

Citizen Participation and Public Petitions Committee
Wednesday 5 February 2025
2nd Meeting, 2025 (Session 6)

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

Introduction

Petitioner Julie Louden

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to improve fire safety within dog boarding kennels by mandating the installation of smoke detectors, smoke alarms and sprinkler systems.

Webpage <https://petitions.parliament.scot/petitions/PE2058>

1. [The Committee last considered this petition at its meeting on 21 February 2024.](#) At that meeting, the Committee agreed to write to the Scottish Government, COSLA, Scottish Fire and Rescue Service, Edinburgh Dog and Cat Home, The Dog's Trust, and other relevant stakeholders.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Scottish Government, Dogs Trust, Edinburgh Dog and Cat Home, Pet Industry Federation, COSLA, the Scottish Fire and Rescue Service, and the Petitioner which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 18 January 2024.](#)
7. Every petition collects signatures while it remains under consideration. At the time of writing, 23,497 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
January 2025

Annexe A: Summary of petition

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

Petitioner

Julie Louden

Date Lodged

26 October 2023

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to improve fire safety within dog boarding kennels by mandating the installation of smoke detectors, smoke alarms and sprinkler systems.

Previous action

I have raised the issue with my list MSPs who have all responded to me. Pauline McNeill MSP has raised the matter with the Minister for Community Safety, Siobhan Brown MSP is asking for consideration of increased safety requirements. Dr Sandesh Gulhane MSP has also written to the Scottish Government. I was recommended by the other MSPS to start the petition.

Background information

My dog Monty and 4 other dogs tragically perished in a fire at the boarding kennels they were staying at in June this year. The kennels had a fire extinguisher on site which is all that is currently required under current legislation, but there were no smoke detectors/alarms to alert anyone to the fire which happened during the night. There were also no sprinklers in place as this is not a requirement. By the time the alarm was raised and the Fire Department were called to scene, a few hours had passed and by then all the animals had tragically perished. I want safety standard within boarding kennels improved to at least have smoke alarms and early detection systems in place to try and ensure this does not happen again. I would not want any other family to go through what we have all had to go through knowing our beloved pets died in such horrendous circumstances.

Annexe B: Extract from Official Report of last consideration of PE2058 on 21 February 2024

The Convener: PE2058, on requiring all dog boarding kennels to install smoke detectors, smoke alarms and sprinkler systems, was lodged by Julie Loudon. The petition calls on the Scottish Parliament to urge the Scottish Government to improve fire safety in dog boarding kennels by mandating the installation of smoke detectors, smoke alarms and sprinkler systems.

The SPICe briefing explains that animal boarding establishments in Scotland must be licensed by local authorities under the Animal Boarding Establishments Act 1963. That act requires that, in determining whether to grant a licence, a local authority shall have regard to the need for securing that appropriate steps will be taken for the protection of the animals in case of fire or another emergency. Conditions set at a local authority level can include more detailed requirements. However, I very much doubt that sprinkler systems were too widely applied or even available in 1963.

The Scottish Government recently consulted on proposals to revoke the Animal Boarding Establishments Act 1963 and instead regulate animal boarding under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. Its response to the petition states that that approach is being considered and that it could provide a more cohesive and robust framework for ensuring the wellbeing of animals that are being cared for.

The issue and the petition are important.

Maurice Golden: I think that we should write to the Scottish Government to ask when its analysis of the responses to its consultation on the licensing of activities involving animals will be published and whether it will give specific consideration to fire safety in the forthcoming animal boarding regulations. In that letter, it would be worthwhile highlighting rehoming centres, which are not boarding kennels but are similar facilities, with the caveat that the dogs in them do not have owners. Otherwise, they are essentially similar facilities and, I presume, the requirements would be the same.

I also wonder—I am relaxed about whether we should do this once we get a response to that letter—whether we should write to the Convention of Scottish Local Authorities about licensing requirements and whether local authorities would have the resources to check on the matter, as well as to the Scottish Fire and Rescue Service to find out how prevalent the issue is. It is clear that there is one case, but how often does that happen? For context, it is important to differentiate between rehoming centres and boarding kennels. That approach might provide us with an indication of how prevalent the activity is.

