RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/or conflict and any dispensation granted for the Officer [*N/A]*

SERVICE DIRECTORATE: *Regulatory*

1. DECISION TAKEN

Extension and Variation of Contract with SDK Environmental Ltd.

Decisions to extend and vary the contract with SDK Environmental Ltd (SDK) to deliver the stray dog collection, kennelling and rehoming (including dangerous dogs) service for one year from 31/10/26 to 31/10/27.

2. DECISION TAKER

Licensing and Regulation Manager (deputising for Director - Regulatory)

3. DATE DECISION TAKEN:

Friday 30 October 2026

4. REASON FOR DECISION

4.1. SDK were awarded the contract to carry out the stray dog service at North Herts and East Hertfordshire councils on 31st August 2023 following a tender exercise. The contract required SDK to carry out the Council's statutory stray dog duties including collection, kennelling and re-homing stray dogs and keeping the register of stray dogs. The contract allows for an extension of two years.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1. This is a statutory function. As the Council has no in-house capacity to deliver the service, it must be contracted out.

5.2. There is the option to carry out a procurement exercise giving the opportunity to go back to the market and consider other quotes, however:

- Only two suppliers are currently able to deliver this service locally. Although a procurement exercise could result in a lower price, the limited level of competition means that significant savings are less likely than in a more competitive market.
- Undertaking a procurement exercise would be a lengthy and resource-intensive process, managed by a single officer within the Environmental Health team. Any potential savings achieved through a new contract are unlikely to outweigh the significant staff resources required to complete the procurement process.
- It is hoped that the Local Government Reorganisation decision will be made during the next year. This will allow The Council to collaborate on the delivery of the stray dog duty with the other authorities that will eventually form the unitary authority.
- The proposed variation to this contract extension includes the removal of the monthly fixed fees for the dangerous dogs service (that was agreed in the April 2024 variation) and introduces a fixed fee for re-homing a dog which better reflects best value for the Council.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1. Internal consultation with Legal Services, Finance, Policy. The Executive Member for Regulatory, Cllr Mick Debenham, has also been consulted.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

8.1 SDK were awarded the contract to carry out the stray dog service at North Herts and East Hertfordshire councils on 31st August 2023 following a tender exercise. The contract required SDK to carry out The Council's statutory stray dog duties including collection, kennelling and re-homing stray dogs and keeping the register of stray dogs.

8.2 In December 2023, the Dangerous Dogs Act 1991 was amended to include XL Bullies to the list of banned breeds. As a result, the Police released guidance that they would no longer assist if a local authority found a stray prohibited breed.

8.3 In April 2024 the contract was varied to include dangerous dogs due to this legislative change. SDK now provides this service as part of the contract. The contract terminates on 31st October 2026 but allows for an extension of two years.

9. LEGAL IMPLICATIONS

9.1. The Council's Contract Procurement Rule 35.2 permits the relevant Director, following consultation with the relevant Executive Member, to authorise an extension of a contract by up to 24 months, up to the value of £200.000.

9.2. The Council's Contract Procurement Rule 34.6 permits the relevant Director to authorise a variation to a contract where the variation procedure, and the resulting change in price, is determined in accordance with the contract terms. The extension and variation will be documented in writing in a form approved by Legal Services.

9.3. This is a non-executive decision. The Council has a statutory duty under section 149 of the Environmental Protection Act 1990 to seize and detain stray dogs. This duty is extended to prohibited dog breeds as defined by The Dangerous Dogs Act 1991.

9.4. The proposed extension will maintain continuity in the collection, kennelling and associated services required to discharge those statutory duties. Where a stray dog is suspected to be a prohibited type, the Council must liaise with the police and comply with the applicable legal restrictions.

10. FINANCIAL IMPLICATIONS

10.1. The extension of this contract is estimated to cost approximately £25,000; dependant on the number of dogs collected, the number re-homed and any dogs requiring medical treatment. There is a dedicated budget within Environmental Health to cover the costs associated with fulfilling the council's statutory obligations in relation to stray dogs.

10.2. Since the contract began in 2023, the cost to the Council for this service was £73,550.77. Due to this being a statutory function there is limited scope to avoid or reduce this cost.

10.3. There are no capital implications.

10.4. There are no other financial implications arising from the report.

11. RISK IMPLICATIONS

11.1 Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.

11.2 The Council has a statutory duty under section 149 of the Environmental Protection Act to seize and detain stray dogs. This duty is extended to prohibited dog breeds as defined by The Dangerous Dogs Act 1991. Failure to secure adequate provision to provide this service would lead to the Council to fail in its statutory duties.

12. EQUALITIES IMPLICATIONS

12.1 There are no equalities implications.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and "go local" policy do not apply to this decision. This is an extension of an existing contract.

14. ENVIRONMENTAL IMPLICATIONS

14.2 There are no known significant environmental impacts or requirements that apply to the decision.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no known Human Resource implications.

16. BACKGROUND PAPERS

16.1 Environmental Protection Act 1990 Environmental Protection Act 1990

16.2 The Dangerous Dogs Act 1991 Dangerous Dogs Act 1991

17. APPENDICES

17.1 Appendix 1 - NHDC Stray Dog Policy

17.2 Appendix 2 – Unsigned Letter of Variation and Extension of Contract **(Exempt)**

NOTIFICATION DATE

Friday 30 October 2026

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS