8. DOG DAY CARE BOARDING ESTABLISHMENT CONDITIONS

REPORT OF: Lynne Standing, Head of Housing, Environmental Health and Building

Control

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Wards Affected: ALL Key Decision: No

Report to: Licensing Committee

Date of meeting 17 September 2014

Purpose of Report

 The Purpose of the report is for Mid Sussex District Council to adopt a set of licence conditions for commercially run animal boarding establishments providing day care for dogs across the district.

Summary

2. Under Section 1 of the Animal Boarding Establishments Act 1963 the Council has the power to licence animal boarding establishments. It is proposed that the revised set of standard licence conditions, as set out in appendix 1, will safeguard animal welfare.

Recommendations

3. The Committee is recommended to:

Approve the adoption of the licence conditions for animal boarding establishments for dog day care businesses set out at appendix 1 to be introduced on the 1 October 2014.

Background

- 4.1 The Council licenses establishments that board dogs under Section 1 of the Animal Boarding Establishments Act 1963.
- 4.2 The licence and conditions are site specific and limit the number of animals the establishment can board.
- 4.3 The Licence is issued with a set of model conditions which meet the following objectives:
 - i) that animals are kept in accommodation suitable in respect of construction, size, temperature, lighting, ventilation and cleanliness;
 - ii) that animals are adequately supplied with suitable food and drink, and are visited at suitable intervals:
 - iii) that animals are kept secure;
 - iv) that reasonable precautions are taken to prevent the spread of infectious diseases;
 - v) that appropriate steps be taken in the event of an emergency;

- vi) that a suitable consistent level of management is maintained.
- 4.4 In 2011 the Pet Care Trade Association in conjunction with representatives of the Chartered Institute of Environmental Health issued a set of draft guidelines incorporating the five "needs" for animal welfare contained in the Animal Welfare Act 2006.

4.5 The five needs are:

- ✓ Need for a suitable diet by ready access to fresh water and a diet to maintain full health and vigour.
- ✓ Need for a suitable environment by providing an appropriate environment including shelter and a comfortable resting area.
- ✓ Need to exhibit normal behaviour patterns by providing sufficient space, proper facilities and contact with humans and with other dogs if appropriate and in a safe environment.
- Need to be free from pain and injury by prevention or rapid diagnosis and treatment.
- ✓ Need to be free from fear and distress by ensuring conditions and treatment which avoid mental suffering.
- 4.6 These guidelines are now incorporated within Mid Sussex District Council's conditions together with guidance so that we can provide practical advice to business owners whilst reflecting current practices. The new conditions and guidance are contained in appendix 1.
- 4.7 The Council licenses 28 animal boarding establishments. Of these, 11 are described as traditional kennels. The remainder are 'home boarding establishments'. As the name suggests these are domestic premises that are licensed by the council to board dogs overnight for payment. Traditional kennels and the home boarding establishments have different conditions, reflecting the nature of the premises.
- 4.8 During the past 18 months we have become aware of a growing trend by business to offer day boarding for dogs. The businesses are more popularly known as 'dog day care', 'dog creche' or variations on these names. The premises board dogs during the working day but not, generally, overnight.
- 4.9 The current conditions (for home boarding and separately for kennels) do not take into account the unique nature of day care boarding. Generally these types of operations take place in warehouses/outbuildings and the layout in these businesses differs from traditional kennels and dwellings.
- 4.10 The legislation, (Animal Boarding Establishments Act 1963), does not differentiate between overnight, home boarding and day care boarding but they all fit the legislative definition of boarding and therefore require a licence to operate legally.
- 4.11 This report proposes separate conditions solely for 'day care' establishments. The proposed conditions cater for dogs in such environments ensuring their health and welfare needs are met. A number of the conditions are the same across all boarding establishments, whilst others reflect the differing environments.

- 4.12 The proposed conditions reflect many things such as good management of the premises, staff training and the welfare of the animals. It is not anticipated that the changes are likely to incur costs to the proprietors of the boarding establishments.
- 4.13 Specific conditions have been included about the reporting of dog escapes, serious illness, death and any incident causing a serious risk to the welfare of the dog, staff or general public.