The Convener: Those suggestions seem to be very worthwhile.

Fergus Ewing: I support Mr Golden's suggestions, but will add one inquiry that should be made, although I am not quite sure of whom. Obviously, we have legislation on sprinklers in domestic flats—I think that that was introduced pre-Covid,

around 2018. It has been drawn to my attention by a constituent of mine who is a builder or renovator of flats that, at that time, the estimated costs that were given for installing sprinklers were very modest. He told me that, for various practical reasons, those costs have risen astronomically such that, in his instance, they might even make the construction of flats unviable.

I thought that I would mention that because, if costs have risen several times—not just by £1,000 or £2,000, but by huge amounts—and we are to pursue the proposal, at an early stage we would need somewhere to get advice from about the costs to kennels and other establishments that Mr Golden mentioned. I thought that I should throw that in out of fairness and balance.

Just last week, I got a quite alarming letter from a constituent. We all want safety, but would a £100 smoke detector be as effective? That was his argument, rightly or wrongly. I voted to pass the sprinkler legislation, but it has turned out to be grossly more expensive than was estimated at the time.

The Convener: That is also a perfectly reasonable suggestion to make. We will take forward the petition, mindful of all the suggestions that colleagues have made.

I wonder who we should write to. What relevant dog agency might we take views from?

Maurice Golden: I do not know about boarding kennels. There is one at Happas, near Forfar. Edinburgh Cat and Dog Home deals with rehoming, and it might even have made an assessment. Dogs Trust has two places in Scotland.

The Convener: In view of Mr Ewing's comments, it might be worth our asking one or two relevant associations what they believe the consequence of the proposal would be and what existing fire safety measures they have in place, or about the regulations relating to all of that. There could be alternatives to sprinkler systems, and it might be worth while investigating those.

Fergus Ewing: I do not think that they are extremely profitable businesses.

The Convener: No. Okay. We can do that, too.

Annexe C: Written submissions

Scottish Government written submission, 18 March 2024

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

Thank you for your letter of 28 February 2024 to Chris Booth on behalf of the Citizen Participation and Public Petitions Committee in connection with the above Petition. I have been asked to provide the information requested by the Committee.

Question 1: When will the analysis of the responses to the consultation on the licensing of activities involving animals be published?

Response: The Scottish Government's analysis of responses was published on 16 February 2024. The analysis can be found here: [Licensing of activities involving animals: consultation response analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/pe2058c/analysis/analysis.pdf).

Question 2: Whether the Scottish Government will give specific consideration to fire safety in the forthcoming animal boarding regulations?

Response: Presently, animal boarding is regulated by the Animal Boarding Establishments Act 1963. The 1963 Act already includes a provision that requires local authorities (as the enforcement body) to consider the need to ensure that appropriate steps are taken (by the licence holder/applicant) to protect animals in case of fire before granting any animal boarding licence. The Scottish Government is considering revoking the 1963 Act and regulating animal boarding instead under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 (the 2021 regulations). Should we progress this proposal, consideration will be given to the issue of fire safety in boarding kennels and how best this can be addressed under any future licensing scheme, within the scope of the enabling powers set out in the Animal Health and Welfare (Scotland) Act 2006.

Question 3: Whether its approach and consideration of fire safety requirements for animal sanctuaries and rehoming centres will differ from boarding kennels?

Response: Regulation of animal sanctuaries and rehoming activities is regulated under the 2021 regulations. In respect to fire safety, the general conditions of licence that apply to holders of a rehoming or animal welfare establishment licence, simply require that a written emergency plan, acceptable to the licensing authority, must be in place, and must include details of the emergency measures to be taken for the extrication of animals. The guidance written to assist the licensing authority in the enforcement of this license condition states:

“Suitable firefighting, prevention and detection equipment must be provided and maintained in good working order. Any buildings must have at least one working smoke detector (or other suitable fire detection system) installed in a suitable

location on each separate level / floor of the property and there must be at least one carbon monoxide detector”.

