dogs i.e. seizure, collection and kennelling.
Staffing	The vacant dog warden post will be deleted. The current duties of the Pest Control Operatives will be reviewed.
Risk Management	The option may result in public dissatisfaction, adverse publicity and an increase in street cleansing requirement. However, the reduced service has, in effect, been in operation since the resignation of the last dog warden in August 2005. The arrangements for stray dogs will have to be reviewed as and when Police responsibilities are transferred to local authorities. The arrangements for stray dogs will also have to be reviewed if the number of requests for the pest service increases as a result of environmental conditions and/or a greater degree of public acceptance of the recently introduced charges for the treatment of rodents.
Equal Opportunities	There are no Equal Opportunities implications that have been identified at this time

Consultations

10. The Council's legal section has been consulted and concurs with the legal implications outlined above.
11. The preliminary view of the Cambridgeshire Association of Local Councils (CALC) is as described in paragraph 5 above.

Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes	None
	Customer Service	The dog warden service seeks to promote responsible dog ownership, through a combination of legislative enforcement, complaint investigation, educational activities, provision of information and advice, and dealing with stray dogs. Responsible dog ownership helps to improve the quality of life for all. The option may therefore adversely affect the annual priorities and corporate objectives but is necessary in order to meet the savings required by the MTFS.
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

Conclusions/Summary

13. The only way the savings required by the Medium Term Financial Strategy can be achieved is by the deletion of the dog warden service. Except for dealing with stray dogs, all other elements of the service e.g. legislative enforcement, complaint investigation, educational activities, information and advice, including complaints about dog ownership, nuisance and dangerous dogs, dog fouling etc. will no longer be carried out.
14. Alternative service providers cannot provide the deleted elements of the service and meet the required savings at this time.

Recommendations

15. The Portfolio Holder is requested to note that:
 - (a) the dog warden service is now restricted simply to meeting the Council's statutory duty, under the Environmental Protection Act 1990, to appoint an officer whose purpose is the discharge of the functions imposed by the Act in dealing with stray dogs i.e. seizure, collection and kennelling, and
 - (b) all other elements of the service e.g. legislative enforcement, complaint investigation, educational activities, information and advice, including complaints about dog ownership, nuisance and dangerous dogs, dog fouling etc. are no longer provided.

Background Papers: the following background papers were used in the preparation of this report:

Cabinet Minutes 9 November 2006
Council Minutes 23 November 2007

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