Policy Context

5. The Council licenses boarding establishments through the Animal Boarding Establishments Act 1963. The licences are issued subject to compliance with conditions. Breach of the licence could result in the Council taking legal proceedings.

Other Options Considered

6. The option could be one set of conditions for all 3 scenarios, or not to license day dog care. But the businesses are different in the accommodation and services they provide and one set of conditions could cause confusion around compliance.

Financial Implications

7. The effect will be cost-neutral to the Council.

Risk Management Implications

8. None.

Equality and Customer Service Implications

9. None identified.

Other Material Implications

10. None.

Background Papers

Appendix 1 – Proposed conditions



COMMERCIAL DOG DAY BOARDING ESTABLISHMENTS

CONDITIONS AND GUIDANCE SUBJECT TO WHICH THE ATTACHED LICENCE IS GRANTED

1st August 2014

7.3 Exercise Facilities / Play Areas

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Section 1: Licence display

Summary

The boarding establishment owner has an obligation to make sure their business complies with all relevant current legislation and acts accordingly. The principal legislation dealing with animal boarding establishments is the Animal Boarding Establishments Act 1963 which addresses the areas to be covered by the licence relating to animal welfare and management. It is essential that consumers and those responsible for premises management are aware of the licence conditions.

Boarding establishment owners must insure against public liability, third party liability, liability for death/loss of an animal in their care and veterinary fees.

Section 1

REF	STANDARD CONDITIONS	GUIDANCE
1.1.1	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 commercial day boarding of dogs.	
1.1.2	A copy of the licence must be displayed to the public in a prominent position in, on or about the boarding establishment and a copy of the conditions must be available.	The licence should be displayed in a place that is easily visible to visitors.
1.1.3	The establishment shall at all times be laid out and operated in accordance with an approved plan, annexed to this licence. Extensions or variations to the approved plan must not be undertaken without prior written permission from the licensing authority.	
1.1.4	Any authorised officer of the Council may inspect the premises at any time at their discretion and may be accompanied by any veterinary surgeon / officer / animal health / welfare expert to advise on the health and welfare of the animals, or a fire officer to	

	advise on fire precautions.	
1.1.5	No dog registered under the Dangerous Dogs Act 1991 must be accepted for boarding. Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for boarding. Stray dogs are not to be accepted for boarding.	
1.1.6	There shall be no overnight boarding of dogs at the premises	
1.1.7	Entire males and bitches in season, or bitches due to be in season during the boarding period, must not be boarded together. OR Entire Males may be accepted if the Licence applicant has a policy in place for suitable controls, and this policy is provided to the licensing authority.	
1.1.8	Puppies under 6 months of age may be boarded, at the Managers discretion, provided that they are suitably vaccinated and a trial socialisation period has taken place (depends on suitable physical segregation). OR No puppies under 6 months old are to be boarded at any time.	

SECTION 2: ANIMAL WELFARE

Summary

The Animal Welfare Act 2006 requires that anyone who has responsibility for an animal has a legal duty to meet the five basic welfare needs- a suitable diet, a suitable environment, to exhibit normal behaviour patterns, to be free from pain and injury, to be free from fear and distress. This legal duty now extends to boarding establishments. Proprietors of boarding establishments will be required to ensure all animals in their care are given at least the minimum standard of care as stated in the five needs. Although this has always been good practice, it is now illegal not to do so.