In light of the recent tragic incident involving dogs being boarded in kennels, Scottish Government animal welfare officials will seek to engage with colleagues in Fire Protection and Safety Unit to explore and identify appropriate and enhanced fire safety measures and how these may best be incorporated in any future licensing scheme for animal boarding providers.

Animal Welfare Team

Dogs Trust written submission, 25 March 2024

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

Dogs Trust is addressing the following points requested by the Citizen Participation and Public Petitions Committee:

- information about licensing and the fire safety measures that are typically used in rehoming kennels in Scotland and the cost of sprinkler systems as well as whether there are alternative, more cost effective options; and
- an indication of whether the ask of the petition would have any unintended consequences

Dogs Trust has robust fire safety measures in place which are standard across all our rehoming centres in the UK and Ireland, including our two centres based in Scotland in West Calder and Glasgow. These measures are in line with all legal requirements including those outlined in The Regulatory Reform (Fire Safety) Order 2005 and the emergency requirements in The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 (2021 Regulations).

Scottish Government guidance for Animal Welfare Establishments (AWEs) under the 2021 Regulations includes emergencies, with specific guidance on smoke detectors and carbon monoxide detectors. The Scottish Government consulted in 2023 on bringing animal boarding under the scope of the 2021 Regulations; a proposal which Dogs Trust supports and we would hope to see the creation of guidance under any new legislation for boarding establishments which mirrors the aforementioned guidance for AWEs as a minimum.

For ease of reference, [the guidance for the 2021 Regulations can be found here](#).

The measures that Dogs Trust buildings have in place include hard-wired fire detection systems covering every kennel block, building and live in accommodation onsite. The live in staff are onsite 24/7 to respond to emergencies immediately.

Fire alarms are tested weekly and serviced every six months. There is a robust dog evacuation plan as well as an out-of-hours evacuation plan, and fire extinguishers are readily available in each kennel block.

There is maintenance of all equipment to ensure it is in full working order at all times and there are thorough fire risk assessments as well as health and safety audits, Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) assessments and staff training on fire prevention, fire warden training and regular drills.

Kennels are made up of two areas: sleep and run. The sleep area is within the insulated and heated envelope of the building and the run area is outside and covered with a roof. The two areas are separated by a hatch, so dogs would be able to move away from any initial danger before evacuation. There are clear, designated safe spaces for dogs to be evacuated to.

Sprinklers

Dogs Trust does not have sprinkler systems installed in our centres as standard due to the alternative fire prevention measures in place and we prioritise limiting as many flammable materials as possible. This reduces the risk of fires starting and spreading.

If the Committee would like more technical information on the design of our kennels in relation to fire safety, one of our architects can provide a design statement on request – please let us know if this would be useful.

Sprinkler systems can be expensive and as we have substantial alternative fire prevention in place, this is not something we would consider installing at this time.

Costing for a sprinkler system

It is challenging to be able to provide an accurate costing to install a sprinkler system. We have consulted a contractor and they have said that it would most likely equal contracting a designer and a fire strategy expert to look at layout, where the sprinklers would be installed etc. so it is difficult to get a true estimate. The contractor gave a rough estimate of tens of thousands of pounds to install a sprinkler system at one of our centres.

Unintended consequences

Our knowledge of sprinkler systems is limited and therefore the information provided here is anecdotal.

There may be issues with sprinkler systems in freezing weather and corrosion risks. Depending on how long a sprinkler system would take to install, there would be disruption to dogs in a rescue centre resulting from noise of installation or upheaval from having to be moved from their kennels for the system to be implemented. In some cases, this can be stressful for the dogs and is something that those caring for dogs would want to minimise, especially in the case of dogs being rehabilitated.

Edinburgh Dog and Cat Home written submission, 25 March 2024

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

At Edinburgh Dog and Cat Home the safety and welfare of our animals is paramount and therefore anything that would enhance this whilst under our care we would be supportive of. However that said, as a charity on an aging estate, we are always mindful of the financial practicalities that such legislation places on organisations such as our own, and any changes must remain proportionate to the risks involved.

