Animal Boarding Establishments Act 1963 (as amended)
Adoption of Licence Conditions for the Home Boarding of Cats and Dogs

WARDS AFFECTED
All

EXEMPT/CONFIDENTIAL ITEM
No

1. RECOMMENDATION
1.1 To recommend to Council to adopt the licence conditions for dog and cat home boarding as appended to the Report

2. BACKGROUND
2.1 Under the Animal Boarding Establishments Act 1963 (as amended) any person who keeps an animal boarding establishment for cats or dogs is required to hold a licence issued by the local authority. The Act defines the keeping of a boarding establishment for animals as “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.”

2.2 St Helens Council currently licence commercial dog and cat boarding establishments. The licence conditions relate solely to commercial premises and are not appropriate for domestic premises. There are currently 7 licensed commercial animal boarding establishments in St Helens. These are subject to annual inspections during which compliance with the licensing conditions is assessed. If a licence is issued it remains in force until the end of the year to which it relates.

2.3 The Animal Boarding Establishments Act 1963 (as amended) also applies where persons carry on a business of providing accommodation for other peoples’ animals at a private dwelling, that is, home boarding. Home boarding of animals means that the animals must live in the home as family pets and must not be kept in any external accommodation. These are different arrangements for keeping animals compared to the commercial situation. Therefore to ensure the welfare of the animals being kept, more specific conditions are required for home boarding to ensure that the requirements of the Act are met.
2.4 St Helens Council does not currently implement a home boarding licencing scheme. However over the last 4 years, 6 enquiries have been received from individuals who wish their homes to be licenced as home boarding establishments and 4 complaints have been received from residents regarding issues of concern where dogs are being boarded in people’s homes. It is also known via a recent review of the internet, the local press and veterinary practice notice boards that there are approximately 6 “businesses” in the borough advertising as home boarders.

2.5 The aim of the proposed home boarding licence conditions is to ensure that the safety and welfare needs of the animals being boarded are being met. The proposed conditions are shown in Appendix 1 “Licence Conditions for the Home Boarding of Dogs”, and Appendix 2 “Licence Conditions for the Home Boarding of Cats”. These conditions have been drafted following consultation with other authorities and from guidance from the Pet Care Trust, together with the Model Conditions that were published in 2005 by the former LACORS organisation.

3.0 **Relevance to key plans and strategies**

The adoption of licence conditions for the home boarding of dogs and cats links to the published Environmental Protection Department’s Business Plan objective of providing a fair and safe trading environment, with well informed consumers and businesses.

4.0 **Future monitoring and enforcement**

Officers within the Commercial Services Team – Environmental Health are authorised to enforce the Animal Boarding Establishments Act 1963. These officers will inspect premises upon receipt of an application for home boarding. Enquiries will also be made of those individuals who are advertising home boarding services in order to establish if they need to be licenced.

5. **RISKS ASSOCIATED WITH THE PROPOSED DECISION**

5.1 None

5.2 **Should this Risk be added to the Corporate Risk Register?**

N/A

6. **OTHER IMPLICATIONS**

6.1 **Legal** - Provision of a licence under the proposed conditions would not give the licence holder any exemption from the requirements of preventing any statutory nuisance eg. odour or noise.

6.2 **Financial** - The cost of licensing a commercial animal boarding establishment is currently £172 per year, plus any veterinary fees incurred. It is intended that the licence fee for home boarding establishments will be charged at the same rate.
6.3 Human Resources - Dependent upon the number of applications received for home boarding which will require officer time to process the application and undertake the necessary inspection of the premises. It is anticipated that only a small number of applications will be made and these can be met by existing staff resources.

6.4 Land and Property - None

6.5 Anti-Poverty - None

6.6 Effects on existing Council Policy - None

6.7 Effects on other Council Activities - None

6.8 Human Rights – Condition 5.8 “Supervision” of the proposed Conditions notes that: “No home where there are children under 5 years of age will be licensed. This standard condition adopted by local authorities across the country has caused concern with a member of the public who has argued that this condition prohibits parents of young children from operating a home boarding business. On balance, it is recommended that the need to protect public safety, and particularly that of children, from harm, is proportionate and necessary, and outweighs this argument.

