

## Folkestone & Hythe District Council Stray Dog Policy

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### Introduction

The Council has a duty under s.149 (1) of the Environmental Protection Act 1990 (EPA) to appoint an officer “for the purpose of discharging the functions for dealing with stray dogs found in the area of the authority”. The Council currently employs officers with a remit for undertaking ‘Dog Warden’ duties including:

- Seizure and transport confined stray dogs to licensed kennels
- Patrolling the district and enforce the legislation relating to dog fouling, dogs in general and local byelaws
- Promoting responsible attitudes to dog ownership and the provision of education advice and information for dog owners

Members of the public who find a stray dog are required by the Environmental Protection Act (EPA) 1990 to either return it to its owner, or report it to the local authority. The Council does supply a collection service and will endeavour to collect the dog within 3 hours of the finder reporting it.

Current legislation requires a dog in a public place to be fitted with a collar and a tag bearing the **name and address of the owner** (Note: a micro-chip does not meet this statutory requirement). Where a stray dog has a form of identification or the owner of the dog is known, the Dog Warden will make every effort to return the dog to its rightful owner. However, if the owner cannot be contacted a ‘notice of seizure’ (s.149(3)&(4) EPA) will be issued, specifying that the dog has been seized, is being retained in licensed kennels and that it is liable to be disposed of if it is not claimed within seven clear days from the date of the notice.

The owner of a stray dog is “not entitled” to the return of the animal until they have paid all the expenses incurred and a further prescribed sum (s.149 (5) EPA). Should the dog not be claimed, or the owner declines to pay the sums outstanding, the ownership of the dog is legally transferred to the kennels after seven clear days. The kennels is then entitled to sell or re-home the dog (except for the purposes of vivisection) or to have it humanely destroyed.

### Seizure of a dog

Stray dogs are the responsibility of the Dog Warden during office hours, Monday to Friday 9.00am to 5pm.

The Environmental Protection Act specifies that in each case, a dog seized as a stray is required to be detained and a notice of seizure served upon the owner (where known). In addition, the policy of the Council is that, *on the first occasion* that a dog is seized, the Dog Warden will make all reasonable efforts to identify the owner and return it to them before taking it to kennels.

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If the Dog Warden picks up a dog, they will endeavour to return the dog to the owner. The Dog Warden carries a scanning device to identify dogs fitted with a micro-chip. If the details of the owner are identified, the Dog Warden will endeavour to make contact with the owner and organise collection from the Civic Centre before 4.00pm on the same day.

Where appropriate, Council officers will use their discretion to return stray dogs directly to their owner if they are found within a 2 mile radius of their registered address. The Statutory Government prescribed fee of £25.00 for the pick-up and release of any stray dog will be charged to the owner prior to return or collection.

If the owner is not contactable or a dog cannot be collected by its owner before 4.00pm during office hours, the dog will be retained in licensed kennels and the owner charged a kennelling fee accordingly. Dogs will be held in licensed kennels for a maximum of 7 clear days, after which, the ownership of the dog transfers to the licensed kennels.

### **Out of Hours**

Between the hours of 5pm and 12am on Monday to Friday and 9.00am to 12am on weekends and bank holidays, stray dogs are the responsibility of the Council's Out of Hours service. Officers will scan stray dogs to see if they have a microchip.

Where appropriate, Council officers will use their discretion to return stray dogs directly to their owner if they are found within a 2 mile radius of their registered address. The Statutory Government prescribed fee of £25.00 for the pick-up and release of any stray dog will be charged to the owner prior to return or collection.

If the dog is not wearing a tag or is not micro-chipped or is found more than two miles from its registered address, it will be placed in licensed kennels.

If the owner registration details are not up-to-date, if the owner is not contactable or if the dog cannot be returned within a reasonable time, the dog will be placed in kennels.

An out of hours dog service fee applies for dogs held in licensed kennels. Dogs that are held in kennels temporarily will only be returned to the owner between the hours of 9am to 4pm, Monday to Sunday. Payment of any fees incurred must be made prior to collection from the Civic Centre.

