

NEWARK & SHERWOOD DISTRICT COUNCIL DOG CONTROL POLICY

1. Introduction

- 1.1 This policy states how the Environmental Health Business Unit operates in relation to issues of Dog Control. While predominately concerning stray dogs, it does also cover other related issues such as micro-chipping and the promotion of responsible dog ownership.

2. Scope

- 2.1 This policy covers the following activities in relation to dog control;
- Handling of stray dogs within normal office hours
 - Handling of stray dogs outside of normal office hours
 - Recovery of kennelling costs from known dog owners who fail to collect their dogs when they are found as strays
 - Micro-chipping of dogs
 - Investigation of dog fouling complaints
 - Enforcement of Public Space Protection Orders (PSPO's) in relation to Dog Control
 - Dangerous dogs
 - Requests for assistance from third parties
 - Educational and promotional activities
- 2.2 The Environmental Health Business Unit's Enforcement Policy Statement governs the general approach to enforcement of all areas covered by Environmental Health and Licensing. As such it should be read in conjunction with this policy document.
- 2.3 This policy document should also be read in conjunction with specific departmental written instructions and procedures concerning the operation of the dog control service.

3. Handling of stray dogs within normal office hours

- 3.1 When reports regarding stray dogs are received by the Council, the receiving officer will attempt to ascertain as much detail as possible with regards to the situation, the dog and precisely where it was found/seen.
- 3.2 The Dog Warden will be provided with details of reports of stray dogs as soon as is practicable and dispatched accordingly to investigate the report.
- 3.3 Once on site the Dog Warden will assess the situation and secure the dog (where possible) if it can be classified as a stray. A stray dog is defined as any dog which is roaming free without its owner being present. It does not matter if the dog has been intentionally allowed to roam or if it has escaped due to accident or by action of another individual. Only those dogs which can be classified as such will be secured and taken by the Dog Warden.

3.4 The Dog Warden is authorised to detain and seize any stray dog on publicly accessible land. Where a stray dog is found on private land with no public access the Dog Warden can and will only detain and seize a stray dog where the permission of the land owner has been obtained.

3.4 If a stray, the Dog Warden will make all reasonable enquiries to ascertain the identity of the owners of the dog including checking for implanted microchips, looking for details on dog collars and talking to persons who reported the stray dog or who are in the immediate vicinity. While the Council is not obliged to immediately return stray dogs to their owners, in circumstances where;

- a) the owners can be easily identified and contacted,
- b) The owner can make arrangements for the dog to be collected from the dog warden within 1 hr of the dog warden making contact with the owner.
- c) Where the dog has not been reported as a stray before

the Dog Warden will attempt to return the stray dog to its owner at the point of it being secured and detained, thus avoiding the necessity to charge a release fee. Where the above criteria are not met and/or where circumstances make this approach unreasonable or impracticable, the dog will be taken directly to the kennels and registered as a stray dog.

3.5 Where the owner of a stray dog can be identified, and where it hasn't been returned to the owner as per 3.4 above, the owner shall be given notice that their dog has been reported and collected by the Dog Warden as a stray dog. Said notice will detail the appropriate release fee which is payable and arrangements needed for them to reclaim their dog.

3.6 Stray Dogs seized by the Council are held for seven clear days at the Councils kennelling facility. During that seven day period the owners of a stray dog may come forwards and reclaim their dog. To do so they must pay the appropriate kennelling costs in addition to a statutory release fee.

3.7 Following the seven-day period, stray dogs which are not reclaimed are handed to the kennels who in turn will attempt to re-home them.

4. Handling of stray dogs outside of normal office hours

4.1 The Council's Dog Warden Service does not operate outside of normal office hours.

4.2 The Council's kennelling facility operate a drop off facility outside of normal office hours where members of the public, emergency services, etc. can bring found stray dogs to.

- 4.3 There is no standard out of hours call out service regarding stray dogs, however in emergency situations the kennels may undertake a call out visit to collect stray dogs.
- 4.4 All dogs taken in during out of normal office hours will be registered as a stray and detained in the Council's kennels. Provisions detailed in section 3 above regarding providing notice to known owners, retaining the dog for seven clear days and finally handing the dog to the kennels for rehoming apply here also.

5. Veterinary treatment of stray dogs kept within the Council's care

- 5.1 The Council will ensure that all stray dogs within its care receive appropriate veterinary care and attention to ensure they are free from pain and kept in a comfortable condition.
- 5.2 The Council cannot undertake extensive veterinary care of stray dogs beyond that stated in 5.1.
- 5.3 Where veterinary treatment is administered to a stray dog which is subsequently re-claimed by its owners, the costs for the veterinary treatment will be recovered from the owner.
- 5.4 No veterinary treatment of stray dogs under the Council's care will be undertaken without the permission of the Business Manager. The only exception to this is where the need is of an imminent or emergency nature and it is not practicable to contact the Business Manager first. In all cases the Business Manager must be notified of any veterinary care given to a stray dog at the earliest opportunity.

6. Recovery of kennelling costs from known dog owners who fail to collect their dogs when they are found as strays

- 6.1 Unfortunately, there are circumstances where the owners of stray dogs are known and make contact with the Council, but yet choose to not re-claim their dogs. This means that the Council is forced to retain the dogs for a full clear seven days and then pass the dog to the kennels for re-homing.
- 6.2 The Council is limited in what legal action it can take in these circumstances, however it is not fair or equitable that an owner who effectively abandons their animal in such a way should be allowed to do so without re-course.
- 6.3 The Council there will invoice known owners for the costs incurred in keeping their dog for the whole seven days. This will be done via invoice with appropriate follow up by should the invoice not be paid.

