



Notice of Non-key Executive Decision

Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendix A is not available for public inspection as it contain(s) or relate(s) to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972. It is exempt because it refer(s) to commercially sensitive information of the provider, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Subject Heading:	Contract with Knights Kennels Limited for the Provision of a Stray Dogs Collection and Kennelling Service
Decision Maker:	Helen Oakerbee, Director of Planning & Public Protection
Cabinet Member:	Councillor Barry Mugglestone Cabinet Member for Environment
SLT Lead:	Helen Oakerbee, Director of Planning & Public Protection
Report Author and contact details:	Kasey Conway Senior Public Protection Officer (Licensing) Tel. 01708 432 555 Email: kasey.conway@havering.gov.uk

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Policy context:	Environmental Protection Act 1990 (Part VIII) Clean Neighbourhoods and Environment Act 2005 Environmental Protection (Stray Dogs) Regulations 1992
Financial summary:	The Council's annual revenue budget for the service is £0.063m. The highest annual contract value estimate is £0.063m, however, it has been calculated based on a worst case scenario, as such, the actual annual costs are expected to be below the Council's budget.
Relevant OSC:	Places OSC
Is this decision exempt from being called-in?	Yes. This is non-key decision for decision by a member of staff.

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents X

Place - A great place to live, work and enjoy X

Resources - A well run Council that delivers for People and Place. X

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval to:

1. To contract with Knights Kennels Limited for a period of 1 year from 1st April 2025

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AUTHORITY UNDER WHICH DECISION IS MADE

Option to extend:

The Havering Constitution:

Part 3 of the Council's Constitution

Scheme 3.3.3 Powers common to all Strategic Directors

1. General

1.1 To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate, in accordance with applicable Council policies and procedures.

2. Expenditure

2.1 To incur expenditure for their allocated directorate within the revenue and capital budgets as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

4 Contracts

4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions.)

STATEMENT OF THE REASONS FOR THE DECISION

- 1.1 Sections 149 and 150 of the Environmental Protection Act 1990 places a duty on local authorities to collect and detain stray dogs for a seven-day period, return seized dogs to their owners and keep a register of stray dogs. The Council does not directly employ a dog warden and does not have any kennels which can be used for the kennelling of stray dogs so it has been contracting out this service.
- 1.2 The current contract came into force on 1st April 2020 and the dog warden provides a service for a statutory provision to collect and detain stray dogs. This is a specialist service.
- 1.3 This contract expired on 31st March 2025. A full tendering process for the service was unable to be completed prior to the expiration of this contract. Please see annex 1 (exempt) for further details. The full tendering process will be completed in 2025/2026.

OTHER OPTIONS CONSIDERED AND REJECTED

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The Council does not agree to take up the option to extend the contract for an additional 1 year extension:

This option was rejected, as the Council are satisfied with the service provided by Knights Kennels Ltd which achieves the original business objectives and remains within the existing Council budget. Agreeing to the extension will continue to allow the Council to fulfil its statutory duties. Failure to accept this option would result in potential public safety issues as well as a failure to meet our statutory obligations.

PRE-DECISION CONSULTATION

A meeting was held with Procurement to discuss extending the contract for an additional year whilst we start pulling together a specification for the tender. Procurement advised that this was the best way forward. This decision was also taken to the gateway panel who have approved the request for an additional year's extension.

Councillor Barry Mugglestone, Cabinet Member for Environment, was briefed on 15 May 2025.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Kasey Conway

Designation: Team Leader – Licensing Team (Public Protection)

Signature: 

Date: 16th May 2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a duty under section 149 and 150 of the Environmental Protection Act 1990 (EPA) to appoint an officer to discharge (or otherwise delegate) the functions imposed or conferred by the Act for dealing with stray dogs found in the borough.

The Council entered into a contract with Knights Kennels Ltd in April 2020 to discharge its duties under the EPA. The original contract was for a period of 3 years with an option to extend the contract for another 2 years. The contract has now exhausted all its options to extend and expired on 31st March 2025.

This report seeks approval to extend the existing contract for an additional year with Knights Kennels Ltd for the reasons set out within the body of this report.

The Council has a general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The arrangements now sought are in accordance with these powers.

The contract was originally procured by carrying out a procurement exercise under the Public Contracts Regulations 2015 (PCR). PCR allows for modification of contracts subject to fulfilling certain conditions in accordance with Regulation 72(1)(b). The proposed extension fulfils the criteria required under Regulation 72(1)(b) and therefore Legal advise that the extension can be approved.

Legal shall be instructed pursuant to this approval to draft the contract variation to provide for the proposed extension and prepare for signatures on behalf of the parties.

FINANCIAL IMPLICATIONS AND RISKS

Kennelling service costs over the last 3 financial years are set out in the table below.

A budget of £0.055m has been set aside to fund this contract in 2025/26. Based on previous year's average spend see below table, anticipated spend falls within the budget envelope.

	2022/23 £m	2023/24 £m	2024/25 £m	Average cost £m
Cost of kennelling service	£0.048m	£0.052m	£0.052m	£0.051m

Granting this contract extension will allow the service time to conduct the required procurement process with the view to implementing a new contract on 1st April 2026.

This is a statutory service which must be performed to preserve the safety and wellbeing of residents and visitors to the borough.

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**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no HR implications and risks associated with the contract variation that impact directly on the Council's workforce, as the stray dog collection and kennelling service is already provided by an external supplier

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

This is a continuation of an existing contract whereby LBH have a statutory requirement to provide a stray dog collection service. Therefore, no equalities assessment document is considered to be required.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

This is a continuation of an outsourced contract with no additional risk to the environment and climate implications.

BACKGROUND PAPERS

N/A

APPENDICIES

Background Details

Exempt

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed: 

Name: Helen Oakerbee, Director of Planning and Public Protection

Date: 20 May 2025

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____