

PE2058/H: Require all dog boarding kennels to install smoke detectors, smoke alarms and sprinkler systems

Scottish Fire and Rescue Service written submission, 6 December 2024

In relation to the request from the Citizen Participation and Public Petitions Committee please find the information and data below.

The Scottish Fire and Rescue Service have interrogated the national Incident Recording System (IRS) to enable us to provide the below information to ensure it is based on accurate evidential data.

There were 24 fire incidents recorded under '**Animal boarding/breeding/kennels (not farm)/animal shelter > Dogs**' IRS type premises since the introduction of IRS in 2009/10 (14 years of incident data gathering)

Of these 24 recorded incidents only 4 of the premises involved were noted to have had smoke alarms present and this does not necessarily mean they were positioned specifically in the kennel space.

Below is a table with the data.

All Fires In Property type (Level 3) - **Animal boarding/breeding/kennels (not farm)/animal shelter > Dogs**

Fiscal Year	Number of Fires	Number of Fires with smoke alarms present
2009-10	1	
2010-11	4	1
2011-12	3	
2012-13	2	1
2013-14	1	1
2014-15	2	
2015-16	1	
2016-17	1	
2017-18	0	
2018-19	2	
2019-20	1	

2020-21	1	
2021-22	3	1
2022-23	1	
2023-24	1	
Total	24	4

It is worthy to note, even though '**Animal boarding/breeding/kennels (not farm)/animal shelter > Dogs**' was selected on the IRS, this may not mean the "premises" was a Kennel for business use. For example, the Officer in Charge (OIC) may have selected this premises type even if the incident was for a single outdoor kennel on a farm or dwelling.

We undertook a wider search of the IRS for premises listed as '**Animal boarding/breeding/kennels (not farm)/animal shelter**' IRS types.

This premises search includes 'Cats', 'dogs' and 'Other which includes premises such as animal hospitals, horse stables/barn, aviary/hatchery/pigeon lofts, vets etc.

Below is a table with the data.

All Fires In Property type (Level 3) - *Animal boarding/breeding/kennels (not farm)/animal shelter - All types ('Dogs', 'Cats', 'Other')*

Fiscal Year	Number of Fires	Number of Fires with smoke alarms present
2009-10	5	1
2010-11	10	1
2011-12	10	1
2012-13	10	2
2013-14	1	1
2014-15	6	
2015-16	6	
2016-17	5	
2017-18	4	
2018-19	3	
2019-20	2	
2020-21	4	
2021-22	7	1
2022-23	6	1
2023-24	2	
Total	81	8

Dog boarding kennel premises are required to apply for and obtain a Licence from the Local Authority (Animal Boarding Establishments Act 1963) in order to trade legally.

“Animal Boarding Establishments Act 1963
1963 CHAPTER 43

An Act to regulate the keeping of boarding establishments for animals; and for purposes connected therewith.

1 Licensing of boarding establishments for animals.

(3) In determining whether to grant a licence for the keeping of a boarding establishment for animals by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing—

(d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;”

It is clearly stated under this act and the associated licencing requirements it is the responsibility of the licensee to ensure appropriate measures are in place to protect animals from fire in their care.

In relation to the Fire (Scotland) Act 2005 and any fire safety enforcement (FSE) at this type of premises, due to the fact that this type of business is required to apply for and obtain a Licence from the Local Authority (Animal Boarding Establishments Act 1963), they are therefore classed as relevant premises under fire legislation.

Fire Safety Law

Part 3 of the 2005 Fire (Scotland) Act, along with the Fire Safety (Scotland) Regulations 2006, sets out the fire safety duties in respect of the majority of non-domestic premises in Scotland.

The legislation requires the provision of fire safety measures; this includes risk reduction measures, means of fire warning, fire-fighting, escape, staff training and instruction, as well as emergency procedures. It sets out fire safety responsibilities and seeks to ensure the safety of persons from harm caused by fire.

Under fire safety law, all dutyholders are required to take all reasonable measures regarding the safety of relevant persons and undertake a Fire Safety Risk Assessment. Employers additionally have a specific obligation to ensure the safety of employees in the event of fire, so far as is reasonably practicable. This highlights to responsible persons what measures are required, or are in place to protect persons, their premises and indirectly, animals in their care from the risks associated with fire.

This means that fire safety measures need to be taken to address risk, but not to the extent that the cost, effort and other disadvantages associated with the provision of fire

safety measures would be disproportionate to the risk to life. In this respect, a judgement is made about the cost of measures being proportionate to the resulting risk reduction, not the capacity of a dutyholder to pay.

The Scottish Fire and Rescue Service (SFRS) would utilise the 'Practical Fire Safety Guidance for Existing Non-Residential Premises' as a benchmark standard in buildings covered by this type of licence.

Contained within this document is guidance relating to a means of providing a suitable method for raising the alarm in the event of a fire. This is stated in terms of protecting and giving early warning to persons in the building.

Within this guidance there is no requirement for fire suppression systems (sprinklers) in this type of premises.