## Public Document Pack

## Governance

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## Chesterfield BOROUGH COUNCIL

The Chair and Members of Appeals and Regulatory Committee

| Please ask for | Martin Elliott |
| :--- | :--- |
|  |  |
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3 June 2015
Dear Councillor,
Please attend a meeting of the APPEALS AND REGULATORY COMMITTEE to be held on WEDNESDAY, 10 JUNE 2015 at 10.00 am in Committee Room 1 Town Hall Chesterfield, the agenda for which is set out below.

## AGENDA

## Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Apologies for Absence
3. Proposed Amendment to Licence Conditions for Home Boarding (Dogs) (A270) (Pages 3-26)

Yours sincerely,


Local Government and Regulatory Law Manager

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## MEETING:

DATE:
REPORT BY:
WARDS:
COMMUNITY FORUMS:

## APPEALS AND REGULATORY COMMITTEE

## 10 June 2015

ENVIRONMENTAL HEALTH MANAGER

FOR PUBLICATION
Background Papers - Title: All relevant files and licence registers may be inspected at the Environmental Services Department
Location: Town Hall, Chesterfield

### 1.0 PURPOSE OF REPORT

To request approval to amend home boarding licence condition number 50. (See Appendix 1- in bold) Additional bundle attached for information included pre assessment, risk assessment and insurance.

### 2.0 BACKGROUND

2.1 Under the Animal Boarding Establishments Act 1963 (the Act) local authorities licence premises for the boarding of dogs and cats. This licensable activity is defined in the Act as "the keeping by any person of a boarding establishment for animals shall, subject to the following provisions of this section, be construed as references to the carrying on by him at premises of any nature (including a private dwelling) of a business of providing accommodation for other people's animals". Animals are further defined as cats and dogs for the purposes of the Act.

The council currently licence 10 establishments for home boarding of dogs since its introduction in January 2014.

The question has been raised by one current business owner (who has recently found out she is expecting a baby) and one prospective business owner (who has a child aged 4 years 8 months) in relation to condition number 50.
Condition 50 currently states - no home where there are children under 5 will be licensed.

> It is requested after consideration that this condition is changed to state - No home where there are children under 5 years of age will be licensed unless the business operator has carried out a suitable and sufficient risk assessment and has recorded the significant findings of the risks to children under 5 whilst boarding dogs at their home.
2.1 Home boarding is where an individual's dog is taken into another person's home where it is looked after and treated as if it is that persons own pet.
2.2 Environmental Health Officer Catherine Bromhall, contacted Sara Bartlett Head of child protection to discuss any concerns that they may have in relation to the changes that Chesterfield Borough Council were proposing. Sara stated that she was satisfied with the proposals and should CBC officers need any specific assistance then we could contact her direct.
2.3 Catherine Bromhall has developed an example risk assessment at the request of the Council Board in Committee in April 2015. Home Boarding owners can use as a guide when developing their own suitable and sufficient risk assessment that will be required on the new wording in condition 50 and existing condition 12. (See Appendix 2)
2.4 Catherine Bromhall has developed an example client information form at the request of the Council Board in Committee April 2015. This form has detailed set questions to enable the Home Boarding owners to make assessments of the dog and safety in relation to under 5 s and other children. The councillors also wanted to see consistency and the new Council branding. (See Appendix 3)

### 3.0 RECOMMENDATIONS

3.1 It is recommended that the Committee notes the contents of this report and:
ii) Agrees to the change of wording for condition 50 for home boarding to allow a business to be licensed if the business operator has carried out a suitable and sufficient risk assessment and has recorded the significant findings of the risks to children under 5 whilst boarding dogs at their home.

### 4.0 CONSIDERATIONS

4.1 The following factors have been considered in the preparation of this report:
A) Legal and Human Rights Issues - there are legal requirements in respect of the discharge of the Council's statutory duties.
B) Proposed risk assessment put forward by a prospective home boarder with a child under 5 .

### 6.0 SUMMARY OF RECOMMENDATIONS

6.1 It is recommended after consideration, that condition 50 is amended to allow a home boarding establishment to be licensed if there are children under the age of 5 at the home provided the business operator has carried out a suitable and sufficient risk assessment and has recorded the significant findings of the risks to children under 5 whilst boarding dogs at their home.

