



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 21st March 2013

Subject: Animal Boarding Establishments Act 1963
Proposes new conditions for day care boarding establishments for dogs.

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Summary: To inform members of proposed new conditions for day care boarding establishments for dogs under the Animal Boarding Establishments Act 1963 and for the proposed conditions to be approved.

Recommendations: That Members consider the details of the attached documents and make any relevant comments.

That Members approve the introduction of the new conditions.

Background Papers: Attached to this report

Category of Report: OPEN

**Animal Boarding Establishments Act 1963
Proposed New Standard Conditions for Day Care Boarding Establishments
for Dogs**

1.0 PURPOSE AND OUTCOME

- 1.1 The purpose of this report is to inform members of proposed new conditions for day care boarding establishments for dogs under the Animal Boarding Establishments Act 1963.
- 1.2 The expected outcome of the report is to ensure the proposed conditions comply with the above legislation which relates to animal welfare and for the proposed conditions to be approved.

2.0 LEGISLATION

- 2.1 Sheffield City Council is the authority responsible for dealing with and enforcing the legislation relating to the Animal Boarding Establishments Act 1963 in the Sheffield area.
- 2.2 The Animal Boarding Establishment Act 1963 makes it an offence for the keeping of a boarding establishment for animals (cats and dogs) except under the authority of a licence granted by the Local Authority.
- 2.3 In determining whether to grant a licence, the Local Authority shall have regard to securing:
- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
 - (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
 - (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
 - (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraphs (a) to (e) of this subsection.

2.4 In securing the above objectives, each licence is subject to compliance of standard conditions in respect of the welfare and safety of animals. Currently Sheffield City Council have the following conditions under the Act:

- Home Boarding Conditions
- Model Licence Conditions for Dog Boarding Establishments (Kennels)
- Model Licence Conditions for Cat Boarding Establishments (Catteries)

In addition to the standard conditions a licence may also contain special conditions that are only applicable to the specific premises.

2.5 The Licensing Authority of Sheffield City Council has promoted consistency across the operators of animal boarding establishments by utilising standard or “model” conditions, based on a number of different authorities such as the Chartered Institution of Environmental Health (CIEH) or the Local Authority Coordinators of Regulatory Services (LACORS).

2.6 The CIEH has produced a document “Model licence conditions and guidance for dog boarding establishments” and LACORS have produced a similar document for home boarding.

2.7 The Council uses these generic model conditions for each operator. A copy of the conditions set out at 2.4 will be sent to members separately to reduce the size of this report.

3.0 BACKGROUND AND PROPOSALS

3.1 In Sheffield an increasing number of establishments are being set up to care for dogs in a crèche style environment, mainly during the day where limited accommodation is provided but dogs are encouraged to mix and play together in a shared exercise area.

3.2 These establishments are licensable as they are “providing accommodation for other people’s animals” - Animal Boarding Establishments Act 1963, Section 5.

3.3 The current conditions in 2.4 are not appropriate for day care boarding establishments customers are setting up and it is deemed necessary for the welfare and safety of animals for model conditions to be drafted.

3.4 A copy of the proposed conditions and rationale used to reach the standard are attached at Appendix ‘A’, a tracked version will be sent to members prior to the meeting.

3.5 In drafting the proposed conditions, Animal Health Officers have consulted other Local Authorities including: Barnsley MBC, Cleveland DC, York CC, Leeds CC, and Salford MBC. Officers have also visited a licensed establishment in Barnsley as well as discussing the conditions with other operators including one based at Stockton (regulated by Cleveland DC). Model conditions issued by Lichfield DC have also informed the process.