6.9 Equalities - An Equality Impact Assessment is attached to this report.

6.10 Asset Management - None

6.11 Health - None

7. Alternative Options and implications thereof

7.1 Should the licence conditions for home boarding of dogs and cats not be adopted there will continue to be no means of ensuring that animals are being boarded in suitable and adequate conditions.

7.2 We have received complaints of dogs being boarded in poor conditions and causing a noise nuisance. Currently we may only deal with the noise nuisance under the remit of the Environmental Protection Act 1991, as we have no remit to deal with non licenced home boarding establishments.

8. Appendices

Appendix 1: Licence Conditions for the Home Boarding of Dogs
Appendix 2: Licence Conditions for the Home Boarding of Cats

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APPENDIX 1: St Helens Council

LICENCE CONDITIONS FOR HOME BOARDING DOGS
ANIMAL BOARDING ESTABLISHMENTS ACT 1963 (as amended)

INTRODUCTION

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.

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.

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

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

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. Puppies under 6 months of age must not be boarded with other dogs including resident dogs.

LICENCE DISPLAY

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

The maximum number of dogs to be kept at any one time is (enter number).

Dogs from different households may be boarded together provided the following conditions are met:

- Specific written consent of each household showing confirmation that they are content for their dogs to be boarded with other dogs
- A mandatory, trial familiarisation session for all dogs prior to stay. This is to be documented
- Separation of dogs from different households in secure areas when they are left unattended
- Separate feeding of dogs from different households to minimise the likelihood of dispute and aggression.
Dogs must not be boarded with any cat, unless they normally live together in the same household.

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 familiarization session.

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

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

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

There must be adequate space, light, heat and ventilation for the dogs.

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.

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

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

MANAGEMENT

5.1 TRAINING

A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 CLEANLINESS

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.

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 Licensing Authority.

All bedding areas must be kept clean and dry.

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.

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

5.3 FOOD AND WATER SUPPLIES

All dogs shall have an adequate supply of suitable food as directed by the client. 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. 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. Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. 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.

5.4 KITCHEN FACILITIES

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.

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

5.5 DISEASE CONTROL AND VACCINATION

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

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. icterohaemorrhagiae) 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.

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

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

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.

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

5.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

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.

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

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 Licensing Authority as agreed with their authorised veterinary surgeon.

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 surgeons premises until the owners return.

5.7 REGISTER

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
Such a register is to be available for inspection at all reasonable times by an officer of Licensing Authority or veterinary surgeon. 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.

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

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.

5.8 SUPERVISION

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.

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

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

5.9 EXERCISE

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.

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.

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.

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

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.
The Licensing Authority must be informed on the next working day if a dog is lost.

5.10 FIRE / EMERGENCY PRECAUTIONS

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.

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.

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.

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.

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.

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.

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.
APPENDIX 2: St Helens Council

LICENCE CONDITIONS FOR HOME BOARDING CATS
ANIMAL BOARDING ESTABLISHMENTS ACT 1963 (as amended)

1. INTRODUCTION

Unless otherwise stated, these conditions shall apply to all buildings and areas to which cats have access and/or which are used in association with the boarding of cats.

Entire males and queens in season must not be boarded with other cats. Kittens under 6 months of age must not be boarded with any other cats, unless it is their mother.

2. LICENCE DISPLAY

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.

3. NUMBERS OF ANIMALS

The maximum number of cats to be kept at any one time is (enter number).

Cats from different households may be boarded together provided the following conditions are met:

- Specific written consent of each household showing confirmation that they are content for their cats to be boarded with other cats.
- A mandatory, trial familiarisation session for all cats prior to stay. This is to be documented
- Separation of cats from different households in secure areas when they are left unattended
- Separate feeding of cats from different households to minimise the likelihood of dispute and aggression

Cats must not be boarded with any dog, unless they normally live together in the same household.

