

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>21 October 2015</b>
<b>Subject:</b>	<b>Review of the Dog Warden Service</b>		
<b>Report Of:</b>	<b>Cabinet Member for Environment</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Sally Middleton, Neighbourhood Manager</b>		
	<b>Email: sally.middleton@gloucester.gov.uk</b>	<b>Tel:</b>	<b>396265</b>
<b>Appendices:</b>	<b>None</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To update Cabinet on work that has been undertaken to review the Council's Dog Warden Service, and to seek approval to make arrangements for the collection service to be provided by Worcestershire Regulatory Services (WRS) for a trial period of 12 months.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:

- (1) The contents of the report be noted and in particular the improvements that have been made through the transfer of stray dog kennelling and re-homing to Worcestershire Regulatory Services;
- (2) Approval be granted to extend the existing shared arrangement with Worcestershire Regulatory Services for a trial period of 1 year to wholly deliver the Dog Warden Service including the collection of stray dogs, and
- (3) Approval be granted to implement a formal variation to the AMEY Street-care Contract in accordance with contract provisions, in order to remove the requirement for them to provide a stray dog service.

### 3.0 Background and Key Issues

- 3.1 Section 149 of the Environmental Protection Act 1990 places a statutory duty upon Lower Tier Councils to collect and detain stray dogs where they are reported.
- 3.2 There are 3 elements to providing a stray dog service, and these are currently delivered by the Council in the following manner:

- Stray dog collection: in hours, this service is provided by AMEY, as part of the Council's Street-care Service Contract, and out of hours by the City Council's zero-hours Dog Wardens.
- Kennelling of stray dogs (contract already in place with WRS since 1<sup>st</sup> February 2015, on a trial basis)
- Re-homing of stray dogs that are not claimed by their owners within 7 days (contract already in place with WRS, since 1<sup>st</sup> February 2015, on a trial basis)

3.3 This report recommends that all 3 elements of the stray dog service are provided to the City Council through Worcestershire Regulatory Services by amending the existing contract. Furthermore the report recommends that dogs collected in the City are not re-united at source if owners' details are obtainable through tags or micro-chip.

3.4 The reason for having reviewed the service was to explore an opportunity to offer a service that is consistent with neighbouring authorities, can be fully delivered by one service provider, and produce financial savings.

3.5 WRS can offer what the City Council has now, and will comply with all Health & Safety guidance / legislation, and ensure their Dog Wardens are trained, and all elements of the service are professional and consistent. Currently, there are compliance issues around H&S, Personal Protective Equipment, training and access to vaccinations (e.g. for tetanus), and the City Council runs the risk of falling foul of good professional practice. If WRS provided the service this would not be an issue as they have all the relevant policies and procedures in place.

3.6 WRS performance to date has been extremely good: the service is professionally run, it costs less and they take ownership of problems. It is encouraging more responsible dog ownership with owners having to pay to release their dogs, and this acts as a deterrent.

3.7 This proposal will include the cessation of stray dogs being reunited with their owners locally on being found to have a micro-chip or tag due to the costs associated with providing what is basically a taxi service. In addition to coming at a cost this service does not promote responsible dog ownership and administering it on a payment basis would prove extremely difficult at the doorstep.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 ABCD would be difficult to apply in respect of this area of service as it is a statutory service the delivery of which can be difficult and can pose health & safety risks.

#### **5.0 Alternative Options Considered**

5.1 Continuing to operate a collection service using the AMEY in-hours service and City Council out of hours Dog Wardens. This would mean no changes are to be made, other than to review the out of hours' standby payments made to the Dog Wardens. The service provides no savings. This would deliver insignificant savings and would continue to mean that two separate service providers deliver the service which does not promote efficiency.

- 5.2 Cease operating an out of hours' stray dog service. This is not a realistic option given the legal obligation placed upon the City Council to deliver the service. It may be, however, that the City Council reviews the cost effectiveness of providing a collection service out of hours in 12 months' time. Some local authorities, for example, simply provide and publicise drop-off points (e.g. a vet's) where dogs can be taken and held until the next working day, when they can be collected by the Dog Warden.

## **6.0 Reasons for Recommendations**

- 6.1 Savings would be made in the following areas: the out of hours' Dog Warden van and its associated costs; the Contact Centre no longer handling lengthy calls about lost or found dogs as callers would all be signposted to WRS; AMEY would no longer provide an in-hours Dog Warden service so there would be no need to cover this in the overall cost of the contract; and the cost per dog seized may reduce.
- 6.2 WRS is fully compliant in terms of training, H&S, duty of care and professional standards, policies and procedures. This would remove any potential litigation against the City Council for not ensuring their contractors or staff (AMEY for the in-hours service, the Dog Wardens for the out of hours' service), are compliant with regulations.

