

Professional Dog Walkers' Registration Scheme

Report by Dr Mary Smith
Director Education, Communities & Economy

1 Purpose of Report

To seek Cabinet approval for the introduction of a voluntary registration scheme for professional dog walkers in Midlothian.

2 Background

- 2.1 An increasing number of professional dog walkers are using Council parks, the regional country park and other open spaces in Midlothian to walk dogs on a commercial basis. Whilst most of the professional dog walkers act responsibly there are a number who are transporting and walking large numbers of dogs. This is causing increasing concerns for the safety of the dogs and other land users.
- 2.2 There is also information to suggest that some dog walkers and members of the public feel intimidated by large numbers of dogs being walked, particularly off the lead, for example at Hillend Regional Park or Vogrie Country Park. It is understood that some private dog walkers now actively avoid areas frequented by professional dog walkers.
- 2.3 Concerns have been raised by the National Union of Farmers regarding an increased number of sheep worrying cases, allegedly linked in some cases to commercial dog walkers. At a local level, at the annual liaison meeting of Midlothian farmers and the Council, held on 15th February 2017, almost all farmers present voiced serious concerns and anger over the alleged significant problem of irresponsible commercial dog walkers.

3 Main Report

- 3.1 The increase in the number of professional dog walkers using parks and open spaces in Midlothian to walk dogs is thought to have arisen for several reasons:
 - (a) dog owners are increasingly using professional dog walkers to exercise and socialise their pet dogs during the day if they are unable to do so themselves;
 - (b) The Land Reform (Scotland) Act 2003 gives statutory access rights to most land with increased expectations of dog walkers to access the countryside; and

(c) neighbouring local authorities including East Lothian Council and the City of Edinburgh Council have introduced registration schemes for professional dog walkers, and it may be that some professional dog walkers based in these neighbouring local authority areas have chosen to walk their dogs in Midlothian where there is currently no registration scheme.

- 3.2 There are currently no legislative controls to restrict the number of dogs an individual dog walker can walk at any one time. Scottish Government has been asked to consider introducing a national licensing scheme for professional dog walkers. It has responded that it considers there is currently insufficient evidence to suggest that a national scheme is required and that individual Councils should consider implementing a local registration scheme in the first instance. If this is not effective then Scottish Government has advised it will consider introducing a national licensing scheme.

4.0 Proposed Professional Dog Walker Scheme

- 4.1 It is proposed to introduce a voluntary registration scheme for professional dog walkers in Midlothian. This would be open to dog walkers who are based in, or visit to walk in, Midlothian. To join the scheme, professional dog walkers will be required to meet Midlothian Council's Professional Dog Walkers Code of Conduct, attached at Appendix 1.
- 4.2 The registration scheme would be advertised on the Council's website and in the local media.
- 4.3 Professional dog walkers joining the registration scheme would be charged a small annual fee to cover the administrative running costs. This fee is set to take into account:
- the cost of administration of such a scheme; given that it is estimated that Midlothian currently has between 15 and 20 companies who regularly walk here;
 - the potential income generation of the professional dog walkers; and
 - the fact that the scheme is a voluntary registration scheme and cost versus benefit may influence uptake.
- 4.4 Once registered, the company's information would be placed on the Council's website to demonstrate that the company complies with the Code of Conduct for registration as a professional dog walker in Midlothian. This information would allow dog owners to select a responsible professional dog walking company who have undertaken to meet the minimum standards of registration as a professional Midlothian dog walker.
- 4.5 If a registered professional dog walker subsequently fails to meet the required registration standards they would be removed from the scheme and their company details will be deleted from the Council's website.

5 Report Implications

5.1 Resource

A modest financial outlay will be required to advertise and deliver the registration scheme. It is anticipated that the majority of this will be recovered from the administration fee which will be charged to participating professional dog walking companies with any small remainder being met from the Environmental Health budget.

5.2 Risk

In the absence of a national scheme, the Midlothian professional dog walkers' registration scheme will seek to encourage professional dog walkers to sign up to the Code of Conduct and meet minimum standards in terms of animal welfare and dog control.

Whilst the scheme is voluntary, it is hoped this will improve standards by allowing the public to selectively exclude those professional dog walkers who fail to demonstrate that they meet minimum standards of welfare. It is also anticipated that by complying with the code and limiting the numbers of dogs walked at any one time, that the dogs will be kept under enhanced levels of control which will in turn reduce the risk of dog bites or attacks on other animal or land users.