REF	STANDARD CONDITION	GUIDANCE
2.1 Need f	or a Suitable Diet	
2.1.1	Animals must have access to fresh water at all times	Ensure that a system is in place to confirm that there is access to fresh water at all times and that regular checks are continually made to make sure that each animal has enough water.
2.1.2	All animals must be provided with a diet to maintain full health and vigour	Ensure that dogs are offered a wholesome diet that is suitable for the type, age and breed.
2.2 Need f	or a Suitable Environment	
2.2.1	All animals must be provided with an appropriate environment including shelter and a comfortable resting area	 Ensure that the dog has an appropriate shelter and environment which provides protection from temperature and weather extremes and that the dog has freedom to move to a cooler or warmer place when necessary. Ensure that the dog has a comfortable resting place of their own where they can feel safe and secure. Ensure that the dog is housed in an environment free from things that could cause harm. Dogs should have access to natural light. There must be an equal number of rest / sleeping areas provided at all times for the number of dogs present each day.
2.2.2.	All animals must be provided with a bedding area or bench large enough and suitable to allow the animal to lie comfortably. Where bedding is used it should be maintained in a clean and dry state.	Movable benches should be thoroughly cleaned at least twice weekly.
	o be Free from Pain, Injury or Disease	
2.3.1	Any sick or injured animal must receive appropriate care and treatment without delay. Veterinary advice	Minimise the risk of disease through providing environmental conditions and staff training so that any signs of disease or injury

	should be sought whenever necessary. Staff training to ensure animals are handled in such a way as to avoid injury or distress. A Record must be kept per condition 5.2.	 are referred to the manager and/or the Vet as appropriate Veterinary advice should be sought for anything other than minor ailments.
2.3.2	All animal housing and exercise areas should be in a good state of repair to prevent injuries as far as reasonably possible.	 Ensure that the dog is housed and exercised in an environment free from hazards that could cause harm. Ensure there are no sharp edges, cracked or significant chips in glass, rust or bare wood or anything else that could pose a hazard to animals.

2.4 Need	to Express Normal Behaviour Patterns	
2.4.1	All animals must be provided with sufficient space to allow for normal behaviour.	
2.4.2	All animals must be given the opportunity for daily interaction, stimulation and rest.	 An appropriate schedule of exercise, play, and other human contact should be implemented to ensure that dogs get sufficient human contact, in so far as is practicable, safe and in proportion to the length of stay at the premises. Many dogs have almost constant human companionship but little or no contact with other dogs. To place these dogs in a multi dog environment could cause fear and stress, so when developing a socialisation schedule, the interests of the dog, together with the wishes of the client should be taken into consideration. In adverse weather the responsible person should decide whether or not dogs should be given free access to the exercise areas. Exercise and stimulation should be implemented on a daily basis to avoid boredom and frustration. A correct balance between mental wellbeing and clinical hygiene should be found. A dog should not be deprived of sensory stimulation simply to "keep it quiet". Barking is often a dog's way of exhibiting normal behaviour and within reason should be seen as part of normal behaviour. But this does not suggest that it acceptable to cause a statutory noise nuisance.

2.4.3	Animals housed in indoor accommodation must be let out of their accommodation at suitable and regular intervals.	It is recommended that this should be at least 1 hour a day. This can be walking, playing or letting dogs run free in a secure exercise area, but can also include times spent in the grooming room or other social interactive activities.
2.5 Need	to be free from Fear and Distress	
2.5.1	Suitable, separate facilities must be available to keep all dogs separate when necessary, particularly in the case of an attack incident.	 Some dogs thrive on the exciting and hectic life while others are frightened by the proximity of strangers, both human and animal. Wherever possible establishments should have a "quiet area" or prevent direct view of other dogs to cater for the timid type of dog. Animals must be offered the opportunity to hide as a natural instinct. Where possible units should be designed to provide an area where timid dogs can feel safe.

SECTION 3 - OPERATIONAL MANAGEMENT

REF	STANDARD CONDITION	GUIDANCE
3.1 Hygie	ene	
3.1.1	All animal accommodation, including corridors, common areas, kitchens etc must be kept clean, dry 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.	A written cleaning policy must be formulated and updated regularly.
3.1.2	All accommodation must be cleaned at least once daily.	Excreta and soiled material must be removed from all areas used by dogs when required.
3.1.3	All bedding must be kept clean and dry as far as reasonably possible.	Bedding should be changed as required.
3.1.4	Facilities must be provided for the proper storage and legal disposal of all waste.	
3.1.5	Adequate measures must be taken to keep establishments free of rodents, insects, and other pests.	

