

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**LOCAL ENVIRONMENTAL MANAGEMENT ADVISORY BOARD**

**15 July 2009**

**Joint Report of the Director of Health and Housing and Cabinet Member for  
Environmental Services**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision**

**1     STRAY DOG SERVICE**

**Summary**

**The report considers changes to the approach in collecting fees associated with the stray dog service and the circumstances in which a fee is charged.**

**1.1    Background**

- 1.1.1 The Environmental Protection Act 1990 and associated regulations places a statutory duty on the Council to provide a service to deal with stray dogs. The legislation also prescribes that a person claiming to be the owner of a dog, collected as a stray by the Council, shall not be entitled to the return of the dog unless all the expenses incurred by reason of its detention, and such further amount as prescribed, are met.
- 1.1.2 The Environmental Protection (Stray Dog) Regulations 1992 set down a prescribed redemption fee of £25 and provides for local authorities to recover their other reasonable expenses, in addition to any other expenses, for example, kennelling or vet costs. These other reasonable expenses, associated with the costs of providing our Dog Warden contract and admin costs, are presently set at £35. The total fee charged by the Council is £60. The income from this source is estimated at £4,900 in 2009/10. For information, the cost of providing the dog warden service in 2009/10 is budgeted at £42,200.
- 1.1.3 The law provides for the payment of the redemption and other fees before release of a dog. Present practice is to recover kennelling and any vet fees when the dog is collected from the kennels. The redemption fee is recovered via an invoice to the dog owner. During 2008/09, 100 invoices were sent out. Of these 75 were settled. This means that a significant number were formally written-off and income of about £1,500 lost.
- 1.1.4 Officers have consequently been looking at options to collect the redemption fee prior to the release of the dog. Discussions are being held with our contractor, the owners of the kennels at which our contractor boards the dogs and colleagues in

Financial Services to identify the most efficient and economically beneficial fee recovery system.

- 1.1.5 At present, when a stray dog is collected by the Dog Warden, it is returned immediately to its owner wherever possible. Many dogs are “chipped” which allows the Dog Warden to identify the animal’s owner within minutes. But even when an owner is identified, they are not always at home to receive the dog. In this situation and in all other cases where the owner of the dog is unknown, the animal is taken to kennels.
- 1.1.6 Where dogs are returned directly to their owners, we have not charged a redemption fee, even when the Dog Warden has spent a significant time capturing the dog.
- 1.1.7 Having looked again at this issue, we believe that where a dog is returned safely to its owner by the Dog Warden, the owner should contribute to the Council’s costs. It is considered that it would be appropriate that a charge, set at the prescribed fee of £25, be made in such circumstances.
- 1.1.8 The “chipping” of dogs greatly improves the chances of returning the animal at the earliest opportunity. From 1<sup>st</sup> April 2009, a nominal charge of £10 has been offered to all owners of dogs found straying to enable quick return of the animals in the future.

## **1.2 Legal Implications**

- 1.2.1 As detailed in the report.

## **1.3 Financial and Value for Money Considerations**

- 1.3.1 The suggested options for changes to the charging regime associated with the Stray Dog collection service will generate additional income and improve debt recovery.

## **1.4 Risk Assessment**

- 1.4.1 The inability to recover the Council’s legitimate costs from the owners of dogs found straying adds to the burden on the general council tax payer.

## **1.5 Recommendations**

- 1.5.1 It is **RECOMMENDED** that the Cabinet **ENDORSE** the approach to the charging regime, associated with the redemption of dogs found straying, as detailed in the report.

Background papers:

contact: Phil Beddoes

Nil

John Batty  
Director of Health and Housing

Councillor Owen Baldock  
Cabinet Member for Environmental Services