

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment Service

TO: Licensing Committee

WARDS: All

FEES FOR HOME BOARDING OF PET ANIMALS

1. INTRODUCTION

- 1.1 The purpose of this report is to consider a proposal from the Licensing & Enforcement Team to introduce a separate fee schedule for licensees wishing to board cats and dogs (referred to as 'animals' in the Animal Boarding Establishments Act 1963) in their home. This proposal has risen from a number of enquiries from members of the public.

2. RECOMMENDATION

- 2.1 Members should consider the information contained in this report, the legislative provisions and policy considerations detailed in sections 4 and 5 below, to determine whether the Council should provide a separate fee for persons requiring an Animal Boarding Establishment licence but who also qualify for 'home boarder' status and, if so, the level at which such a fee should be set.

3. BACKGROUND

- 3.1 The Council has a duty, under the Animal Boarding Establishments Act 1963, to licence premises used to provide boarding accommodation for animals. A fee is chargeable to cover the costs of administration of the licences and the inspection of premises to ensure that appropriate safety and welfare standards are maintained and that conditions attached to a licence are being met.
- 3.2 The current annual fee is £220, which includes recovery of the cost of an inspection by a veterinary officer on a bi-annual basis.
- 3.3 In December 2013 the Council received a representation that the current licence fee for premises where home boarding of dogs was excessive, in relation to the scale of activity undertaken and that it would deter people from offering home boarding as a service.

- 3.4 Home boarding takes place where an individual offers temporary accommodation within their home, to a single dog or, occasionally, a pair of dogs to live within the family, as though the dog was part of it. Some arrangements are made direct with the host and, in other cases, are brokered through a franchise operated by an umbrella or booking organisation, such as Barking Mad.
- 3.5 This arrangement is significantly different to the conventional large or medium sized boarding kennels in which dogs are usually kept in kennels with runs and there may be a range of potential issues to consider, such as the increased likelihood of animals acquiring infection and disease whilst in boarding of poor quality.
- 3.6 It has been remarked that a number of other local authorities make a significantly lower charge for boarding licences and that, by comparison, the charges in Cambridge act as a disincentive to those wishing to offer home boarding. This is set out in a letter from Sue Phillips, the Barking Mad franchise holder for South Cambridgeshire/North Hertfordshire, which is attached as Appendix1.
- 3.7 Officers have considered the question of the extent of checks and inspection which is appropriate to the granting of licences and whether, in view of the lesser risks involved in association with home boarding, these can be reduced.
- 3.8 Whilst not strictly relevant, as the costs of licensing arrangements must reflect the Council's costs and neither generate a surplus nor subsidise licence holders, a list of charges made by licensing authorities in the Eastern Region is attached as Appendix 2. Members should be aware that the extent of the checks undertaken by each authority is not known.

4. LEGISLATIVE PROVISIONS

- 4.1 The Animal Boarding Establishments Act 1963 (the 'Act') makes the boarding of cats and dogs a licensable activity. A boarding establishment is defined in section 5(1) of the 'Act' as:

Carrying on at premises of any nature (including a private dwelling) of a business of providing accommodation for other people's animals.

- 4.2 Section 1(2) of the 'Act' allows a local authority to: grant a licence; determine the fee; and, specify conditions on the licence.

- 4.3 Section 1(3) of the 'Act' states what criteria a local authority must consider when determining whether to grant a licence. In summary these regard the following:

- Suitable accommodation
- Adequate supply of suitable food, drink and bedding material
- Disease control
- Emergency planning
- Keeping of a register of animals

- 4.4 Sections 1(5) and (6) of the 'Act' provide that a licence can be granted for the current year or the next following year; in the latter case it is granted at the beginning of the next year. Any such licence remains in force until the end of the year to which it relates and then expires.
- 4.5 Section 2(1) of the 'Act' provides that a local authority can authorise in writing any of its officers or any veterinary surgeon or veterinary practitioner to inspect any premises in their area as respects which a licence is granted.
- 4.6 The above provisions therefore mean it is possible to provide a separate arrangement for the licensing of home boarders.

5. POLICY CONSIDERATIONS

- 5.1 Animal Boarding Establishment licences granted by the Council currently have the Chartered Institute of Environmental Health's Model Licence Conditions for Dog Boarding Establishments attached to them. The Licensing Officer's inspection checklist is based on the conditions.