- 3.6 To be consistent with the Council's existing approach to animal boarding establishment licensing, the day care boarding establishment conditions were derived in a generic manner so that they could be readily used across the city and promote consistency.
- 3.7 Officers considered the nearest existing match for the conditions needed for the day care boarding establishments were the conditions contained in the LACORS "home boarding" document. The reason for this is that dogs in a home boarding establishment share exercise areas, whereas in kennels this is discouraged. The day care / crèche arrangement revolves around shared exercise areas.
- 3.8 To promote consistency Officers altered the "home boarding" conditions as little as possible but took into account:
- The establishment is not a domestic home or dwelling, so construction standards should match those set for boarding kennels, including the provision of a kitchen for the preparation of food and the washing of bowls, and a double gate arrangement for entrances and exits.
 - More dogs will be in closer contact with each other than in traditional home boarding and this will give rise to a greater risk of the spread of infection, so inoculation standards should be higher.
 - There is more likelihood of dogs being injured through for example dogs fighting, colliding whilst playing, or slipping on the floor. Greater supervision, a higher standard of initial "first aid" care, adequate space, and non slip flooring to the shared exercise area were considered essential
 - Dogs may not be suitable for, or wish to participate in, the shared exercise sessions, and a proportion of separate accommodation would be required for these animals.
 - Enhanced record keeping especially those records relating to the dog's suitability to use the shared exercise areas
- 3.9 The conditions have been derived in such a way that a combined operation, such as a traditional boarding operation and a day care / crèche could be accommodated by means of issuing separate sets of conditions under one licence, as per current practice.
- 3.10 Animal Health Officers have been invited to this meeting to provide any further clarification.

4.0 CONSULTATION

- 4.1 A consultation letter was sent to proposed applicants and all existing animal boarders in Sheffield inviting their comments on this matter by the 19th March 2013. Details of the comments will be provided at the meeting.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications for the Council arising from this report as the fees on application cover the costs of advertising and inspecting this licensing function.

6.0 RECOMMENDATIONS

- 6.1 That Members consider the details of the attached documents and make any relevant comments.
- 6.2 That Members approve the introduction of the new conditions.

7.0 OPTIONS OPEN TO THE BOARD

- 7.1 That Members of the Licensing Committee approve the new conditions.
- 7.2 That Members of the Licensing Committee make further amendments before approving the new conditions.
- 7.3 That Members of the Licensing Committee defer the decision pending any further information that may be requested.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation
Place

March 2012

APPENDIX 'A'

LICENCE CONDITIONS FOR DAY CARE BOARDING ESTABLISHMENTS FOR DOGS

ANIMAL BOARDING ESTABLISHMENTS ACT 1963

Local Authorities issue licences to proprietors of boarding kennels under the provision of The Animal Boarding Establishments Act 1963. The licence can stipulate a number of conditions to secure the following objectives:

- i) that dogs are kept in accommodation suitable in respect of construction, size, temperature, lighting, ventilation and cleanliness;
- ii) that dogs are adequately supplied with suitable food and drink, and are visited at suitable intervals;
- iii) that dogs are kept secure;
- iv) that reasonable precautions are taken to prevent the spread of infectious diseases;
- v) that appropriate steps be taken in the event of an emergency;
- vi) that a suitable consistent level of management is maintained.

This document has been prepared in the best interests of animal welfare and to improve kennel management. No liability rests with the Council for circumstances arising out of the application of conditions contained within.

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 day care boarding of dogs.
- 1.2 No dog registered under the Dangerous Dogs Act 1991 must be accepted for day care boarding.
- 1.3 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for day care boarding.
- 1.4 Entire males and bitches in season or bitches due to be in season or bitches due to be in season during boarding, including resident dogs, must not be boarded together.
- 1.5 Puppies must not be boarded with other dogs until completion of initial inoculations.

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 shall be as specified in the licence document.

4. CONSTRUCTION

4.1 All materials used in the construction of walls, floors, partitions, doors and door frames to be made durable, smooth and impervious. There must be no projections or rough edges liable to cause injury

4.2 The premises shall have its own entrance and must not have shared access e.g. communal stairs.

4.3 There must be adequate space, light, heat and ventilation for the dogs.

4.4 All areas/rooms within the premises to which boarded dogs have access must have no physical or chemical hazards that may cause injury to the dogs.

4.5 There must be sufficient space available to be able to keep the dogs separately if required.

4.6 There must be a separate kennel for at least 50% of the capacity of day boarded dogs. These kennels shall be at least 2.3 m², and constructed so as to comply with the Council's conditions for dog boarding establishments.

5. MANAGEMENT

5.1 TRAINING

5.1.1 A written training policy for staff 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 authorised officer of the Council.

5.2.3 All bedding areas must be kept clean and dry.

5.2.4 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.

