

LICENSING AND REGULATION COMMITTEE

19 June 2008

ANIMAL BOARDING ESTABLISHMENTS ACT 1963 - CONSULTATION ON HOME BOARDING

REPORT OF HEAD OF ENVIRONMENT

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RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

The Animal Boarding Establishments Act 1963 places a duty on local authorities to license and inspect all establishments where animal boarding is taking place as a business activity.

Licenses are issued on an annual basis and include a series of conditions based upon the CIEH (Chartered Institute of Environmental Health) model licence conditions, to ensure adequate animal welfare provision.

This report recommends the approval of an amended set of licence conditions for home boarders, which are inadequately covered by the existing CIEH model licence conditions.

RECOMMENDATION:

That Committee approves the use of the Home Boarding conditions as detailed in Appendix 1 to this report.

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DETAIL:

1 Introduction

- 1.1 Animal Boarding establishments are licensed under the Animal Boarding Establishments Act 1963 on an annual basis following inspection by an authorised officer of the City Council. Licences are granted subject to conditions being attached as to the number and type of animals to be boarded. In addition, conditions may be attached which follow the guidance on cat and dog boarding establishments published in October 1995.
- 1.2 Over the last few years a number of dog sitting/home boarding businesses have been set up in the area, where the business operates within a domestic home (as opposed to traditional boarding kennel establishments). It has become clear that the above mentioned conditions are not applicable in these circumstances.
- 1.3 A revised set of conditions has therefore been prepared. Approval of the suggested conditions (contained in Appendix 1) will provide more appropriate control over boarding welfare conditions when taking place within the home.

OTHER CONSIDERATIONS:

2 CORPORATE STRATEGY (RELEVANCE TO):

- 2.1 Licensing of establishments is a core function of the Environmental Health service in meeting its statutory obligations.

3 RESOURCE IMPLICATIONS:

- 3.1 None

BACKGROUND DOCUMENTS:

The Animal Boarding Establishments Act 1983

CIEH model conditions

APPENDICES:

Appendix 1 - Proposed Licence Conditions for Home Boarding of Dogs.

ANIMAL BOARDING ESTABLISHMENTS ACT 1963

Conditions for Home Boarding of Dogs

1.0 PREFACE

- 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.
- 1.2 Normally planning permission will not be required for the home boarding of animals on the scale proposed (although this should always be checked with the planning department), 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 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
- 1.4 Dog hybrids registered under the Dangerous Wild Animals Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
- 1.5 Entire males and bitches in season or bitches due to be in season during the period of 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.

2.0 LICENCE DISPLAY AND INSURANCE

The principal legislation dealing with Animal Boarding Establishments is the Animal Boarding Establishments Act 1963, which addresses the areas to be covered by the licence, relating to animal welfare and management. It is essential that consumers and those responsible for premises management are aware of the licence conditions.

2.1 LICENCE DISPLAY

A copy of the licence, its associated conditions and the action plan must be suitably displayed to the public and staff in a prominent position in, on or about the boarding establishment or made available to each boarder.

Other legislation and issues to be taken into consideration by licensee are:

- 2.2 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.
- 2.3 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.

Notes: If displayed externally the licence, its conditions and the action plan should be protected from the weather. Preferably the licence should be displayed in the reception area.

The number of dogs for which the premises is licensed must be specified on the licence.

Insurance: Adequate insurance indemnity should be arranged by the operator of the premises. This should be maintained at a sufficient level to cover the maximum number of dogs boarded. Several companies offer policies specific to animal boarding establishments. Details are often advertised in pet publications.

Proprietors of animal boarding establishments are able to ensure purely the liability aspect by taking out third party liability cover. In addition, you can insure against veterinary fees for accident and illness, death from accidents, death from illness and loss from theft and straying. You must insure against public liability.

Employers Liability Insurance is mandatory for boarding establishment owners who employ staff. Employers Liability (Compulsory Insurance) Act 1969.

Certificates of insurance must be prominently displayed.

3.0 **CONSTRUCTION**

3.1 **GENERAL**

- 3.1.1 Fencing material must be secure and safe.
- 3.1.2 The garden/exercise area and all other parts of the premises to which boarded dogs have access must be constructed and maintained in a condition such that security of the dog is ensured.
- 3.1.3. All exterior wood must be properly treated against wood rot. Only products which are not toxic to dogs may be used.
- 3.1.4 Dogs must live in the home as family pets. There must be no construction of buildings, cages or runs.
- 3.1.5. There must be adequate space, light, heat and ventilation for the dogs. Each dog must be provided with a minimum indoor floor area of 60 sq. ft (5.57 sq. m).
- 3.1.6 As far as is reasonably practical, 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.
- 3.1.7 There must be sufficient space available to be able to keep the dogs separately if required.
- 3.1.8 If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage or harness in the rear must be used.