6. OPTIONS

- 6.1 The available options are:
- a. Make no changes to the existing inspection regime and fee charged
 - b. Introduce a less onerous regime and a lower fee, suggested to be £80, for licensees qualifying for Home Boarding status, on the following basis:
- 6.2 If Members are minded to implement option b. 'Home Boarding' status could be defined as follows:
- Boarding must take place in residential premises e.g. a family home
 - The number of animals boarded at any time shall not exceed four, including dogs/cats owned by the licence holder
 - Cats and dogs may not be boarded at the same time unless there is clear separation

These would also be added as conditions to the licence and the CIEH Model Animal Boarding Licence Conditions would also apply as standard.

Veterinary inspections would not be undertaken as a routine, but premises licensed would receive an annual licensing visit and officers would, if considered necessary, seek veterinary advice if there were concerns about animal welfare.

- 6.3 In determining which option to follow, Members are required to give their reasons for their decision.

7. CONSULTATIONS

- 7.1 There has been liaison with the Institute of Licensing which has confirmed that it is possible for local authorities to offer a separate fee for home boarders.

BACKGROUND PAPERS: None

The author and contact officer for queries on the report is Alex Beebe on Ext. 7723

Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

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Appendix A – Letter from Sue Phillips, Barking Mad

8 April 2014

Dear Mr Lally

Re: Home Boarding Licensing Fees

Further to my telephone conversation with Alex Beebe, as requested, I now write to you in connection with the above matter.

As a Nationwide organisation we are fully supportive of licensing home boarding establishments, and already work successfully with a number local authorities across the country. Indeed, prior to commencement of trading in 2004 we contacted all of the environmental health licensing departments within the area to advise them of our operation in their area.

In order for a franchisee to operate successfully it is critical we have a cross section of competent carers all of whom are fully insured by us. We arrange pet collection and delivery between customer and host, each time conducting an audit of the premises to ensure the host is continuing to meet our strict criteria. We handle all paperwork, keep records and our Host families are supported 24 hours a day 7 days a week whilst they are pet sitting. Many of our hosts are retired people who do not wish, or are unable to commit full time to owning a dog of their own. Our carers are **not running commercial boarding establishments** and nor do they host full time. I am sure you can appreciate that the social and health benefits associated with walking and caring for a visiting dog, especially for older, lonely people, are of inestimable value.

As a franchised organisation all franchisees follow exactly the same operating system for host management which has been written in line with the Lacors home boarding conditions, and Barking Mad Ltd. are currently working very closely with PIF in the drafting of new legislation to adequately reflect the needs of all pet care establishments.

Franchisees cover the cost for each host to be licensed, however at £220 per family the cost is prohibitively expensive. Furthermore, the suggestion that a private home accommodating one dog on a very occasional basis should be charged at the same rate as a boarding establishment puts our business in a unfair and disproportionate trading position. I also do not concur that it takes the same amount of time to inspect a kennel as it does a home. There are 21 pages of conditions set out for a boarding kennel establishment compared with 6 for home boarding, perhaps you could explain in more detail why the inspection takes the same amount of time; from Barking Mad Ltd.'s trading experience the cost is considerably less than £220, with most councils charging around £50.

In conclusion, whilst we remain fully in favour of licensing we are unable to support the £220 fee. We would be very happy to discuss other possibilities - such as umbrella licensing where we pay a fixed fee to cover a fixed number of host families, or that you license us as franchisee rather than the individual hosts. I am also very happy to offer the Council support in any way regarding the management/inspection of home boarding operators, if this would be of use as we believe dogs' care and welfare to be of prime importance – whoever is supplying it.

I will not do anything until I receive your response.

Yours sincerely

Susan Phillips
Business Owner

Appendix B - Animal Boarding Establishment fees charged by a selection of local authorities in the Eastern Region

Authority	New		Renewal
South Cambs DC	£86.00		£86.00
Hunts DC	£233.00		£138.00
East Cambs DC	£156.00		£130.00
Peterborough CC	£309.00		£165.00
North Herts DC*	0-50	£235.00	£196.00
	51-100+	£290.00	£251.00
	Home B	£120.00	£120.00
King's Lynn & West Norfolk BC**	Regular	£48.50	£48.50
	Home B	£25.00	£25.00
Breckland DC	£161.71		£161.71
Uttlesford BC	£130.00		£130.00
Babergh DC	£124.00		£124.00
St Edmundsbury	£175.00		£175.00
Norwich CC	£238.00		£238.00
Colchester BC	Regular	£135.00	£135.00
	Home B	£125.00	£125.00

* North Herts DC calculates standard boarding fees by the amount of animals boarded

** King's Lynn fees under review