3.1.6	Adequate hand washing facilities must be provided, to include hot and cold (or suitably mixed) running mains water, soap and hygienic hand drying provision. Hand wash basins must be connected to the mains drainage system. Hand washing facilities must be provided within both the designated kitchen area and within the boarding compound.	
3.2 Kitch	en Facilities	
3.2.1	There should be a suitable "fit for purpose" area that is used exclusively for the storage and preparation of boarders' meals, refrigeration facilities must be provided.	This should include a food preparation area, food storage and a sink with hot and cold water for the washing of bowls and other equipment.
3.2.2	All animal feeds must be stored appropriately.	 Where fresh and cooked meats are used, refrigeration facilities should be provided, and potential food contamination must be avoided. Dry food should be kept in dry, rodent and insect proof containers. A dry and vermin proof area should be provided for bulk storage of food stock.
3.2.3	All eating and drinking bowls must be capable of being easily cleaned and disinfected to prevent cross-contamination. They must be maintained in a clean condition.	 All equipment used for feeding and providing water must be kept in a clean and hygienic condition. The use of disposable dishes is acceptable but is intended for single use only.
3.2.4	All feeding bowls must be cleaned after each meal. Drinking bowls must be cleaned at least once a day.	
3.3 Temp	perature in Kennels	
3.3.1	An adequate written procedure should be in place to protect dogs from extremes of temperature.	It is recommended that temperatures should not normally fall below 10°C or exceed 26°C Establishments should have a hot and cold weather policy to protect animals from extreme temperatures Note: different dogs tolerate different ranges of temperature and this should be considered when considering and setting

3.4 Disea	ase Control and Vaccination		
3.4.1	Adequate precautions must be taken to prevent and control the spread of disease and parasites amongst the dogs. An appropriate written procedure for dealing with infectious diseases must be established. This must include provision for isolating infectious animals.		
3.4.2	Before admittance to the boarding establishment verification of current vaccination or acceptable titre levels must be obtained. This record of vaccination must be kept on site throughout the period that the dog is boarded.	In the absence of a valid certificate, veterinary verification of immunity should be sought before admitting the dog/cat. e.g. by phoning the vet. This must be verified in writing.	
3.4.3	A first-aid kit suitable for use on dogs must be available and accessible on site.	First aid materials and equipment should be available on the premises. The location of the kit should be away from public areas and be easily identifiable and accessible to all trained staff. Commercial kits are available but must be kept fully stocked.	
3.4.4	A suitable range of muzzles of varying sizes and a suitable dog catching device must be kept on site.		
3.5 Supe	3.5 Supervision of Animals		
3.5.1	Dogs must be monitored at regular intervals as necessary for their health, safety and welfare.		

SECTION 4: STAFF MANAGEMENT

REF	STANDARD CONDITION	GUIDANCE
4.1.1	A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.	 A written training policy must be formulated and updated regularly. All staff must have a specific or individual training record kept in a secure place on the premises. It is recommended that at least one member of staff must be studying for, or hold, a relevant level 3 qualification, or an industry recognised equivalent award.

SECTION 5: BOARDING ESTABLISHMENTS ADMINISTRATION AND MANAGEMENT

REF	STANDARD CONDITION	GUIDANCE
5.1 Register		
5.1.1	 A register must be kept of all dogs boarded. The information kept must include the following: Date of arrival. Name of dog. Description, breed, age and gender of dog. Name, address & telephone number of owner or keeper. Name and telephone number of local contact person if owner or keeper is abroad. Name and address and telephone number of the dog's veterinary surgeon. Anticipated and actual time of departure. Health, welfare and nutrition requirements. Signed authorisation for dog to mix with other dogs 	 A mobile phone number should also be noted if applicable, but should not be the sole means of contact. Information from the register essential for the daily care and welfare of the animals currently on site must also be available to key members of staff at all times.
5.1.2	the register must be kept available for a minimum of 24 months and kept in such a manner as to allow an authorised officer easy access to such information.	Where records are computerised, a backup copy should be kept.
5.2 Identification of a		
5.2.1	A daily diary should be maintained to record details of injuries, illness and other notable events.	
5.2.2	A system must be in place to ensure that relevant information about dogs in residence is readily available.	This can be a wipe clean board or a simple display board within the unit.