Failure to introduce such a scheme may leave the Authority open to criticism that it is not taking this matter seriously, and not taking action similar to that in other council areas. It may also result in an increase in attendance by the less scrupulous dog walkers displaced from neighbouring local authorities.

5.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- x ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

5.4 Key Priorities within the Single Midlothian Plan

Community Safety: People feel safe in their neighbourhood and home.

5.5 Impact on Performance and Outcomes

It is expected that the operation of the scheme can be met from within existing staff resources.

5.7 Involving Communities and Other Stakeholders

Consultation has taken place with the Council's Landscaping and Countryside Services, the National Farmers Union and a number of commercial dog walkers who are based in, or walk in, Midlothian and are already known to Environmental Health. Where relevant their comments have been incorporated into the draft scheme.

5.8 Ensuring Equalities

This report seeks to introduce a registration scheme for professional dog walkers with a view to improving safety and welfare standards. The EQiA indicates there are no potential inequality issues to consider.

5.9 Supporting Sustainable Development

The scheme supports a component of the Council's Single Midlothian Plan theme of sustainable growth in that visitors and residents will benefit from the quality of Midlothian's environment.

5.10 IT Issues

Information on the registration scheme and an up to date list of registered professional dog walkers would be maintained on the Council website.

6 Recommendations

6.1 It is recommended that Cabinet:

- i) endorses the introduction in 2017 of the Midlothian Council voluntary registration scheme for professional dog walkers;
- ii) notes the content of the Code of Conduct which requires to be met as a pre-requisite for registration as a Professional Dog Walker in Midlothian; and
- iii) notes that progress with the introduction and operation of the scheme will be reported to Cabinet at a future date.

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APPENDIX 1

Midlothian Council's Professional Dog Walker's Code of Conduct



Applicable for registration of Professional Dog Walkers who are based in or Walk in Midlothian

Professional dog walkers who wish to register with Midlothian Council to operate their business and dog walk in the Midlothian Council area must complete an application form and be able to demonstrate compliance with the following conditions:

1. Professional dog walkers must hold appropriate pet business insurance. A copy of the document shall be provided to the Local Authority.
2. The maximum number of dogs walked at any time shall be in accordance with the business insurance policy and, in any event, shall be no more than 6 (including own dogs).
3. A well stocked first aid kit suitable for use on dogs shall be carried in vehicles used to transport dogs or on the person of the dog walker.
4. Dogs must be transported safely and securely and in accordance with animal welfare legislation. Dogs must be transported in individual cages (sufficiently large to allow the dogs to stand, turn around and sit down) or secured by means of a suitable harness.
5. Adequate ventilation shall be provided in vehicles used to transport dogs.
6. Fresh drinking water and suitable bowl(s) shall be available in vehicles used to transport dogs.
7. Dog walkers should familiarise themselves with new routes and routes shall be planned carefully to avoid narrow or heavily populated walkways, spaces near children's play areas, livestock and sensitive wildlife.
8. Dogs should be exercised responsibly, with dogs either kept on a short lead or under close control so as not to disturb or cause alarm to other site users or interfere with recreational pursuits.
9. All dogs should be walked away from and returned to the vehicle on a lead.
10. Dog walkers should avoid walking jointly with other dog walkers to avoid alarm to other recreational users due to the increased number of dogs being exercised together.
11. Dog walkers shall not take dogs into any children's play areas or sports pitches.

12. All dogs must wear a collar and tag with the name and address of their owner. In addition, professional dog walkers must add their own business tags, containing business name and telephone number whilst the dogs are under their authority.
13. Dog walkers shall immediately remove all dog waste in accordance with the Dog Fouling (Scotland) Act 2003 and make sure it is bagged and disposed of appropriately. Placing bagged waste for subsequent collection is not acceptable.
14. Prior to accepting any new dog, the dog walker shall obtain evidence that the dog is microchipped and that microchipping has been registered to the owner.
15. Accurate records must be kept of the dogs the professional dog walker is responsible for, including name of dog, microchip number, description, breed, age, gender, any nutrition requirements, owner's contact details and veterinary contact details.
16. Dogs shall not be left unattended in the vehicle other than to drop off or pick up dogs.
17. Consideration shall be given to the Scottish Outdoor Access Code including avoidance of livestock, sheep worrying and wildlife damage.
18. Registered dog walkers agree to comply with any reasonable request by an authorised officer of Midlothian Council to produce any documentation listed above and co-operate with inspection of premises and / or vehicle(s).