As such, we believe that Fire Alarm System and Multi Sensors should be mandatory. Multi sensors work by detecting a rapid increase in heat and smoke detection and therefore give the best possible chance of detecting a fire. In addition, the Fire & Rescue Service made changes in July 2023 to reduce unwanted fire alarm signals meaning that they would not respond to a trigger from a single sensor detection. Therefore multi sensors offer the greatest protection.

With regards to sprinkler systems, these are more complex particularly in aging facilities whereby existing infrastructure may not be able to cope with the additional demands that such a system would bring, therefore has the potential to significantly increase the costs associated with both the installation and ongoing maintenance around it. To that end, perhaps a more staged approach whereby sprinkler systems are mandatory for new build facilities only.

Pet Industry Federation written submission, 19 April 2024

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

Many thanks for the opportunity to respond to the petition.

We have contacted our kennel and cattery members in Scotland, who have replied with a range of views on the topic. These are summarized in our response below.

All of our members commented on the tragic circumstances around the deaths of these pets. As kennel/cattery owners it was a nightmare scenario and something which they all felt would be difficult to recover from.

All of the respondents said that they have fire/smoke detectors in place in their establishments, on top of the fire extinguishers required. None currently had sprinkler systems installed. However, some had additional forms of detection, such as the alarm from the kennels sounding in the owner's house and a heat detection system. Another had installed four intermediate bulk containers with water, as suggested by their local fire service.

The respondents could certainly understand the owner calling for a sprinkler system. Some felt that it was a step in the right direction and that as kennels/catteries were

entrusted with peoples' pets, early fire detection and sprinkler systems would demonstrate and display to pet owners that they were putting their pet's welfare first.

However, there were also concerns, which we, as a trade association would echo, around the cost and economic viability of retrospectively installing a sprinkler system throughout a commercial boarding premises. In some circumstances, it could be physically impossible.

There was also the additional factor of private water supplies to consider, which some kennels had. Would there be a requirement to store water specifically for a sprinkler system? If so, how much would need to be stored for each building? Could it freeze in winter? What if there was a power cut - how would a sprinkler system work without electricity to power a pump? One business suggested that their small business would have to close if a sprinkler system were mandated.

PIF would therefore suggest that whilst a move towards a more sophisticated fire safety feature than fire extinguishers was important – something which PIF members already appear to have in place, we would suggest that any new requirements focus on better fire/smoke detection systems and alarms, rather than going as far as installing a sprinkler system. The cost of installing such a system is likely for many to be too high, and it would be difficult to support an additional requirement which could potentially put members out of business.

COSLA written submission, 6 December 2024

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

In reply to your request for a response regarding the above petition COSLA currently has no position.

Scottish Fire and Rescue Service written submission, 6 December 2024

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

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.

Petitioner written submission, 22 January 2025

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

I have looked at all the written submissions attached to the petition and appreciate the input from all organisations.

I accept and understand that there may be cost and logistical issues in the fitting of sprinkler systems and this may be prohibitive to small businesses. I also understand that some older buildings may not be able to accommodate this.

However, I would urge the Committee to ensure more robust requirements are put in place for boarding kennels, and that the Animal Boarding Establishments 1963 Act is revoked and they are instead regulated under The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021.

At present, all that is required for fire safety to be given a dog boarding licence by the council is a fire extinguisher. That is all! The boarding kennels where the fire occurred was licenced by East Renfrewshire Council. A fire extinguisher is of no use if a fire breaks out overnight or if the owners are not alerted to the fire. In the circumstances of our pets' deaths, an early warning system, smoke detector, heat detector or alert to the owners would have given the dogs a chance to be freed into the surrounding field. However, the fire was burning for several hours before the emergency services or kennel owners were alerted and tragically the dogs had perished by then.

I do not want any other family to go through the pain and torment that we all have. The death of our beloved pets was so traumatic for us never mind the poor wee souls who died in such a horrendous manner.

Thank you for considering this petition.