7. Micro-chipping of dogs

- 7.1 The Council actively promotes the micro-chipping of dogs and provides a service to dog owners who required their animals to be chipped according to legislation.

- 7.2 Where the Council seizes a stray dog who is found to be without an implanted micro-chip, a micro-chip will be implanted before the dog is either returned to its owner or before it is re-homed by the kennels. Where the Council incurs costs undertaking such actions, the cost will be recovered from the dog's owners.
- 7.3 The Council promotes responsible dog ownership and maintains regular drop in sessions in conjunction with external bodies such as the Dogs Trust to provide free micro-chipping and other responsible dog ownership advice.
- 7.4 The Council, via the Dog Warden also operates an upon-request microchipping service. As this service requires visits to persons homes to perform there is a charge which must be levied.
- 7.5 The Council is responsible for enforcing legislation in relation to the microchipping of dogs. Where it is made aware of a dog which is not microchipped, the Council will attempt to contact the owner to resolve the matter. Where adequate actions by the owner cannot be secured, the Council will legally require the dog to be microchipped. Enforcement action will be carried out according to the Environmental Health Enforcement Policy.

8. Investigation of dog fouling complaints

- 8.1 Incidents of dog fouling reported to the Council will be recorded on the Environmental Health Business Unit's database system. The Dog Warden will investigate the report and take enforcement action as is appropriate for the circumstances.
- 8.2 The Dog Warden who will also assist with the erection of appropriate dog fouling signage.
- 8.3 All reported incidents of dog fouling will be collated and that information used to plan future dog fouling patrol routes and locations.
- 8.4 Where applicable, the Council's Cleansing Services team will be notified in order to have dog fouling cleared from public spaces.

9. Enforcement of Dog Control Orders

- 9.1 The Council has four Dog Control Orders within the district. These orders cover the following issues;
- Requiring owners to clean up after their dogs if they foul in a public space
 - Requiring owners to put dogs on leads in specified cemeteries and burial grounds
 - Prohibiting dogs from entering enclosed children's play and sports areas/facilities.
 - Requiring dog to be place on a lead when directed to do so.

- 9.2 These orders were implemented following a public consultation process and look to address the main issues affecting the public regarding irresponsible dog ownership.

If a person is found to breach a DCO they will be given the opportunity to discharge their liability for the offense by paying a Fixed Penalty Notice, however repeat offenders will not be offered a FPN in lieu of prosecution. All enforcement action will be subject to the public interest test.

- 9.3 The orders are in place for a 3 year period after which they are subject to review. At that stage each order will be reviewed to ensure it remains appropriate. Additionally, consideration will be given to any additional orders which may be required at that time.
- 9.4 All DCO's are to be reviewed before 1st October 2017 as required by the Anti-Social Behaviour Crime and Policing Act. They will then be superseded by relevant PSPO's. At the review stage, those orders (existing and any new) will be reviewed according to the process specified in the appropriate legislation.

10 Anti-social or Nuisance Behaviour Involving Dogs.

- 10.1 Where it comes to the attention of the council that the owner of a dog is keeping or failing to control a dog in a way that results in a Nuisance or Anti-Social Behaviour the council will investigate. The complaint will be assigned to a member of the Environmental Health Business Unit for initial investigation. The dog warden will be available to offer advice to an owner regarding the behaviour of their dog.

11. Dangerous dogs

- 11.1 Dangerous Dogs are predominately an area which the Police deal with. A memorandum of understanding is in effect between all local authorities and Nottinghamshire Police which confirms this and commits the Police to taking the lead on such matters.
- 11.2 The Council's Dog Control Service will where necessary and appropriate support the Police or any other agency in dealing with dangerous dogs, however, the Council does not accept any liability or responsibility in relation to costs for the kennelling of such animals. Such costs are the responsibility of the Police.

12. Requests for assistance from 3rd parties

- 12.1 Requests for assistance from bodies such as housing associations are sometimes received by the Council's Dog Control Service. The Council's Dog Control Service will support and assist where possible, however the Council is not responsible and will not take on any costs in relation to the kennelling of such animals.

12.2 Third Parties or the agencies who request the Council assist with a dog which is not a stray will be informed that while we can provide support, the costs for housing such animals must be met by themselves. Where possible the 3rd party or other agency should be informed that they are responsible for arranging appropriate kennelling themselves and that all costs in relation to kennelling are their responsibility. The council reserves the right to charge a hourly rate to a third party when acting in this capacity. For example transporting a dog from the home of an injured person to a kennel at the request of the police.

13. Educational and promotional activities

13.1 The Council's Dog Control Service recognises the importance of education and promotion in tackling irresponsible dog ownership issues. The service is committed to undertaking educational and promotional activities to support and compliment the enforcement work undertaken.

13.2 The service has close links with bodies such as the Dogs Trust, and in conjunction with such partners has provided free drop in sessions across the district for several years to enable residents to have their dogs microchipped. The service will maintain such activities as appropriate.

13.3 The service will look to publicise successful enforcement cases where necessary to act as a deterrent for other potential offenders.

13.4 The service will work with the Communications team to maximise the potential of the use of media such as Facebook, Twitter, press releases, etc. in order to provide key messages to dog owners within the district.

14. Policy Review

14.1 To ensure this policy remains current and up to date it shall be subject to full review and revision once every 3 years or following any significant changes to legislation, practice or procedure.

Kennelling Charges 2017 – 2018

STRAY DOGS:	2017-2018	
<p>This includes Government fee, Local Authority charge, and kennelling costs.</p> <p>Initial seizing and handling charge of £75 + £8 per day food, water and kennel costs.</p>	1 Day	£83
	2 Days	£91
	3 Days	£99
	4 days	£107
	5 Days	£115
	6 Days	£123
	7 Days	£131