## RUSSELL SINCLAIR ENVIRONMENT HEALTH MANAGER

## CHESTERFIELD BOROUGH COUNCIL

ENVIRONMENTAL SERVICES

## Licence Conditions <br> For <br> Home Boarding (Dogs)



## Introduction

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.

2 This licence does not give any permission or approve any development under planning legislation. The operator is advised to ensure that the business does/not require planning permission by contacting Planning Services. Please note home boarding activities may attract business rates.

3 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.

4 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.

5 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.

6 Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together or boarded with resident dogs.

7 Puppies under 6 months of age must not be boarded with other dogs until completion of initial inoculations and never if any difficulties have been identified during the trial socialisation period.

## Licence display

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

## Numbers of animals

9 The maximum number of dogs to be kept at any one time at your home is shown on your licence. This will be determined by the suitability of the premises including the size and available space.

10 Only dogs from one household may be boarded unless the owners of the different dogs give consent in writing.

Licensees must check that their Public Liability Insurance will cover dogs boarded form different households

11 Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session.

12 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.

## Construction

13 Dogs must live in the home as family pets. There must be no external construction of buildings, cages or runs.

14 The premises shall have its own entrance and must not have shared access e.g. communal stairs.

15 There must be adequate space, light, heat and ventilation for the dogs.
16 As far as reasonably practicable 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.

17 There must be sufficient space available to be able to keep the dogs separately if required.

18 If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided.

## Training

19 A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out. Competency of licensees must be demonstrated to the satisfaction of the council.

## Cleanliness

20 All areas where the dogs have access to, including the kitchen 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.

21 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Council.

22 All bedding areas must be kept clean and dry.
23 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 current waste regulations.

24 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

## Food and water supplies

25 All dogs shall have an adequate supply of suitable food as directed by the client.
26 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.

27 Clients must be encouraged to provide each dog with its own bedding, bowls, grooming materials etc. These items must be cleaned regularly to prevent crossinfection. The Licensee however should also be able to provide extra bedding material.

28 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent crosscontamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

## Kitchen facilities

29 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.

30 All bulk supplies of food shall be kept in vermin proof containers.

## Disease control and vaccination

31 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.

32 Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (L. canicola and L. icterohaemorrhagicae) 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 manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.

33 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.

34 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.

35 The Licensee must be registered with a veterinary practice that can provide 24hour help and advice. The clients own veterinary practice must be known and consulted if necessary.

36 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.

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

38 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

## Isolation and contagious disease outbreak

39 Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.

40 The Licensee must inform the Council on the next working day if a dog develops an infectious disease.

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

42 The Council must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeons premise until the owners return.

## Register

43 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, 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
- Proof of current vaccinations, medical history and requirements
- Health, welfare nutrition and exercise requirements

44 Such a register is to be available for inspection at all times by an officer of the Council and/or veterinary surgeon.

45 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

46 If medication is to be administered, this must be recorded.
47 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

## Supervision

48 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at
the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.

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

50 No home where there are children under 5 years of age will be licensed. (to be removed)

No home where there are children under 5 years of age will be licensed unless the business operator has carried out a suitable and sufficient risk assessment and has recorded the significant findings of the risks to children under 5 whilst boarding dogs at their home. (Replace with)

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

## Exercise

52 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.

53 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.

54 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.

55 If there is a pond, it must be covered to avoid drowning.
56 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.

57 The Council must be informed on the next working day if a dog is lost.

## Fire/emergency precautions

57 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.

58 The occupier of the property must be aware of the location of the dogs in the property at all times.

59 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.

60 A fire warning procedure and emergency evacuation plan - including details of where
dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding
arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises is rendered uninhabitable.

61 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top \& bottom of the staircase, or other appropriate location.

All doors to rooms must be kept shut at night.
63 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.

64 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.

65 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 Council.

## Nuisance Complaints

This licence does not give any exemption from the requirements of the Environmental Protection Act 1990 provisions on statutory nuisances, particularly those relating to odour or noise. The operator is advised to ensure that the business is run in such a manner as to ensure there are no grounds for complaint.

## Health and safety

The operator is reminded of their responsibilities under the Health and Safety at Work Etc Act 1974, in particular to the requirements for risk assessments. These assessments need to include for the potential impact of the business on those who are not their employees, especially family members including children.