5.2.5 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 Suitable bedding, bowls, grooming materials etc must be provided. These items must be cleaned regularly to prevent cross-infection.
- 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 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.
- 5.4.2 All bulk supplies of food shall be kept in vermin proof containers.
- 5.4.3 Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs
- 5.4.4 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash hand basin with hot and cold water must be provided for staff use.

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 dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus, kennel cough and other relevant diseases as specified by the Local Authority from time to time. 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.
- 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. All staff must be trained in animal first aid.

- 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 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in dogs. Written records must be maintained of all routine and emergency treatment for parasites given to the dogs whilst at the premises.
- 5.5.7 The premises shall be treated for fleas and parasites with an effective product as necessary.
- 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 CONTAGIOUS 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 isolation of any sick animal.
- 5.6.2 The Licensee must inform the Council without delay 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 dogs are admitted. This period will be specified by an Authorised Officer of the Council with advice from a veterinary surgeon.
- 5.6.4 The Council must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeon's premises until the owners return unless directed otherwise by the owner or their representative.

5.7 REGISTER

- 5.7.1 A register must be kept of all dogs boarded. The information kept must include the following:
- Date and time 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
 - Proof of current vaccinations, medical history and requirements
 - Details of any treatment administered whilst the dog is being boarded. If any dog is involved in an incident which gives rise to concern for the animals welfare, even if no injury is visible or apparent, the owner must be notified of the incident in writing and any follow up advice given.
 - Health, welfare nutrition and exercise requirements
 - Copy of written consent from the owner to their dog having contact with other dogs
 - Date of the last season of any entire bitch

- 5.7.2 Such a register is to be available for inspection at all times by an authorised officer of the Council and/or a 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 members of staff of the establishment at all times.

5.8 SUPERVISION

- 5.8.1 A fit and proper person with relevant experience must always be available 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. There shall be one such person present in any shared exercise area when dogs are being exercised. There shall be a ratio of no less than one person for every 5 dogs in the area.
- 5.8.2 Dogs must not be left unattended at any time .
- 5.8.3 The staff / licensee of the property must be aware of the location of the dogs in the property at all times.
- 5.8.4 A thorough assessment and introduction session must be carried out for all dogs prior to them interacting with existing day boarders, the record of this to be retained and available to staff at all times

5.9 EXERCISE

- 5.9.1 Dogs must be exercised in accordance with their owner's wishes. When dogs are taken off the premises, they must be kept on leads unless with the owners prior written permission.
- 5.9.2 Where there is access to an outside area, the area must only be for use by the licensee. The area must be kept clean.
- 5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be double and able to be locked.
- 5.9.4 If there is a pond at the premises, it must be suitably protected so as to prevent access by dogs.
- 5.9.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
- 5.9.6 The Council and the 101 Service shall be informed without delay if a dog is lost. The Council number to call is 0114 203 7410.

- 5.9.7 Internal shared exercise areas must be covered with a non slip, non permeable, cushioned material. Any gaps in the material used must be sealed
- 5.9.8 Shared exercise areas shall be sufficient to allow at least 100ft² of space per dog.

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 Careful consideration needs to be given to the resting area for dogs to ensure that they can be easily evacuated in the event of a fire or other emergency, without putting the occupiers of the property at risk.
- 5.10.3 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 operation and/or 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 premises are rendered uninhabitable.
- 5.10.4 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The premises must have smoke detectors in appropriate locations.
- 5.10.5 All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
- 5.10.6 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or unsealed oil appliances. Any other freestanding appliances must be kept in a safe, secure manner and should not be easily knocked over by boarding dogs.

5.11 TRANSPORT OF ANIMALS

- 5.11.1 If a collection or delivery service is provided, a suitable vehicle with a dog guard, cage or other suitable restraint must be used.

ADVICE – Note: These are not conditions

The following section is intended as advice for licensees.

Insurance

The Licensee is advised to ensure that the establishment is covered by adequate and suitable public liability insurance, employers liability insurance and pet insurance.

Planning permission

This licence does not give any permission or approve any development under planning legislation. The operator is advised to ensure that the business does not require planning permission by contacting Planning Services at Sheffield City Council.