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

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.
4. CONSTRUCTION

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

There must be adequate space, light, heat and ventilation for the cats.

As far as reasonable practicable all areas/rooms within the home to which boarded cats have access, must have no physical or chemical hazards that may cause injury to the cats.

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

If a collection and delivery service is provided, a suitable vehicle with a cat cage must be provided.

5. MANAGEMENT

5.1 TRAINING

A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 CLEANLINESS

All areas to which the cats have access, 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 cat comfort.

Suitably sited litter trays, which are easy to clean and impermeable must be provided at all times. These must be emptied and cleansed at least once a day and as necessary at any time during the day if found to be unduly soiled. A suitable material for litter must be provided.

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

All bedding areas must be kept clean and dry.

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 cats with infectious diseases. The final disposal route for all such waste shall comply with current waste regulations.

Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.
5.3 FOOD AND WATER SUPPLIES

All cats shall have an adequate supply of suitable food as directed by the client.

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.

Clients must be encouraged to provide each cat 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.

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

5.4 KITCHEN FACILITIES

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.

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

5.5 DISEASE CONTROL AND VACCINATION

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

Proof must be provided that cats boarded or resident have current vaccinations against infectious feline enteritis, feline respiratory disease 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 cat is boarded.

Advice from a veterinary surgeon must be sought in the case of signs of disease, injury or illness. Where any cat is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.

A well-stocked first-aid kit suitable for use on cats must be available and accessible on site.
The Licensee must be registered with a veterinary practice that can
provide 24-hour help and advice. The clients own veterinary practice must be consulted if necessary.

Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident cats. Proof must be maintained of all routine and emergency treatments for parasites.

Veterinary advice must be sought in relation to cleaning substances so that neither they nor their fumes can be harmful to an animal.

5.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

Cats showing signs of any disease or illness shall be isolated from any other cats until veterinary advice is obtained. There must be sufficient facilities within the licensed premise to ensure effective separation of any sick animals.

The Licensee must inform the Licensing Authority on the next working day if a cat develops an infectious disease.

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 Licensing Authority as agreed with their authorised veterinary surgeon.

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 surgeons premises until the owners return.

5.7 REGISTER

A register must be kept of all cats boarded. The information kept must include the following:

• Date of arrival
• Name of cat, any identification system such as microchip number, tattoo
• Description, breed, age and gender of cat
• 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 cat’s veterinary surgeon
• Anticipated and actual date of departure
• Proof of current vaccinations, medical history and requirements
• Health, welfare nutrition and exercise requirements

Such a register is to be available for inspection at all times by an officer of the Licensing Authority and/or a veterinary surgeon.
The register must be kept readily available for a minimum of two years and kept in such a manner as to allow an authorised officer easy access to such information.

If medication is to be administered, this must be recorded. Where records are computerised, a back-up hard copy must be kept.

The register must also be available to key members of staff of the establishment at all times.

5.8 SUPERVISION

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

Cats must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left longer than three hours and then not on a regular basis.

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

5.9 EXERCISE

Cats must not be allowed outside unless they are on leads, or with the owners written permission.

A double door system must be employed so that no cat has direct access to any external door in regular use.

Cats must wear a collar and identity tag during their time in boarding. The tag must display the address and telephone number of the boarding premises.

The Licensing Authority must be informed on the next working day if a cat is lost.

5.10 FIRE/EMERGENCY PRECAUTIONS

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

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

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

A fire warning procedure and emergency evacuation plan-including details of where cats 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 cats in the event that the licensed premises is rendered uninhabitable.

Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least two working smoke detectors, located at the top and bottom of the stairs or other appropriate locations.

All doors to rooms must be kept shut at night.

All electrical installations and appliances must be maintained in a safe condition. No cat must be left in a room with loose or trailing cables or wires.

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

A relative, friend or neighbour within five minutes travelling time must have a spare set of keys and access to the premises in the case of emergency. These details must be made available to the Licensing Authority.