

This Report will be made public on 18 August 2017

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **DCL/17/05**

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**To:** Planning & Licensing Committee  
**Date:** 29 August 2017  
**Status:** Non-executive decision  
**Head of service:** Dr Sarah Robson, Communities

**SUBJECT:** Home Boarding Licensing Conditions (Dogs)

**SUMMARY:** This report outlines amended Conditions for dogs boarded in people's homes. There is a growing number of Home Boarders in the District. The existing conditions need to be amended to keep pace with the growing popularity of home boarding. The main change is to allow Home Boarders to board dogs from more than one family at the same time.

**REASONS FOR RECOMMENDATIONS:**

Committee is asked to agree the recommendations set out below because:

- a) Home Boarders have been asking for some time to be allowed to board dogs from different families
- b) The new conditions will allow small businesses to expand and be more sustainable
- c) The new conditions are in line with those recommended by Local Government Regulation (formerly LACORS) and the majority of other Councils have adopted similar conditions

**RECOMMENDATIONS:**

- 1. To receive and note report DCL/17/05.
- 2. To approve the conditions in Appendix 1

## **1. BACKGROUND**

- 1.1. Under the Animal Boarding Establishments Act 1963, any person wishing to offer, as a business, overnight boarding or day care for other people's animals (dogs or cats), whether in Kennels, a Cattery or in a home environment, must obtain a licence from their local authority. The cost of the license for one year, for up to 20 animals, is currently £122.
- 1.2. This year we have issued 24 Animal Boarding Establishment Licenses. An increasing number of applications are coming in from home boarders. This is where someone chooses to look after other people's dogs in their own home for a fee. Doggy Daycare and overnight boarding are an increasingly popular choice for dog owners over traditional boarding kennels.
- 1.3. Our current guidance is aimed primarily at Kennel and Cattery owners, but as the popularity of home boarding has increased there is now a case to have separate conditions for home boarders to ensure that they are relevant and appropriate.

## **2. CONSULTATION**

- 2.1 Upon annual review of every Animal Boarding Establishment Licence we conduct a site visit, for Home Boarders this is the applicant's home address. In early 2017, during these visits, the proposed changes were discussed with every applicant in person and all were in favour of the change which would allow them to board dogs from different families.

## **3. THE CONDITIONS**

- 1.1. We currently only allow home boarders to take in dogs from one family home at a time, whether or not they have their own dogs at the premises. Most other Councils are now operating in line with the LACORS (the body which co-ordinates local authority regulators) Model Conditions 2005 which was updated in 2009.
- 1.2. Our current conditions state that:  
  
*“Only dogs from the same household may be boarded at any one time. Dogs must not be boarded with any cat, unless they normally live together in the same household.”*
- 1.3. These conditions are intended to protect the safety of the dogs and to protect the licensee from any claim for a dog attack, injury, etc.
- 1.4. There are risks involved with home boarding that are not present in boarding kennels. For example, if dogs that are strangers to each other are left unattended, there is the potential for one dog to turn on another (e.g. over feeding time, or to become protective over an area/corner of a room).
- 1.5. LACORS was aware that some councils were choosing to relax this requirement provided the licensee was able to meet a number of additional requirements/ licence conditions. Examples of additional requirements include:

- Specific written consent of each household showing confirmation that they are content for their dogs to be boarded with others.
  - A mandatory trial (documented) familiarisation session for all dogs prior to stay.
  - Separation of dogs from different households in secure areas when left unattended.
  - Separate feeding of dogs to minimise the likelihood of dispute and aggression.
- 1.6. When an application for a licence is received, the overall number of dogs to be boarded and the number of dogs from different households to be boarded will be considered. The final maximum number will usually be dependent on the size of the premises, the size of any outside area and the proximity of neighbouring premises who could be affected by the noise from barking dogs. As with any decisions relating to the number of dogs allowed to be boarded, consideration is also given to whether the premises are constructed to allow:
- Adequate space for dogs (condition 4.3)
  - Sufficient space available to be able to keep dogs separately if required (condition 4.5)
  - The separation of dogs showing signs of disease (condition 5.6.1).
- 1.7. Measures put in place to ensure disease control will be particularly important in circumstances where dogs from more than one household can be boarded together.
- 1.8. To minimise the risk and spread of disease, all dogs must have current vaccinations against Canine Distemper, Infectious Canine Hepatitis, Leptospirosis, Canine Parvovirus and other relevant diseases (as stated in condition 5.5.2). LACORS is aware that some Councils are additionally requiring that dogs boarded together are vaccinated against Bordetella kennel cough. Where necessary, councils should seek veterinary advice on vaccination, worming and flea treatment.
- 1.9. It is also recommended that the Licensee check that their Public Liability Insurance company will cover dogs boarded from different households.
- 1.10. Our proposed new conditions (see Appendix 1) follow this guidance and would enable home boarders to board dogs from more than one family, the number being dependant on the space within the home and the ability to separate the dogs. Written consent must be obtained from the dog owners to say that they are happy to have their dog boarded with dogs from other families, and a familiarisation 'meet and greet' is also mandatory.
- 1.11. This change will allow home boarders to have a more viable business. We are also responding to the trade who have been lobbying for Shepway to introduce the LACORS standards since the 2009 amendments.

#### **4. PROCEDURE**

4.1.1 If agreed, the conditions will be published on the Council's website and sent to all Home Boarders for immediate implementation.

#### **5. OPTIONS**

5.1 Committee have a choice whether or not to approve the conditions. They can:

- a) Approve the conditions
- b) Not approve the conditions, in which case the current guidance will remain in place

#### **6. RISK MANAGEMENT ISSUES**

6.1

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
If we do not update the conditions to allow boarding from more than one family, the Council may be seen as restricting small businesses	Medium	Medium	Approve the conditions
Applicants can appeal to the Magistrates Court who may find in the applicant's favour and award costs against the Council.	Medium	Low	Approve the conditions

#### **7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

##### **7.1 Legal Officer's Comments (DK)**

There are no legal implications arising directly out of this report on the basis all dog home boarders undertake to comply with the conditions contained in Appendix 1.

##### **7.2 Finance Officer's Comments (MF)**

There are no direct financial implications other than those included in the report.

##### **7.3 Diversities and Equalities Implications (BP)**

There are no diversity or equality implications arising from this report.

#### **8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

**Arthur Atkins – Environmental Health and Licensing Manager**

01303 853242

arthur.atkins@shepway.gov.uk

**The following background documents have been relied upon in the preparation of this report:**

Animal Boarding Establishments Act 1963

LACORS Model Licence Conditions for Home Boarding (Dogs)

**Appendices**

Appendix 1 – Shepway District Council – Animal Home Boarding Conditions