5.3 Emergency Procedures			
5.3.1	There must be a written emergency plan which must	•	The plan should include instructions on where staff and
	be on display and known to staff.		dogs are to be evacuated to in the event of emergencies

		 such as fire or flooding. Emergency telephone list should include fire, police, and vets.
5.3.2	A Fire Risk Assessment (as required by the Regulatory Reform (Fire Safety) Order 2005) must be undertaken and kept available for inspection. Suitable fire detection and firefighting equipment must be provided in accordance with the findings of the risk assessment.	
5.4. Written Pr	rocedures	
5.4.1	Any written procedure which is required as a condition of this licence must be capable of being produced on demand by a constable or other authorised officer.	
5.4.2	The Licensing Authority must be informed within 12 hours of the death of an animal whilst in the care of the establishment; or as soon as possible where a dog has died within 14 days of any length of stay at the establishment. The Licensing Authority must be informed within 12 hours of a dog being taken seriously ill at the establishment and requiring any veterinary intervention. The Licensing Authority must be informed of any attack incident (both dog on dog or dog on person) involving any boarded dog, within 24 hours of the attack occurring.	Early intervention will allow a full investigation of the facts to be ascertained and therefore ensure public confidence is maintained in the establishment and the council.
5.4.3	The Licensing Authority must be notified immediately (and in any event the same day) of any dog that escapes or becomes lost.	
5.4.4	The Licensing Authority must be informed within 12 hours of any incident deemed by the licence holder to be a serious threat to the welfare of any dog boarded at the establishment, any member of the staff or the general public.	

SECTION 6: CONSTRUCTION (New and Existing Buildings)
Note: There are several recognised layouts for construction and refurbishment

REF	STANDARD CONDITION	GUIDANCE	
6.1 General	6.1 General		
6.1.1	The establishment must be constructed in accordance with planning permission and building regulations.	 Application for building works may require approval from the building control section and/or development control section. Before carrying out any substantial alterations plans should be submitted and approved by the licensing team. A record of plans and supporting paperwork should be kept by the owner on their licence file. 	
6.1.2	The owner must have a fire risk assessment for the premises.	Owners should seek advice from West Sussex Fire and rescue on their fire risk assessments and implement such advice.	
6.2 Layout			
6.2.1	All buildings must be constructed to offer visual stimulation and distraction to the dogs being housed where applicable.	 The premises should be constructed in such way as to be conducive to health, hygiene and disease control while simultaneously offering all dogs boarded a stimulating environment which should be as stress free as possible. Ensure that the dog has a comfortable resting place of their own where they can feel safe and secure. Some dogs may need a visual barrier. e.g. those which are aggressive, fearful or agitated. 	
6.2.2	The premises, buildings, grounds and perimeters must offer a safe and secure environment for boarders.	The design and construction should offer a safe environment for both boarders and staff.	
6.3 Walls, Partitions , Doors and Animal enclosures			
6.3.1	All internal surfaces used in the construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no		

	projections or rough edges liable to cause injury.	
6.3.2	Junctions between vertical and horizontal sections	
	must be sealed.	
6.3.3	Where wood has been used in construction it must	
	be smooth and treated to render it impervious.	
	There must be no projections liable to cause injury.	
	All exterior wood must be smooth and properly	
	treated against wood rot, e.g. Tanalised. Only	
	products which are not toxic to dogs may be used.	
6.3.4	Construction should prevent escape	To prevent accidental escape by the dogs, all doors should have self-closures. These are to prevent dogs escaping from the boarded accommodation into areas such as offices etc and to prevent escape from outside exercise areas away from the premises itself.
6.3.5	Enclosures must be constructed to minimise the	
	risks of dogs escaping and/or becoming trapped	
	within the framework.	
6.4 Floors		
6.4.1	Floors of all buildings, including rest areas,	Floors of kennels and related exercise areas should be
	individual exercise areas and corridors, must be of	constructed in impervious material and be readily cleanable while
	smooth, impervious materials, capable of being	providing sufficient grip for the dog to walk or run without
	easily cleaned. see 6.3.1 above	sustaining injury.
6.4.2	All internal floors must be constructed and	
	maintained in such a condition as to prevent	
	ponding of liquids and must be strong enough to	
	resist impact	
6.5.1	Ceilings must be of suitable height to ensure light	
	fittings and other fittings do not pose a risk of danger	
	to dogs.	
6.6 Windows	I	1
6.6.1	All windows must be designed and secured to	In cases where a window poses a security risk it must be
	prevent dogs escaping through them.	protected by welded mesh, or be made of reinforced glass,

