**Local authority involvement in activities relating to the control of dogs – December 2017**

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|  | **Activity** | **Responsible/lead compliance agency** | **Involvement** | **Concerns/Issues** | **RAG Status for Action / Evidence & Information** |
| 1 | Disposal of fallen livestock and the management of Animal By-Products | * Animal and Plant Health Agency (APHA) * Local Authority Animal Health and Welfare Services | * Enforcement action for failure to appropriately dispose of or remove fallen animals | Integrity of the collection and disposal arrangements  Re-use and transfer of identification tags | G |
| 2 | Control of dog breeding activities | * Local authority Licensing Services | * Licensing authority | Reduction in the number of licenced breeders following the introduction of new legislative provisions in Wales.  Private sales.  Avoidance of tax (HMRC role) by unlicensed breeders | G |
| 3 | Monitoring unlicensed breeders that may require licensing. | * Local authority Licensing, Animal Health & Welfare Services | * Monitoring local paper, online adverts etc. for puppy sales and checking level of breeding | Resource intensive and checks with Kennel Club are now charged for | A |
| 4 | Fraudulent sales of dogs | * Local authority Trading Standards Services | * Mis-description of dogs * Counterfeit documentation and claims | False claims of Kennel Club pedigree. Internet sales. | A |
| 5 | Sales and breeding of diseased dogs (parvo virus) or dogs with behavioural issues or physical defects | * Local authority Licensing, Animal Health & Welfare and Trading Standards Services | * Responding to requests for assistance and initiating enforcement interventions | Enforcement resource burden  Antisocial issues  Large veterinary bills for new owners | G |
| 6 | Control of the importation of puppies and dogs for sale | * Local authority Animal Health & Welfare/Port Health Services * Port Health | * Availability of competent officers to undertake checks at points of entry to the country | Recent incidents at Fishguard / Pembroke Port have highlighted the trade and the costs associated with detaining and placing animals in quarantine.  RSPCA / Dogs Trust / HMRC and BBC have identified wide scale puppy breeding in the Irish Republic where puppies, often sick, are move for sale to the UK. | R  Puppies are purposely hidden and concealed in suitcases, under clothing. In larger vehicles hidden behind furniture and other household items. Often crammed into make shift cages and unable to stand, sit up or move around.  Vehicles are not declaring the puppies /dogs at the point of entry and therefore do not show up on the ships manifest, there is no legal requirement to declare a non-commercial movement to the transport company.  This is challenging LA resources and officers have raised the question on numerous occasions, how are so many pups leaving Ireland and ending up at our ports for the Welsh LAs to deal with, checks to be tighter before vehicles embark on the ferries to Wales.  Pembrokeshire currently has four sailings every 24hrs (Pembroke & Fishguard) with resources as they are officers carry out a visit to each port once a month.  Intel from port police and security at the ports has highlighted regular puppy smuggling traffic through both ports and especially at night.  To circumvent any controls the puppies can be driven through the open border with Northern Ireland and then utilise a ferry to Liverpool, making a mockery out of such controls. |
| 7 | Control of sales of dogs in pet shops | * Local authority Licensing/ Animal Health & Welfare Services | * Licensing authority | Sales of dogs from pet shops. | G |
| 8 | Promotion of good pet ownership | * Trade associations * Animal charities * WG * Local authorities | * Events and promotional activity will be conducted if resources are available. | This is becoming more challenging as local authority service budgets come under increased pressure. | R  In 2009/2010 – CAWES Education Project WG funded work  This project was a part of the wider Companion Animal Welfare Enhancement Scheme (CAWES), which aimed to improve the welfare of companion animals in Wales by raising awareness of animals’ needs, and the Duty of Care element contained in Section 9 of the Animal Welfare Act 2006. The remit for this project was to raise awareness of the elements of duty of care for pets, with the target audience being primary school children.  Welsh Government provided some materials to aid this venture, namely puzzle books, stickers, bookmarks, pencils & pens, branded with the CAWES logos.  To compliment this PCC developed a publication entitled “Pet Care – a Guide For Young Children” – This book was officially launched in February 2010 by local celebrity Anna Ryder Richardson.  Following on from this PCC engaged in a special project for WG entitled An Examination of the licensing of dog breeding establishments in Wales was submitted to the WG in August 2009.  This project was well received by WG and formed a large part of the foundation evidence for Elin Jones, Minister for Rural Affairs, to announce her intention to set up a task and finish group “breeding of dogs review ” to look at dog breeding and provide remedies for the problems that currently beset both licenced and un-licenced dog breeding.  As part of the project a Best Practice Guide for licensing of Dog Breeding Establishments was produced and circulated to all 22 Welsh Authorities and has received good reviews.  New Dog Breeding legislation for Wales was finally introduced in 2014. |
