

MELTON ENVIRONMENTAL & ECONOMIC AFFAIRS COMMITTEE

1st NOVEMBER 2017

REPORT OF HEAD OF REGULATORY SERVICES

ADVISORY REPORT ON THE COLLECTION OF FINES AND EXPENSES ASSOCIATED WITH STRAY DOGS

1.0 PURPOSE OF REPORT

1.1 To advise Members on the income generated by the collection of fines and expenses from owners of stray dogs and to set the associated fee for 2018/19.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- (i) Note the collection of fines and expenses associated with stray dogs;
- (ii) Agree the charges for the collection of stray dogs as set out at para 3.3 below and Appendix A.

3.0 KEY ISSUES

3.1 The stray dog Service is a statutory function undertaken by the Council.

3.2 The Committee was advised at its meeting of 30th August 2017 that the 'administration fee' associated with the collection of stray dogs was fixed by contract. However this matter has been investigated further and it has been clarified that this is not the case – the fee stand separate from the contract and is within the jurisdiction of the Council. Therefore it can be adjusted in a manner similar to all other charges, under the Charging Policy.

3.3 It is therefore proposed it is increased by 2.5% in line with inflation for 2018/19 to £38.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 There is a statutory obligation for the council to provide a stray dog collection service. The service does generate an income from the collection of fines payable by the owners of the stray dogs on collection. This includes £25 statutory fine (fixed) and £37 administration fee (total £62). In addition, the dog owner is liable to pay for boarding and heating (as need be). The former is collected by the kennels and the remainder by the Council to cover its costs.

4.2 There are no other direct policies or corporate implications as a direct result of this report.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 The current contractor charges £5000 per annum for providing the stray collection service (£416.67 per month) and £1800 per annum (£150 per month) for the use of the kennels.

5.2 The dog owner is obliged to pay £62 in addition to the cost of kennelling, micro-chipping

and vet's fees.

5.3 The Council benefits from the collection of the administration charge and recovers the kennelling cost of £8 + VAT per day.

5.4 It is estimated that the increase in the charge would result in approx. £20 per annum in revenue, based on frequency of use.

6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 The Environmental Protection Act 1990 Section 149 (5). Seizure of stray dogs, states that a person claiming to be the owner of a dog seized under this section shall not be entitled to have the dog returned to him unless he pays all the expenses incurred by reason of its detention and such further amount as is for the time being prescribed.

6.2 The Environmental Protection (Stray Dogs) Regulations 1992, section 2 states that the sum of £25 is prescribed as the further amount (additional to all expenses such as kenneling and veterinary fees) to be paid by a person claiming to be the owner of a seized dog before he is entitled to have the dog returned to him.

6.3 The Council service does not include any concessionary rates

7.0 **COMMUNITY SAFETY**

7.1 There are no Community Safety issues arising from this report.

8.0 **EQUALITIES**

8.1 There are no direct equality implications as a result of this report

9.0 **RISKS**

The risks identifies below are the potential outcomes should this report not receiving member support.

9.1

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant				
	D	Low	1			
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4
			IMPACT			

Risk No	Risk Description
1	Resistance to increased costs

10.0 CLIMATE CHANGE

10.1 There are no direct implications or impacts resulting from, this report

11.0 CONSULTATION

11.1 No direct consultation has been carried out in regards to the proposed change suggested by this report.

12.0 WARDS AFFECTED

12.1 All

Contact Officer Yvonne Garraway, Senior EHO
 Date: 8/9/2017

Appendices : A – fee setting template

Background Papers: None

Reference : X : Committees\