

Decision under Delegated Powers

Officer Requesting Decision

Enviro Crime and Dog Control Manager

Officer Making the Decision

Chief Executive

Recommendation

That the contract for the collection and kennelling of stray dogs in the Borough of Charnwood, covering the period from 1st April 2023 to the 31st March 2027 (with an option to extend for two further periods of 12 months) is signed and sealed.

Reason

To meet the statutory obligations of Charnwood Borough Council as the authority to appoint an officer (under whatever title the authority may determine) for the purpose of discharging the functions imposed for dealing with stray dogs found in the area of the authority under the Environmental Protection Act Section 149.

Authority for Decision

Section 16.5 Specific Financial Responsibilities (a) Contracts: states that contracts of £50,000 in value or more must be signed by the Chief Executive or his/her nominee.

For the purposes of The Local Authorities (Executive Arrangements) (Modification of Enactments and Further Provisions) (England) Order 2001, any contract with a value exceeding £50,001 entered into on behalf of the local authority in the course of the discharge of an executive function shall be made in writing. Such contracts must either be signed by at least two officers of the Council or made under the Common Seal of the Council.

The functions of the Contract Compliance Officer are assigned to the Chief Executive who will then delegate these to another officer and a deputy for the normal performance of this role. The current Contract Compliance Officer is the Director of Commercial and Economic Development.

Decision and Date



Robert Mitchell (he, him, his)

Chief Executive

04/04/2023

Background

The Council has a statutory duty using the powers in Section 149 of the Environmental Protection Act to appoint an officer to collect stray dogs found in the Charnwood area. The officer may delegate the discharge of these functions to another person but shall remain responsible for securing that the functions are properly discharged.

Any stray dogs should be kept for a period of seven clear days from the date of seizure to allow the owner time to claim their dog.

To meet these duties, the Council appoints a contractor to collect the dogs and keep them at their kennel facility for up to seven days on behalf of the council. After this time, the dog belongs to the kennel provider which will usually involve the transfer to a rehoming charity.

The kennel will contact the owner using the details on the tag or microchip and upon claiming the dog back the owner will pay a fine, collection fee and kennelling charges which is reimbursed to the council.

The current kennel provider – Animal Care Services Midlands Ltd is the incumbent provider which has been providing this service for the last 6 years. The procurement exercise was completed using the services of the procurement team at Nottingham City Council by giving public notice using the FTS service.

Financial Implications

All costs are already met within existing service budgets.

Is a virement (budget transfer) required to fund this decision? *No*

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Dogs not being collected due to lack of contractor	Low	High	Moderate (6)	Contractor is incumbent provider and is aware of the requirements of the service.
Dogs not being collected by owners	Low	Low	Very Low (1 - 2)	The contractor works with a number of Rehoming charities and has good relationships with them

Key Decision:

No

Background Papers:

None