

Scottish Government submission of 18 January 2024

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

The Scottish Government's sympathies remain with the owners of the dogs in this terrible tragedy.

In 2017, the Scottish Government produced guidance to assist those who have responsibility under the Fire (Scotland) Act 2005 for ensuring fire safety in non-residential (relevant) premises in Scotland: [Practical Fire Safety Guidance for Existing Non-Residential Premises](#). The guidance states that any fire risk assessment for a relevant premises should be carried out by a competent assessor.

The list below is a summary of the general requirements which the chapters provide further guidance on complying with, but anyone in doubt about their legal obligations may wish to seek further advice which can be provided by the Scottish Fire and Rescue Service;

- assessing the risk from fire;
- identifying the fire safety measures necessary as a result of the assessment of risk;
- implementing these fire safety measures, using risk reduction principles;
- putting in place fire safety arrangements for the ongoing control and review of the fire safety measures;
- complying additionally with the specific requirements of the fire safety regulations;
- keeping the fire safety risk assessment and outcome under review;
- and record keeping.

The guidance also contains information on the use of automatic fire detection in a fire warning system, which are required under fire safety law to provide early warning to and allow persons on the premises with sufficient warning to allow their means of escape.

Currently, Animal Boarding Establishments Act 1963 only requires local authorities (in their capacity as the enforcement body) to be satisfied that appropriate steps will be taken by an applicant / licence holder to ensure

the protection of animals in case of fire or other emergency. Local authorities can, if they deem necessary, apply conditions, including in relation to fire prevention and safety, as appear to them to be necessary.

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

The Scottish Government continue to monitor the impact and effectiveness of all of its guidance and will make any amendments should they be deemed necessary.

Animal Welfare Team - Animal Health & Welfare Division