		polycarbonate or other impact resistant material.
6.6.2	Windows should be of suitable size and placement to ensure adequate light and ventilation for the building.	
6.7 Drainage		
6.7.1	The establishment must be connected to mains drainage or an approved, localised sewage disposal system.	
6.8 Lighting	• •	
6.8.1	During daylight hours light must be provided to exercise and rest areas so that all parts are clearly visible. Where practicable this must be natural light.	Access to natural light ensures that animals can enjoy natural light during daylight hours.
6.8.2	Adequate supplementary lighting must be provided throughout the establishment.	Natural lighting may need to be supplemented even during day light to enable staff to work safely to allow efficient working throughout the year.
6.9 Ventilation		
6.9.1	Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the bedding area.	
6.10 Maintenan	ice	
6.10.1	Maintenance and repair of the whole establishment must be carried out as required to maintain a safe clean environment.	
6.11 Electrical	installations	
6.11.1	All electrical wiring and lighting etc. to be at a suitable height or position that is out of the reach of the animals	All electrical wiring such as cables, lighting, sockets or electrical appliances should be positioned to prevent the dog coming into contact with it.
6.11.2	All electrical installations and appliances must be maintained in a safe condition, with no loose or trailing cables or wires. All heating appliances must be free from risk of fire, so far as is reasonably practicable. There must be no use of free standing gas, oil, or electrical heating appliances.	

SECTION 7: NUMBER OF ANIMALS

Summary

For reasons of clarity and to avoid misinterpretation the following terminology is used in this document:

Boarding Establishment: A premises used in the course of a business to board dogs during the daytime hours. These will include venues describing themselves as 'Dog crèche', doggy day care, dog hotels where boarding takes place during the daytime.

Enclosure: A purpose built area with a boarding establishment that keeps dogs from escaping.

Run: An enclosed area directly adjoining and exclusive to the kennel.

Exercise/play area: A large fenced area used for exercising dog and not used for housing dogs.

Indoor Accommodation: Indoor accommodation is an inside unit with no attached run.

REF	STANDARD CONDITION	GUIDANCE	
7.1 Number of Dog	7.1 Number of Dogs Boarded		
7.1.1	The maximum number of boarded dogs in any one premise at any one time will be specified by the licence. The number of dogs permitted at an establishment will be determined by the suitability of the premises including size, available space and staff/supervision levels.		
7.1.2	No animals other than dogs are to be boarded within the licensed facilities.		
7.2 Exercise Facili	7.2 Exercise Facilities / Play Areas(Dog Boarding Establishments)		
7.2.1	Animal boarding establishments must offer enclosure/play areas.		

7.2.2	Exercise areas must be of sufficient size to allow dogs to run free and must be a minimum of 100m ² with a shortest length of 10m.	 The exercise pen is designed for dogs to be able to gallop freely. Consideration should be given to the height of the enclosure which should be a minimum of 2m if no jump guard is present. Walking dogs outside the premises requires the written consent of the owners.
7.2.3	To reduce the risk of infection an effective hygiene and cleaning procedure should be established to minimise the risk of infection. A written cleaning policy must be formulated and updated regularly.	Any faeces should be cleaned up between dogs.
7.2.4	Exercise facilities shall be provided as follows: Dogs:- All small runs/areas must be surfaced in such a way as to allow adequate cleansing and disinfection. Grass runs are only allowable in paddocks large enough to prevent the ground from becoming unduly fouled or trodden.	