| 9 | Microchipping of dogs and puppies | * Local authority Dog Wardening Services | * Responsible authority status | All dogs, with a few exceptions, must now be microchipped – not just pups | A |
| 10 | Dog boarding / Day Boarding / Dog caring services | * Local authority Licensing /Animal Health & Welfare Service | * Licensing authority | New services developing for boarding dogs for the working day. Dog walking services and are the dog kept or capable of being kept under control at all times. | A |
| 11 | Number of animal sanctuaries set up that “rescue” dogs. These are unregulated and may vary in standards | * Local authorities or RSPCA |  | May be issues of welfare, nuisance.  They may re-home, problem or diseased dogs  Some sanctuaries rescue foreign dogs (Ireland other EU countries) for rehoming in UL. Disease risk etc. | G |
| 12 | Disease control | * CVO * Animal Health * Local authority Animal Health and Welfare Services * Port health * Public Health Wales | * Responsibilities in control plans; capture of dog; |  | R  Rabies control arrangements – legislation requires all illegal landings to be either Re- exported, Quarantined or Euthanased.  APHA Approved Quarantine is very expensive and needs to be considered carefully as LAs can end up with a large bill of costs., which they have no resources earmarked.  **Costs to consider.**  ACCOMMODATION per week for a dog/pup @ £150.00 for a week  INITIAL QUARANTINE VET CHECK @ £90.00 per dog  MICROCHIPPING x £30.00 per dog  RABIES VACCINATION x 12 @ £40.00 per dog  WORMING x @ £5.50 per dog  ISSUE OF PET PASSPORTS @ £50.00 per dog  All of these are required before dogs can be released and not before 21 days.  **Intel**  Intelligence and previous multi agency operations suggest that there are a number of individuals who disregard welfare, health and importation laws to import puppies.  There is a potentially high disease risk associated with these dogs. Puppies are then sold on fraudulently to unsuspecting buyers in the UK.  To circumvent any controls the puppies can be driven through the open border with Northern Ireland and then utilise a ferry to Liverpool, making a mockery out of such controls. |
| 13 | Enforcement of byelaws, / fixed penalty notices for existing orders and new orders introduced under the Clean Neighbourhoods and Environment Act 2005 and Anti Social Behaviour, Crime and Policing Act 2014. | * Local authority Dog Wardening Service * Public sector * Community Response | * Regulating and responsible authority | Access to children’s play areas and sports fields and recreations spaces  Powers  are available to restrict access to dogs in specified areas, / to limit the number of dogs on  leads / to require those in charge of dogs to remove dog mess from designated areas, and to place dogs on leads when requested by an authorised officer.  Other agencies need to play a part.  Growing number of complaints.  High public expectation and demand.  Dog fouling features high in consultations | R  This work is required as a duty if the trigger is met under terms of the ABCPA 2014. In order to ensure public are represented LA’s can promote responsible dog ownership and be the report link in for members of the public. The duty as regards dangerous dogs is defined locally in a MoU but the waters regarding control of ‘nuisance’ dogs remain murky. Clear links to exchange information with the Police need to be established to enable Officers to gather the information necessary to consider whether CPN’s for dogs are appropriate to bring about required control. Often, ownership and identification of the dog are difficult and this then feeds into the micro-chipping regs. Enforcement of the regs needs to be a ‘duty’ for LA’s and come with the necessary funding. This can then feed into the identification of ‘nuisance’ dogs to establish adequate control.  Tascomi database allows for sharing of CPN info across boundaries but there is no secure resource to adequately deal with the issue as staff is limited and reducing. The clear impacts are ongoing dangerous dogs and or irresponsible dog ownership and the end result maybe danger to public safety. This is a resource driven legislative requirement and the more resource, the more effective the control. |
| 14 | Disposal of dog waste | * Local authority Dog Wardening Services * Local authority waste management and collection services | * Regulating and responsible authority | Not picking up dog mess  Tying bags containing dog mess to fences, branches, etc.  Disposal of waste in public waste bins  Disposal of waste in domestic bins but fortnightly, 3-weekly and monthly collection of residual waste  Public health issues  Amount into municipal waste streams.  Constitute clinical waste?  Anaerobic disposal required? | R  The ongoing costs are high both in terms of resource to try and police fouling requirements and in terms of cleansing of the highway/public spaces.  Whatever initiative is chosen locally to reduce incidents, they are staff intensive and there are less officers to deal with the matter as efficiencies continue.  The duties to enforce are non-statutory in legislative terms, despite them being statutory to public health and them feeding into the majority of LA’s overarching agendas.  Without funding, this service in Pembs will no longer be provided. |
