

SUBJECT:	Pest and Dog Control Framework
REPORT OF:	<i>Healthy Communities – Councillor Mrs Liz Walsh</i>
RESPONSIBLE OFFICER	<i>Steve Bambrick, Services Director of Services Martin Holt, Head of Healthy Communities</i>
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WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To obtain Members' approval to continue with the joint arrangements with the other Buckinghamshire authorities for dog control, stray dog collection and kennelling and pest control and to tender for a new Framework Agreement to commence in June 2019. If approval is given, tender documents will be published which will provide flexibility in the submissions that provide the most cost effective option for the Authority.

RECOMMENDATIONS to Cabinet

1. To call off a new Service Level Agreement under the existing terms and conditions for services comprising dog control, stray dog collection and kennelling and rehoming and pest control from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC.
2. To approve the development of a new joint Buckinghamshire Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC for services comprising dog control, stray dog collection, kennelling and rehoming and pest control to commence from 1st June 2019.
3. To agree to enter into an Inter District Authority Agreement (IAA) reflecting the Heads of Terms at Appendix 1. To note the principles of the apportionment of procurement costs within existing budgets and agree that if additional funds are required in excess of £10,000, then further approval is sought from Members.
4. That delegated authority be given to the Head of Healthy Communities in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IAA.
5. To tender for a four year Framework Agreement to commence from 1st June 2019 with the ability to call off Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.

6. That the Head of Healthy Communities be authorised to draw up tender documents for the agreed services to commence from 1st June 2019.
7. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities, be authorised to accept the tender that represents best value and to call off specific Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services.
8. That the Head of Healthy Communities, in consultation with the Portfolio Holder for Healthy Communities be authorised to call off additional Service Level Agreements for dog control, stray dog collection, kennelling and rehoming and pest control services within the period of the Framework Agreement on receipt of good performance.

2. Reasons for Recommendations

Chiltern District Council currently has a Service Level Agreement (SLA) under a joint Buckinghamshire Framework Agreement for the provision of services comprising dog control, stray dog collection, kennelling and rehoming and pest control. The present Framework Agreement ends on the 30th October 2018. Permission is being sought to call off a new Service Level Agreement for these services from the existing Framework Agreement between Chiltern DC, Aylesbury Vale DC, Wycombe DC and South Bucks DC until 30th April 2019 to allow for the tender process to take place and to pursue a new joint Framework Agreement between the Buckinghamshire authorities to commence in June 2019. If approval is given, tender documents will be published which will provide flexibility in the submissions that provide the most cost effective option for the Authority. Tenders will be evaluated on the basis of price, technical ability to deliver the service specifications and quality of delivery and a Buckinghamshire Framework Agreement put in place from 1st June 2019 with individual Service Level Agreements called off for specific dog and pest services.

It is important that all districts intending to participate in the procurement of a joint contract sign an IAA at the earliest opportunity. The IAA will provide details of the joint funding arrangements, key milestone dates, legal and contractual terms, and points at which individual authorities may withdraw. Costs are normally shared proportionally between the contracting authorities, for example, on the basis of the number of households/population in each district. The suggested Heads of Terms are attached at **Appendix 1**. In practice, based on the previous procurement exercise, Wycombe DC contributed officer time for procurement support and Chiltern DC/South Bucks DC did likewise for legal support. Therefore the costs to the authority were contained within approved budgets and no additional costs were incurred as a consequence. The same arrangements will be in place for this particular procurement and therefore it is not

envisaged that there will be any additional costs to the authority outside that of officer time. In addition, a proportion of Chiltern DC/South Bucks DC and Wycombe DC time spent on legal and procurement support will be recharged to Aylesbury Vale DC as a beneficiary of the procurement process arrangements. In the unlikely event that there is a need to procure external support or advice then this could be capped e.g. £10,000, above which PAG approval could be sought. This would then provide some element of control of the procurement costs if necessary.

3. Report

In October 2008, a joint Buckinghamshire Framework Agreement was let for the provision of dog and pest control services. This principle was continued in 2012 at which time a joint tender process was undertaken and the contract let to SDK Environmental Ltd based on price, technical ability and quality of service. Chiltern DC called off a Service Level Agreement from the Framework Agreement for the provision of a pest control service, the collection, kennelling and rehoming of stray dogs, the investigation of dog related complaints and the patrolling of parks.

The present joint Framework Agreement ends on the 30th October 2018 and a new Framework Agreement will be required to take effect from the 1st November 2018. Given the complexity of tendering such a Framework, it is recommended that Service Level Agreements for both the pest control and dog control services are called off for a six month period to allow for the tender process to take place, with the new Framework Agreement taking effect from 1st June 2019 for a period of four years. By continuing with the existing Agreement on the same terms and conditions, savings achieved from the original tender process will continue to be realised.

In drawing up the specification and tender documentation, every opportunity to extract savings from the contract will be investigated, whether this is through the specification, increasing the scope of the Framework Agreement or from finding better ways of delivering the services.