## **7.0 Future Work and Conclusions**

- 7.1 Subject to approval, One Legal to make a variation to the contract with WRS, and agree a start date for the contract amendment.
- 7.2 HR would need to notify the Dog Wardens that they will not be required to provide out of hours cover with effect from the agreed date.
- 7.3 Residents need to be informed through the media (press release) and information updated on the City Council's website.
- 7.4 Review due at the end of 1 year, and a report for Cabinet on progress will be due during the last quarter of the 1 year trial period.

## **8.0 Financial Implications**

- 8.1 The report outlines how savings to the value of £12,442 would be realised from the stray dog service being delivered by WRS rather than the current mixed provision of AMEY and City Council. An outline of these savings is included in the table on the following page.

	<b>Costs / Income 2014-2015</b>	<b>Proposed Full Year Costs / Income (WRS)</b>	<b>Saving</b>
Collection of Dogs In Hours; kennelling costs; re-homing costs	£28,242	£64,975	
Collection of Dogs Out of Hours	£21,000		
Income	Nil	£28,175	
<b>Total</b>	<b>£49,242</b>	<b>£36,800</b>	<b>£12,442</b>

8.2 Amey has reported that the cost to them of providing the stray dog service in 2014/15 was £28,242. We will look at the original tender and then historical costs to satisfy ourselves what level of contract reduction we expect to see and then reflect this in any service change notice.

8.3 Under the new arrangements the City Council's out of hour's dog wardens will no longer be required and will represent a saving to the Council. This additional cost was approximately £19k in 2014/15. There will also be a saving in vehicle costs to the Council of approximately £2k.

(Financial Services have been consulted in the preparation this report.)

## **9.0 Legal Implications**

9.1 The duty for the seizure of stray dogs under Section 149 of the Environmental Protection Act 1990 is placed on the City Council by virtue of it being a district council and coming within the definition of "local authority" in S149(11).

9.2 There is no need to go out to procurement as a variation to the existing contract between the City Council and Bromsgrove District Council will be sufficient. These services were in the original joint tender documents put out with Cheltenham Borough Council and Tewkesbury Borough Council but not included in the contract at that time. The contract provides that any variation is to be agreed in writing between the parties.

9.3 The removal of the dog warden service from the City Council's Streetcare contract with the Amey company will require some kind of service change or variation within the terms of that contract

9.4 The City Council is not obliged to offer work to Zero Hours workers, and they have no obligation to accept it. In normal circumstances, such workers have no right to notice or compensation if they are not required to work. One Legal agree with Gloucester City Council HR that would be deemed good practice to provide 1 month's written notice to the two City Council retained Zero Hours Dog Wardens.

(One Legal have been consulted in the preparation this report.)

## **10.0 Risk & Opportunity Management Implications**

- 10.1 The Council would be simplifying and streamlining the process for seizing stray dogs, as well as their kennelling and re-homing. The City Council would be acting consistently with other neighbouring Authorities, Tewkesbury Borough Council and Cheltenham Borough Council.
- 10.2 All stray dogs would be handled by one service provider (WRS) from seizure to re-homing (if applicable), for ease of administrative processing and following laid down procedures and policies. Risk of litigation is reduced.
- 10.3 Savings would be made through changing the service provider, decommissioning the out of hours Dog Warden van and associated costs (petrol, insurance, MOT, breakdown cover); annual cost of the AMEY contract to be reduced accordingly.
- 10.4 It also builds in expertise, continuity, resilience and appetite.

## **11.0 People Impact Assessment (PIA):**

- 11.1 An initial PIA has been carried out and it was not felt that a full PIA impact assessment was needed.

## **12.0 Other Corporate Implications**

### Community Safety

- 12.1 By providing a Dog Warden service (either directly, or through WRS), the City Council is ensuring that the number of stray dogs on the street is reduced, and minimises the safety issues associated with strays.

### Sustainability

- 12.2 None.

### Staffing & Trade Union

- 12.3 The current Dog Wardens providing the stray dog service out of hours do so on zero hour contracts.

### Press Release drafted/approved

- 12.4 An approved press statement will be released to inform residents of the changes that have taken effect.

**Background Documents:** None