| 15 | Disposal of packaging material from dog food | * Local authority waste management and collection services |  | WBFG Act . No minimisation of waste. | R  Any funding stream can assist LA’s waste revenue schemes and enforcement and education initiatives can also include education regarding plastic disposal. |
| 16 | Filthy and verminous premises | * Local authority Environmental Protection Services | * Responsible authority under the Public Health Act provisions | Dealt with in accordance with statutory nuisance provisions by Public Protection officers. | G |
| 17 | Noise disturbance and statutory nuisance | * Local authority Environmental Protection Services | * Responsible authority for the enforcement of the Environmental Protection Act | Dealt with in accordance with statutory nuisance provisions by Public Protection officers. | G |
| 18 | Capture and detention of stray dogs | * Local authority Dog Wardening Services | * Responsible authority | Statutory service.  Cost rising for kennelling and providing a dog warden service.  Public expectations rising.  Dog issues rising.  Dog warden services reducing. | R  Section 149 of EPA provides a duty for the LA to appoint a responsible officer to collect and then impound if necessary, any stray dog within the LA area.  Kennel costs are often high and any potential to generate additional income to cover the collection costs comes at an additional cost i.e. if fees/fines for collection and impounding are increased, more dogs are left in the kennels with the burden for ‘disposal’ falling to the LA. These costs can be higher than those associated with simply collecting and impounding.  Microchipping leads to successful identification of lost dogs and enables their return at times, reducing ongoing costs. However, LA’s cant continue to micro-chip when the legislative requirement is non-statutory, as these are often not supported with funding during cost reductions. Therefore the ‘double-edged sword’ is that unless support for the service is forthcoming, the other costs can increase, but the service wont be supported whilst the primary legislative requirement is non-statutory.  The overall effect is that control of responsible dog ownership is being lost on multiple levels, not just strays, but chipping and CPN’s also. A clearly identifiable funding stream for the service is necessary. |
| 19 | Capture of out-of-control and dangerous dogs | * Police * Local authority Dog Wardening Services | * Assist in the capture and detention of dogs | Whilst endeavours sill be made to assist the police, it may not be possible for local authority dog control services to provide a guaranteed response to assist with the capture or seizure of out of control or dangerous dogs. The new ASB provisions allow the police and/or local authority to issue Community Protection Notices (ASB Act 2014) to require dogs to be muzzled etc.  Dog services reducing.  Worrying of and attacks on livestock  <http://www.bbc.co.uk/news/uk-wales-north-west-wales-36423709>;  <http://www.bbc.co.uk/news/uk-england-northamptonshire-37713768> | R  This function is resource intensive. The HASAWA provides we have a duty for our health and safety and welfare of our staff. With reduced staff and only 1 Officer on duty at times, LA’s cant deal with reactive works to handle and control dangerous dogs, putting the public at risk. Potentially LA’s will have to walk away from dangerous dogs in public places so they don’t put their own staff at risk.  Additionally, unless the dog can be identified via the chip, the route to require the owner to be responsible and take control is removed. This could be enforced via the statutory duty contained in the ASBCPA, but multiple failures to support non-statutory elements of the services impacts upon the statutory elements. However, service prioritisation identifies functions separately, as opposed to taking a holistic approach to what is necessary, focusing on ‘statutory or non-statutory’. Similar to salami slicing with LA budgets, service prioritisation is not reflective of the importance of the service. LA’s identifying whether serious harm is caused by a dog attack or food poisoning is irrelevant, what should be the focus is the harm, and weight cannot and should not be given to the cause. As with Risk Assessment, the activity is not important, the potential outcome and mitigation is.  A guaranteed funding stream will resolve the flawed process of determining where to identify savings when all outcomes result in harm to health. |
| 20 | Illegal activities involving dogs (dog fighting, badger baiting, etc.) | * Police * RSPCA |  | Intelligence suggests these activities are taking place but limited involvement by local authority to date. | G |
| 21 | Controlling the ownership of banned dogs | * Police |  | <http://www.bbc.co.uk/news/uk-england-tyne-42322897> | G |
| 22 | Blue Flag Beaches | * Welsh Government * Local authorities * Keep Wales Tidy | * Ensuring that dog control requirements are observed | Unable to patrol and satisfy the award criteria. | R  The loss of blue flag beaches, whilst detrimental to tourism, does not reflect the need to control dogs whilst in environments where there are potentially large numbers of people gathered. The requirement to keep dogs on leads and also areas where there are no dogs are essential to families with young children who do not have dogs. The restrictions in themselves encourage responsible control and the loss of the ability to police this will likely result in less control of dogs by owners. The impacts maybe harm to the public, either through physical or emotional harm. |