Dog Control

The current service is comprised of the collection and kennelling of stray dogs by a contractor during both normal and outside office hours, the patrolling of parks for problems of fouling and the investigation of nuisance caused by dogs, e.g. fouling of pavements, barking or dogs acting in a dangerous manner. The contractor also provides a ['Lost Dog' website](#), rehoming of unclaimed dogs, issue of microchip requirement letters to dog owners where necessary and the collection of fees on seven days a week. For this service Chiltern DC is charged a contract price of £46,200.

Dog owners are currently charged when they collect their dog from the kennels on a cost recovery basis. This is collected by the contractor. If their dog did not go to kennels, CDC staff invoice them for the statutory fine and an administrative cost. In

response to concerns about the scale of charges raised by those on income related benefits, a system of staged payments has been established whereby the owner pays 50% of the charge due, followed by three further payments over a three month period. However, recovery of the outstanding charges has been problematic and recovery proceedings costly.

Whilst there is no legal requirement to provide a dog control service other than to collect stray dogs, there is a requirement to investigate noise and litter complaints, which includes dog fouling and dangerous dogs. With the introduction of Designation Orders to control dog fouling on open spaces under The Dogs (Fouling of Land) Act 1996, residents' awareness and expectations are high. There is a consistently high demand for the service and if not provided as part of the dog control contract, then this would increase pressure on local authority staff resources.

Pest control

The pest control service is provided by the same contractor that operates the dog control service and is currently free of charge to the Council as a result of combining these two services. The service covers the treatment of a wide variety of pests in domestic properties and is administered in its entirety by the contractor. A free service subsidised by the authority is provided to those who are on an income related benefit and in 2017/18, the cost of this service was £955 to the local authority.

As part of the previous tendering process the overarching aim was to not increase the revenue costs to the Council and that costs to customers for the provision of services be minimised. Therefore the tender process introduced an overall 'cost to the community'. This enabled the contractor to set the treatment fees at a level which minimised the cost to the customer whilst still providing a free treatment for pests of public health significance to those on income related benefits, paid for by the local authority at a reduced rate. For 2018/19, the budget for this service is £2400.

Although there is no legal duty to provide a pest control service, there are a number of reasons why a pest control service is beneficial. These include a reduction in time spent on enforcement and the protection of public health. Therefore it is recommended that all pests of public health significance be treated. In addition wasps cause considerable nuisance. The inclusion of wasps is also useful in so much as, if a charge is levied, this helps reduce the contract price.

4. Consultation

Not Applicable

5. Options

Although there is no statutory duty to provide a pest control service, failure to do so or residents failing to undertake rodent treatments themselves could result in increased

enforcement costs to the Council and give rise to increased issues of public health significance. Similarly, to not provide a dog control service for responding to fouling and nuisance complaints or to deal effectively with stray dogs will put additional pressures on the existing environmental health service and give rise to increased public concerns.

Therefore the preferred option is to continue with the existing pest control and dog control services and to call off a new Service Level Agreement for both services with the current contractor until 1st June 2019 after which a Buckinghamshire Framework Agreement with the other Buckinghamshire local authorities is to be in place with Service Level Agreements for specific pest control and dog control services.

6. Corporate Implications

- 6.1 Financial – The original tender process enabled the market to be tested on the basis of the most economically advantageous tender with the expectation that existing contract prices would not be exceeded. The pricing schedule for the pest control contract was designed so that the approved contractor set the treatment prices with a view to there being minimal cost to the Council. The cost of the dog control service is £46,200 for the collection and kennelling of stray dogs, investigation of nuisance and patrolling of parks. The Authority is not charged for the pest control service except for treatments for those on income-related benefits as this cost is offset by combining it with the dog control service.

Currently the income received from owners of stray dogs has not been sufficient to cover the cost of the stray dog service. The receipt of income is affected by a number of factors which may be outside the control of the local authority although every effort is made to recover costs that are due to the Council. Recovery rates are low.

There will be economies of scale to be gained through commissioning the contracts in partnership with other district councils and undertaking a joint procurement exercise for pest control and dog control services.

- 6.2 Legal – Although there is no statutory duty to provide a pest control service, failure to do so or residents failing to undertake rodent treatments themselves could result in increased enforcement costs to the Council and give rise to increased issues of public health significance. The provision for the collection of stray dogs is a statutory function.

7. Links to Council Policy Objectives

The service makes a positive contribution towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020* and *Sustainable Community Strategy 2009 – 2026*.

8. Next Step

If approved a new Service Level Agreement will be drawn up to take effect from 1st November 2018 for a period of six months, ending 31st May 2019. Tender documents will be drawn up between the Buckinghamshire authorities and a tender process undertaken. Tenders will be evaluated on the basis of price, technical ability to deliver the service specifications and quality of delivery and a Buckinghamshire Framework Agreement put in place from 1st June 2019 with individual Service Level Agreements called off for specific services.

Background Papers:	None other than those referred to in this report.
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