## | $\left\lvert\, \begin{aligned} & \text { CHESTERFIELD } \\ & \text { BOROUGHCOUNCIL }\end{aligned}\right.$

This is a template set of questions that Chesterfield Borough Council has produced to assist home boarding owners meet their licensing objectives and ensure as so far as is reasonably practicable the safety and welfare of dogs but also of under 5 s and other children. You can use this form and adapt it for your business.



Note: please ensure you supply enough medication for the duration of your dogs stay.

## Dietary Requirements

What do you feed your dog? $\qquad$
Quantities - Morning
Afternoon
Evening
\& Time
What treats do you feed your dog? $\qquad$ How often?

Does your dog have any food allergies of foods they should not eat?
Please list $\qquad$
$\qquad$
Is your dog possessive over food? Yes $\square$ No


## Children - this section is to assess your dogs suitability to be in a home where under 5s or other children may live or visit.

Is your dog from a household where:under 5s live? Yes $\square$ No $\square$
Other children live? Yes $\square$ No $\square$ Does your dog associate with:- Please give example $\qquad$ under 5s? Yes $\square$ No $\square$

Other children? Yes $\square$ No $\square$

Do you put control measures in place when your dog is with:under 5 s ? Yes $\square$ No $\square$ Please list Other children? Yes $\square$ No $\square$

Does your dog have a problem with being around under 5s?:- (E.g. anxious, aggressive) Yes $\square$ No $\square$ Please give examples $\qquad$

| Other children? Yes $\square$ No $\square$ |
| :--- |

Would you agree to your dog being around under 5s? Yes $\square$ No $\square$
Other children? Yes $\square$ No $\square$
Please give any other information that will help
me assess your dog being around under 5 or or
other children in the home or on walks

|  |  | No |
| :---: | :---: | :---: |
| Nervous of strangers. | Yes | No |
| Travels well in a car | Yes | No |
| Excessive Barker | Yes | No |
| Can be nippy |  | No |
| Bites/Chews |  | No |
| Vocal when playing. |  | No |
|  | Yes | No |

When my dog barks/growls it could mean
When my dog whines/cries it could mean
When my dog wants to go to the toilet he/she will
Please write a few lines to let me know the commands you use and things your dog may respond to and any other information that you may feel that will help me look after your dog
$\qquad$
$\qquad$
$\qquad$
$\qquad$

## Equipment

Will you be providing your own:-


Other Items? Please list $\qquad$

## Example Risk assessment

Chesterfield Borough Council now requires suitable and sufficient risk assessments to be carried out for those home boarding establishments where children under the age of 5 may be present and also where other children are likely to be at the property.

To assist existing licence holders and proposed licence holders CBC has devised the following example risk assessment that you can use in the development of your own suitable and sufficient risk assessments.

PLEASE NOTE: - The risk assessments should be specific to your home boarding environment. You should think about your own business and circumstances utilising this example as a guide. It will not be acceptable to simply copy this risk assessment.

Youş hould review your risk assessment if you think it might no longer be valid (eg following a change in circumstances to hazards)
Cofer̊pleted by
Dater
Review date $\qquad$

## Example Risk assessment

| What are the hazards? | Who might be harmed and how | What are you already doing? | Do you need to do anything else to control this risk? | Action by who? | Action by when? | Done |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Aggressive Behaviour/Dog bite <br> Under 5 or other children at the business $\begin{aligned} & \text { O } \\ & \text { Q } \\ & \text { © } \\ & 0 \\ & 0 \end{aligned}$ | Under 5s and all other children who may be at the property | Pre assessment of dog before taking booking including trial acclimatisation - this should be documented. <br> No child should be left alone with a dog.If a dog exhibits signs of aggression or anxiety it should be kept separate from children for the ENTIRE DURATION of the childs stay. <br> Separation of dog and under 5 s by using safety equipment (E.G. safety gate/stable door/closed door/cages etc.) <br> Gradual familiarisation with children and any new dog. (Consider introducing dog to child if necessary on managed basis) <br> Supervised access of children in the home with dogs by licence holder or responsible adult. <br> Assess if any children at the property have any individual needs, (i.e. disabilities, learning difficulties) which may require a separate assessment and additional control measures. <br> Dogs must be supervised when playing with toys if children are present. | Educate children on correct behaviour around a dog.(E.G. teach child not to chase dog, to leave dog alone when it goes into its crate, not to approach dog even if previously friendly) <br> Dogs to go on leads if necessary - crates available for size of dog or other means of separating dog from children. <br> Review risk assessment to ensure it is suitable and sufficient. | Licence holder <br> Staff <br> Visiting parent of child child | From now xx/xx/xx <br> On day of visit | xx/xx/xx <br> xx/xx/xx |