| 23 | Admissions to A&E as a result of dog attacks | * GP’s * Welsh Ambulance Service * Local Health Boards |  | <http://www.bbc.co.uk/news/uk-england-39474120> | R  As detailed previously, the dovetailed controls of statutory and non-statutory elements of dog law combine to mitigate physical injury caused by dogs. This is via identification of irresponsible dog owners and the formal requirement to exercise control if necessary. Education is also being reduced, all necessary to prevent harm and hospital admissions. |
| 24 | Medical treatment due to infections contracted from dogs | * GP’s * Local Health Boards |  | Toxicariasis  Hydatidosis  Tetanus  <http://www.walesonline.co.uk/news/local-news/promising-rugby-player-leg-amputated-13643186> | A |
| 25 | Road Traffic accidents due to dogs | * Police * Local Authorities * Welsh Ambulance service * Local Health Boards * Insurance Companies |  | <http://news.bbc.co.uk/1/hi/england/berkshire/5216360.stm>  <http://www.bbc.co.uk/news/uk-wales-south-east-wales-39532668> | A |
| 26 | Livestock attacks | * Police * Local Authorities * Insurance Companies * CVO * Animal Health * Local authority Animal Health and Welfare Services |  | <http://www.bbc.co.uk/news/av/uk-wales-42141158/livestock-attacks-not-taken-seriously-by-dog-owners>  Evidence in some regions of Wales and possible under reporting elsewhere. | R  See above in relation to A&E. All control combine to provide intelligence and assist in control, all of which will be reduced as there is no support for non-statutory elements of the public health agenda.  A funding stream is essential. |

**Criteria:**

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| **RAG Rating** | **Risk considerations** | **Comments** |
| Red | * Is critical to the delivery of strategic or national objectives * Is critical to the protection of public health and safety * Is critical to the protection of the environment * Is critical to the protection of animal health and welfare * Is critical to the legal discharge of a statutory duty to provide a minimum service for this activity * It is a function that only be undertaken/discharged by a designated public body (and publically accountable) and which cannot be delegated to another body/organisation * The activity links directly to the delivery of national strategic objectives and/ or delivers significant outcomes that protect public health and safety and/or animal health and welfare * The legislative provisions or legal framework is either not in place or insufficiently robust/effective to enable the matter to be appropriately dealt with. * Due to competing service priorities, insufficient specialist officer capacity to investigate matters or undertake programmed/routine/response interventions * No resource provision has been identified to undertake work linked to this area of activity and no financial provision is currently available to meet the cost of dealing with such matters or to cover the costs associated with redeploying officers from other duties, * Very limited or no ability to recover costs associated with developing/undertaking promotional or enforcement interventions and/or risk that an authority would incur significant financial losses * High level of public interest or concern and expectation that appropriate controls measures or interventions will be initiated * High level of political interest or concern * Evidence and trend analysis indicates that there is a high level of risk (public health or safety risk * Stakeholders would face life-threatening or business critical consequences. * Severe adverse repercussions would affect large sectors of the population and society in general * A disastrous loss of confidence and trust in Welsh Government and/or local authorities both locally and nationally * Failure to comply with principle of Wellbeing of Future Generations Act or other statutory provisions |  |
| Amber | * Medium level of public interest or concern * Medium level of political interest or concern * Considerable adverse public reaction would result in some damage and a general loss of confidence and trust in Welsh Government or local authorities * Significant health and/or safety risk to individuals and/or communities * Significant risk to the protection of the environment * Significant risk to animal health and welfare * Significant impact on the business community and economic wellbeing * Stakeholders would experience considerable difficulty in pursuing rights and entitlements. |  |
| Green | * Low level of public interest or concern * Low level of political interest or concern * Little or no financial impact, there being sufficient resource available (either through core funding, grant/project funding or ability to cost recover/offset) to undertake promotional activities and enforcement interventions * No loss of confidence and trust in the council * No impact on the delivery of WG or local authority priorities or corporate objectives * The legislative provisions or legal framework are sufficiently robust/effective to enable the matter to be appropriately dealt with and managed. * An effective control regime and/or management arrangements are already in place |  |