3.2 **DOORS AND WINDOWS**

- 3.2.1 All doors and windows must be escape proof at all times.

3.3 **MAINTENANCE**

- 3.3.1 Maintenance and repair of the areas to which dogs have access must be carried out regularly.

Notes: Outer paths, gardens, exercise areas and general surroundings must be kept to a good, clean, presentable condition. Failure to comply with this recommendation may be a consideration in any decision by the local authority to withdraw the licence for any reason.

A safe system of work must ensure correct use of chemicals and materials suitable to reduce the spread of infection, disease and contamination.

The provision of easy to clean surfaces will facilitate the implementation of safe and hygienic practices.

Doors of cupboards that house food and hazardous substances must be secured.

Transportation of Animals. All vehicles used by the establishment for the transportation of dogs should be regularly serviced and kept clean. Suitable carrying baskets or containers or restraints for the safe transportation of dogs must be used. All vehicles must be secure and should not be left unattended when transporting a dog.

4.0 **NUMBERS OF ANIMALS**

4.1 **NUMBERS OF DOGS PERMITTED**

4.1.1 The maximum number of dogs to be kept at any one time is to be determined by the local authority. Dogs must be from only one household, unless with the specific, written agreement of the dog owners and the local authority.

4.1.2 Where the licensee has resident dogs, they must ensure that a suitable period of trial familiarisation takes place for any dogs not previously boarded at the premises. This should be carried out prior to accepting any such dogs for a period of boarding when the owners may be unavailable.

4.1.3 No animals other than dogs are to be boarded within the licensed facilities without the written approval of the local authority.

4.2 **FACILITIES**

4.2.1 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.

4.2.2 Suitable bedding equipment must be provided which allows the dog to be comfortable and which is capable of being easily and adequately cleaned and sanitised. Such equipment must be sited out of draughts. All bedding material must be maintained in a clean, parasite free and dry condition.

4.2.3 Exercise areas must not be used as bedding areas.

4.2.4 All boarded dogs must be exercised daily or in accordance with the owners' wishes. When dogs are exercised outside of the premises they must be taken on a lead unless the owner has given consent for the dog to run free.

Notes: the number of dogs permitted will be stipulated clearly on the front sheet of the licence. The decision regarding the number of dogs will take into account the effectiveness of site management. In any case, no more than four dogs will be boarded at any establishment at any one time.

5.0 MANAGEMENT

5.1 TRAINING

The licensee should be able to demonstrate competency in animal husbandry to the local authority.

- 5.1.1 If staff is employed, a written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 TEMPERATURE

- 5.2.1 The areas where dogs are housed must be kept at a minimum temperature of 10°C (50°F). A maximum temperature of 26°C (79°F) is a realistic temperature which should not be exceeded in normal circumstances.

Notes: Staff Facilities An adequate First Aid Kit must be available for staff use. Staff should be adequately trained in the safe handling of dogs, emergency procedures to be followed, and all other aspects of the licence conditions which are pertinent to their work. Staff should also be regularly vaccinated against Tetanus.

The licensee must formulate a written training policy for permanent, part time and seasonal workers. The following are regarded as essential topics to be covered in the programme:

*Animal Welfare
Cleanliness and Hygiene
Feeding and Food Preparation
Disease Control
Recognition and Treatment of Sick Animals
Health and Safety
Emergency Procedures*

Notes: In summer temperatures, poorly insulated exteriors will allow internal temperatures to build up (similar to car interiors) to excessive levels. Even with additional ventilation the dogs will suffer.

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 in the notes there should be some means of mechanical or automatic cooling/ventilation.

A safe system of heating must be provided so that risks of electrocution and burning are avoided. Open flame appliances must not be used unless they are permanently guarded to avoid injury.

5.3 CLEANLINESS

- 5.3.1 All areas to which dogs have access and kitchens 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.

- 5.3.2 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal arrangements for animal waste must be made to comply with current legal requirements and be agreed with the Licensing Authority.

- 5.3.3 All bedding areas must be kept clean and dry.

- 5.3.4 All fittings and bedding must be thoroughly cleansed and disinfected at the end of each dog's stay.
- 5.3.5 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 the current waste regulations.
- 5.3.6 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

Notes: Suitable arrangements approved by the local authority must be made for the disposal of waste generated by the keeping of animals covered by the licence.

Cleaning: There is a need to control bacteria, viruses, and fungi within the sanitising process.