## Example Risk assessment



## Example Risk assessment

| Allergic reaction | Under 5s and other children who may be at the property | Pre check of under 5 s and other children at or visiting the property to see if they are allergic to dogs - it is recommended you document these checks and get a parent/guardian to sign. <br> Licence holder will be aware of her own children but should ask parents/guardians of visiting children <br> Any medication brought to the property must be kept locked away from the dogs and children. Medication should only be administered to a child by their parent/guardian. | If children are allergic but parents/guardians still want them to visit the business ensure that safe measures are in place for the child. (E.g. emergency contact numbers) | Licence holder <br> Staff <br> Visiting parent of child child | From now $\mathrm{xx} / \mathrm{xx} / \mathrm{xx}$ <br> On day of visit | $x x / x x / x x$ <br> xx/xx/xx |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| colstamination | Under 5s and other children who may be at the property | Ensure dog faeces is picked up on a regular basis and disposed of in an appropriate waste disposal facility. <br> A separate area should be provided for exercising dogs away from children at the property. This should be appropriate to the number and sizes of the dogs being boarded. <br> Under 5 s and other children not to play in dog exercise area <br> Ensure dog is house trained <br> Walk dogs on regular basis | If dogs are in the exercise area they should be monitored to ensure that faeces are cleaned up as soon as possible. | Licence holder <br> Staff <br> Visitors <br> child |  |  |

## Example Risk assessment

$\left.\begin{array}{|l|l|l|l|l|l|}\hline \begin{array}{l}\text { Provision of } \\ \text { food for dogs } \\ \text { and/or children }\end{array} & \begin{array}{l}\text { Under 5s and other } \\ \text { children who may } \\ \text { be at the property }\end{array} & \begin{array}{l}\text { Dogs food and water bowls to be kept in } \\ \text { area away from under 5s and other children } \\ \text { Feeding of dogs should take place away } \\ \text { from children. Feed the dogs in separate } \\ \text { parts of the home, as mealtimes are } \\ \text { frequently a flashpoint for disputes. } \\ \text { Dogs food to in separate fridge or in sealed } \\ \text { container on separate shelf away for under } \\ \text { 5s and other children } \\ \text { Children should be closely supervised when } \\ \text { eating food or snacks and in an area away } \\ \text { from the dogs }\end{array} & \text { Signage } & & \text { Licence holder }\end{array}\right\}$

## Example Risk assessment



## Example Risk assessment

| Safety of <br> children when <br> exercising dogs <br> E.g child getting <br> knocked over <br> by a dog | Under 5s and other <br> children who may <br> be at the property | Exercise dogs away from the property only <br> when other person is able to take care of <br> under 5s or other children at the property or <br> children are being carried in suitable <br> pushchair or similar device. <br> Walks to be staggered, with separate dogs <br> at different times. Dogs left in secure room <br> or cage whilst walk takes place of other <br> dogs |  | Licence holder |
| :--- | :--- | :--- | :--- | :--- | :--- |

## Example Risk assessment

| Under 5 or any other children at the home with individual needs (i.e. disabilities, learning difficulties) that may put them at risk with being with a dog | Under 5 or any other children at the home with individual needs that may put them at risk with being with a dog | Assess if any children at the property have any individual needs, (i.e. disabilities, learning difficulties) which may require a separate assessment and additional control measures. Seek advice from parent/guardian regarding any behavioral traits of the child which may trigger adverse reaction in a dog (i.e unsteady walking gait.) <br> Put extra measures in place to protect the under 5 or other child | Check with parent any individual needs that would need to be considered if the child was visiting the property | Licence holder <br> Staff <br> Visitors | From now on xx/xx/xx | $\mathrm{xx} / \mathrm{xx} / \mathrm{xx}$ <br> xx/xx/xx |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |


[^0]:    Chief Executive
    Huw Bowen