A dog seized on a second occasion is automatically taken directly to the kennels, thus incurring fees and charges.

The Stray Dog service does not operate on Christmas Day and New Year's Day.

### **Collecting a dog**

Stray dogs can be collected from the Civic Centre, Castle Hill Avenue, CT20 2QY. This can only be done if it has a current tag or micro-chip. A statutory government prescribed fee of £25.00 will need to be paid on collection of a dog.

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If a dog cannot be collected by an owner before 4pm, the dog will be retained in licensed kennels and the owner charged a kennelling fee accordingly.

If a dog has been placed in kennels, out of hours and kennel fees will also need to be paid, plus any veterinary costs incurred. Payment can be made online quoting the invoice number provided or by contacting the Council's Customer Service team on 01303 858660 during office hours or the Lifeline service on 01303 221888 during out of hours. No cash is accepted.

	<b>Amount to be paid by owner prior to release of dog</b>	<b>Amount to be invoiced to F&amp;HDC by kennels</b>
<b>Statutorily prescribed fee</b>	£25.00	-
<b>Out of Hours service fee</b> <i>(Where applicable)</i>	£66.00	£30.00
<b>Kennelling fee</b> <i>(Maximum 7 days)</i>	£29.00 per day	£15.50 per day
<b>F&amp;HDC microchip fee</b>	£20 (optional)	£20 (Optional)
<b>Veterinary fee</b> <i>(Variable – maximum £175 without approval of F&amp;HDC. The kennels must provide F&amp;HDC with written evidence of the treatment provided)</i>	£variable	£variable
<b>Flea treatment fee</b>	£15.00 to £23.00	£15.00 to £23.00
<b>Worming treatment</b>	£9.00 to £18.00	£9.00 to £18.00
<b>Vaccination fee</b> <i>(The kennels must provide F&amp;HDC with written evidence of the treatment provided)</i>	£35.00	£35.00
<b>Release fee</b> <i>(If the dog is not claimed - on expiry of 7-day period)</i>	N/A	£55.00

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*All fees are subject to annual review*

### **Unclaimed Strays**

Stray dogs are held for a minimum period of seven 'clear days' following seizure, or following service of a notice of seizure, whichever is the latest. After this period, ownership of the dog reverts to the licensed kennels.

Section 149(6) of the Environmental Protection Act entitles the licensed kennels to deal with unclaimed stray dogs in one of three ways:

- By selling it or giving it to a person who will, in his opinion, care properly for the dog;
- By selling it or giving it to an establishment for the reception of stray dogs; or
- By destroying it in a manner to cause as little pain as possible;  
*Provided that no dog shall be sold or given for the purposes of vivisection.*

The licensed kennels maintains a policy of re-homing unclaimed strays to suitable owners whenever possible, and only destroys dogs that are very ill or have suffered severe injuries, and destruction is recommended by a veterinary surgeon to relieve suffering.

**Once transferred to the licensed kennels or re-homed to a new owner, the former owner of a stray dog has no legal claim for the return of the animal.**

The details of the person to whom ownership is transferred by the licensed kennels is required to be recorded on a public register. Under normal circumstances, the majority of unclaimed strays are re-homed and therefore it is this information which is recorded in the public register, rather than any subsequent new owner.

### **Micro-chipping for Dogs**

Under the Micro-chipping of Dogs (England) Regulations 2015, all dogs must now be micro-chipped as well as wearing a collar and tag; it is also important that a dog's micro-chip is up to date.

The Council's Dog Warden service provides a free microchip service from the Council's Civic Centre office. To make an appointment, please contact the Dog Warden service on 01303 858660.

### **Contact us**

Lost or found a dog? - Call Shepway District Council's Stray Dog Service  
9.00 am - 5pm Monday to Friday on 01303 858660.

Any other time including weekends and Public Holidays call the Council's Out of Hours service on 01303 221888.