There is little point in putting down disinfectant only to wash it away in a short period of time. The long-term activity of chemicals used in the control of viruses, bacteria and fungi should be considered.

Great care should be taken when using any chlorine based cleaning agent, e.g. bleach.

There is a balance between the dog enjoying a known environment and introducing infection and infestation in wickerwork baskets and old clothing/bedding etc. While owners' own baskets and bedding may help a dog to settle, particularly during its first stay, their use should be discouraged as there is no immediate control over cleanliness and parasite transmission.

5.4 FOOD AND WATER SUPPLIES

- 5.4.1 All dogs must be adequately supplied with suitable food as directed by the customer. At least two meals a day must be offered at approximately 8 hours apart. Fresh drinking water must be available at all times.
- 5.4.2 Where necessary, eating and drinking vessels must be provided and where so, they must be capable of being easily cleansed and disinfected and must be maintained in a clean condition to prevent cross infection. Disposable eating dishes may be used.
- 5.4.3 Eating vessels must be cleansed or disposed of after each meal and each dog must be provided with its own bowl.
- 5.4.4 Drinking vessels must be cleansed at least once a day.
- 5.4.5 Clients must be encouraged 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.

5.5 KITCHEN FACILITIES

- 5.5.1 Where meats are stored, refrigeration facilities must be provided and food contamination must be avoided.
- 5.5.2 Storage facilities for foods must be provided and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

- 5.5.3 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.

Notes: Dogs should be fed to a standard compatible with the maintenance of health. Inspectors will observe the general nutritional status of the dogs and the type and quality of food in store and in the process of preparation. If necessary a veterinary surgeon should be called in to advise. Bear in mind dogs will usually be fed in accordance with the instructions of the owner.

Food should not be left open for excessive periods in order to avoid smells and flies. More food and water may be required for old or young dogs. No food should be left outside at night.

Expanded polystyrene is not suitable material for disposable eating dishes.

5.6 DISEASE CONTROL AND VACCINATION

- 5.6.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites, including fleas, ticks and intestinal worms. The parasite control will have regard to any treatment given prior to boarding. 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.
- 5.6.2 Proof must be provided that boarded or resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis, (Canine adenovirus), Leptospirosis (*L.canicola* and *L.incterohaemorrhagiae*) 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 manufacturers' instructions. A record that this proof has been supplied must be kept on site throughout the period that the dog is boarded.
- 5.6.3 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.
- 5.6.4 A well-stocked first aid kit suitable for use on dogs must be available and accessible on site.
- 5.6.5 The licensee must be registered with a veterinary practice that can provide an emergency service. The customer's own veterinary practice must be known and consulted if necessary.
- 5.6.6 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal

Notes: 'Other relevant diseases' allow for the insertion of diseases which may be as yet unknown but which may be regarded as important in future or which may be added according to circumstance.

Four weeks is the maximum for all current vaccines to become fully effective. A shorter time is acceptable if suitable veterinary evidence is provided, based on manufacturer's instructions. For example intra-nasal vaccination for Bordatella bronchiseptica (part of the Kennel Cough complex) is regarded as giving solid protection after only 5 days.

Vaccination against Kennel Cough should be encouraged. Kennel owners should seek the advice of their Veterinary Surgeon regarding accomplishment of this, as the disease is generally regarded as being multi-factorial.

It is important that there are facilities and procedures for cleansing and disease control and that staff are familiar with the procedures and understand what action to take in the event of an outbreak of disease.

Phenolic disinfectants should not be used around dogs and dogs should be kept dry during cleaning of enclosures.

If there is evidence of external parasites (fleas, ticks etc) the dog should be thoroughly combed with a flea comb. It may then also be treated with a proprietary insecticide, if applicable.

If there is evidence of internal parasites the advice of a veterinary surgeon should be sought.

All insecticides, disinfectants etc should be used strictly in accordance with the manufacturers' instructions, and hazard sheets kept for staff which explains the precautions to be taken by the user.

The first aid kit for use on dogs must be kept well stocked at all times. Advice on contents should be available from the establishment's veterinary surgeon.

The premises shall be regularly treated for fleas and other parasites with a veterinary recommended product.

5.7 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK

5.7.1 Isolation facilities must be provided. Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained.

5.7.2 All reasonable precautions shall be taken to prevent and control the spread of infectious or contagious disease among animals. This will include the provision of adequate facilities for separating the sick animal.

5.7.3 The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious or contagious disease.

5.7.4 Following an episode of infectious or contagious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.

5.7.5 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 surgeon's premises until the owners return.

Notes: Barrier nursing as prescribed by a Veterinary Surgeon must be maintained during an outbreak of disease.