Nuisance Complaints

This licence does not give any exemption from the requirements of the Environmental Protection Act 1990 provisions on statutory nuisances, particularly those relating to odour or noise. The operator is advised to ensure that the business is run in such a manner as to ensure there are no grounds for complaint.

Health and safety

The operator is reminded of their responsibilities under the Health and Safety at Work Etc Act 1974, in particular to the requirements for risk assessments. These assessments need to include for the potential impact of the business on those who are not their employees, especially family members including children.

Waste disposal

All waste generated in the course of a business must be disposed of in accordance with current waste regulations.

Transport of animals

If a collection or delivery service is provided, a suitable vehicle with a dog guard, cage or other suitable restraint must be used.

OTHER RELEVANT LEGISLATION

Health and Safety at Work Etc Act 1974
Environmental Protection Act 1990
Electricity at Work Regulations 1989
Control of Substances Hazardous To Health
Regulations 1988
Controlled Waste Regulations 1992
The Control of Dogs Order 1992
Dangerous Dogs Act 1991

Additional / Enhanced Conditions and Rationale

Enhanced / New Condition	Rationale for enhancement from home boarding conditions
<p>4.1 All materials used in the construction of walls, floors, partitions, doors and door frames to be made durable, smooth and impervious. There must be no projections or rough edges liable to cause injury</p>	<p>These conditions are direct from the boarding kennels conditions. The original conditions for home boarding are for limited numbers of dogs and do not envisage purpose built facilities</p>
<p>4.6 There must be a separate kennel for at least 50% of the capacity of day boarded dogs. These kennels shall be at least 2.3m², and constructed so as to comply with the Council's conditions for dog boarding establishments</p>	<p>Not all dogs in a day care will want to participate in the shared exercise areas. They may be old or tired or simply disinterested, and need somewhere to rest away from the stimulus of the shared area. The 50% ratio is used by another Local Authority. The size is that specified by the CIEH document as a "holding kennel" where a dog could be held for less than 24 hours.</p>
<p>5.4.3 Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs</p> <p>5.4.4 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash hand basin with hot and cold water must be provided for staff use.</p>	<p>These conditions are direct from the boarding kennels conditions. The original conditions for home boarding are for limited numbers of dogs and do not envisage purpose built facilities</p>
<p>5.5.2 Proof must be provided that dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (L. canicola and L. icterohaemorrhagicae) and Canine Parvovirus, kennel cough and other relevant diseases as specified by the Local Authority from time to time. 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.</p>	<p>The list has been extended to include kennel cough. This is in common with most conditions in use by other Councils</p>

Enhanced / New Condition	Rationale for enhancement from home boarding conditions
5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site. All staff must be trained in animal first aid.	The addition of animal first aid will ensure that any dog injured at the establishment will be able to receive prompt and appropriate care.
5.8.1 A fit and proper person with relevant experience must always be available 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. There shall be one such person present in any shared exercise area when dogs are being exercised. There shall be a ratio of no less than one person for every 5 dogs in the area.	The sentences in bold have been added. It is considered essential that the dogs in the shred area are supervised at all times in case of a dog fight, bullying of a dog, or injury to a dog. The requirement for a ratio of 1 person to 5 dogs is that based on professional advice, Manchester City Council state that a single person should only walk 4 dogs at a time as 5 or more dogs establish a “pack mentality” and are less likely to obey a human command. In an enclosed environment with experienced staff it may be easier to establish a human as a leader.
5.8.4 A thorough assessment and introduction session must be carried for all dogs prior to them interacting with existing day boarders, the record of this to be retained and available to staff at all times	This new condition will ensure that dogs are suitable to mix with other dogs before they are allowed in the shared exercise area.
5.9.7 Internal shared exercise areas must be must be covered with a non slip, non permeable, cushioned material. Any gaps in the material used must be sealed	The floor exercise area is critical and if slippery may cause injury to a running dog. It needs to be able to be effectively cleaned and gaps will hinder this.
5.9.8 Shared exercise areas shall be sufficient to allow at least 100ft ² of space per dog.	A crowded exercise area may cause dogs to collide with each other or with the walls of the area. The area has been specified by another Local Authority.

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