It is important to consider procedures to be carried out in case of death or escape. All staff should be made fully aware of these procedures. They will also help to reassure owners that the establishment acted correctly in that situation. Any dog that has died on the premises must be referred to a veterinary surgeon and the licensing officer of the local authority must be informed. A veterinary practice should be appointed for the establishment. The name, address and telephone number of the establishment's veterinary surgeon must be readily available. The 24 hour telephone contact number of the veterinary surgeon used by the establishment should be displayed in a suitable place, close to the telephone and accessible to all members of staff.

Dogs kept in isolation must be separated from other boarded and resident dogs by at least one room except in the case of a dog kept in an isolation room upstairs, in which case they must be separated by the stairs. The door to the isolation room must be kept closed at all times when in use.

5.8 REGISTER

5.8.1 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 or 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
- health, welfare and nutrition requirements.
- date of latest flea, worm and/or other parasite treatment.
- proof of current vaccinations, medical history and requirements

5.8.2 The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an authorised officer or veterinary surgeon easy access to such information.

5.8.3 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of 5.9 the establishment at all times.

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

Notes: Computerised, loose leaf, index card or book register systems are acceptable. If a book register is used, pages must be consecutively numbered. Records of the owner/s and local authority's agreement to multiword must be kept on a separate form if a computerised system is used.

It is strongly urged that the establishment introduce formal boarding agreements, stating clearly the responsibilities of both parties during the duration of the boarding. The Licensing Officer of the local authority will consider the details recorded in the register together with the actual facts observed.

Owners should be encouraged to sign an authorisation for veterinary treatment.

5.9 SUPERVISION

5.9.1 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 convictions or formal cautions for any animal welfare related offence.

5.9.2 Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unattended for longer than 3 hours at a time and then not on a regular basis.

5.9.3 Where dogs from different households are boarded together, they must not be left together unsupervised.

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

5.9.5 Only people over 16 years of age are allowed to walk the dogs in public places.

5.10 EXERCISE

- 5.10.1 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.
- 5.10.2 There must be direct access to a suitable outside area. The area/garden must only be for use by the homeowner (not shared with other residents). The area must be kept clean.
- 5.10.3 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 able to be locked.
- 5.10.4 If there is a pond, it must be covered to avoid drowning.
- 5.10.5 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.
- 5.10.6 The Licensing Authority must be informed immediately if a dog is lost.

Identification and Control of Dogs on Site - The Control of Dogs Order 1992 requires that all dogs, whilst in a public area, must wear a collar and tag stating the name and address of the owner/keeper.

5.11 FIRE/EMERGENCY PRECAUTIONS

- 5.11.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies. The occupier of the property must be aware of the location of the dogs in the property at all times.
- 5.11.2 A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions to where dogs are to be evacuated in the event of a fire or other emergency. All occupants should be aware of the plan and its location. The licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premise is rendered uninhabitable.
- 5.11.3 Fire detection and fighting equipment must be provided in accordance with the advice given by the Fire prevention Officer.
- 5.11.4 Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs. There must be no use of freestanding gas or oil appliances. 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.
- 5.11.5 Precautions must be taken to prevent any accumulation which may present a risk of fire.
- 5.11.6 There must be adequate means of raising an alarm in the event of fire or other emergency.

5.11.7 Any arrangements made to comply with this licence must be reviewed periodically and in any case not less than once per annum.

5.11.8 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.

Notes: It is recommended that emergency plans and details of the establishment are logged with the police and fire authorities. Fire protection advice must be sought from the Fire Prevention Officer regarding appropriate fire extinguishers and their correct siting. The general maxim of 'people first in the event of fire' is good advice.

The advice given by the Fire Prevention Officer should be in writing and particular regard should be given to the safe storage of inflammable substances. Staff should know how to use the fire extinguishers. The home must have adequate working smoke detectors located in accordance with the recommendations of the Fire Safety Officer

Dogs should not have direct access to open flame heating devices.

Careful consideration needs to be given to the sleeping area for dogs to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES

1. Any person aggrieved by the refusal of a Local Authority to grant a licence or by any condition subject to which a licence is granted may appeal to a Magistrates' Court and the Court may on such an appeal give such directions as it thinks proper.
2. In the event of the death of the person who is keeping a home boarding establishment for dogs under the authority of a licence granted under this Act, the licence shall be deemed to have been granted to his/her personal representatives and shall (subject to the provisions of the Act) remain in force for a period of three months beginning with the death; and then shall expire. The Local Authority by whom the licence was granted may, on application, extend the said period provided they are satisfied the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.