

Subject: Housing Management Pet Policy
Date of Meeting: HMCSC 29 October 2013,
Housing Committee 13 November 2013
Report of: Director of Housing, Jugal Sharma
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Ward(s) affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This policy proposal updates how the Housing Management team deals with pets in council homes.
- 1.2 What the tenancy agreement currently says:
You (or members of your household) must not keep a dog, cat, bird or other animal in your home without our written permission-the tenant handbook gives details of when we will give permission. Your pet(s) must not annoy or frighten other people, nor must you allow your pet to foul shared areas. If nuisance occurs, we can withdraw our permission. It is a breach of your tenancy agreement if you are convicted of causing cruelty and suffering towards an animal (see Appendix 1 for Tenancy handbook guidance)
- 1.3 The policy has been formulated in consideration of guidance provided by the RSPCA (see appendix 1)
- 1.4 The policy has been formulated by Officers within the Neighbourhoods Team and tenant representatives through Area Panels

2. RECOMMENDATIONS:

- 2.1 That the Housing Management Consultative Sub Committee comments on the Housing Management Pet Policy
- 2.2 That the Housing Management Consultative Sub Committee recommends to Housing Committee the adoption of the Pet Policy.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Pets are good for people: they enhance a person's mood, reduce stress, encourage exercise, bring blood pressure down, make social interaction easier and stave off loneliness and isolation (Elizabeth Scott M.S. "How owning a dog or cat can reduce stress" 14 January 2012)

- 3.1 The issue of pet ownership gives a number of issues for housing management staff. These include but are not exclusive to
- dangerous dogs
 - stray dogs
 - dog fouling
 - barking
 - smells
 - indiscriminate breeding

There tend to be more complaints about dogs because their owners have a legal onus to control them in a way that other pet owners do not. For example, while cat owners can allow their cats to roam the neighbourhood unrestrained, and do not have to pick up their fouling, dog owners cannot. These complaints are managed by the council's Neighbourhood Team.

Because dog owners have a legal obligation to control their dogs, there is accordingly a plethora of laws and by laws which dog owners must adhere to with set processes and penalties. The council's Animal Welfare Officers have a statutory obligation to investigate and take action on dog fouling, dogs being out of control, and to collect and deal with stray dogs, so Neighbourhood Officers will often work with them, to enforce nuisance problems in council properties. The police may also become involved in cases where dogs have bitten people.

Similarly, complaints of cruelty will usually be referred to the Animal Welfare Officers or the RSPCA.

(Full summary of pet related legislation Appendix 2)

- 3.2 There is not legislation to cover minor pet nuisance (ie., pet smells, cats being allowed to roam in common ways of flats) so there needs to be clear procedures for Neighbourhood Officers on how to resolve these problems in a sensitive and effective way.
- 3.3 The number of stray dogs being collected each year in Brighton and Hove has doubled since 2008 to around 360 dogs a year.

The law requires that these dogs are held for a minimum of seven days and the kennelling fees become very costly. Most of these dogs are not neutered, and cannot be identified as they are not micro chipped, and do not have ID tags on. Only half are reclaimed by their owners, so Animal Welfare Offices have to try and find rescue organisations to take the rest.

- 3.4 Research has shown that the greatest reason for persons abandoning their dogs is that they did not realise how difficult it would be to own a dog.

3.5 Cats are largely much more independent, and therefore easier to keep. However, because they are usually allowed to wander outside, they often mate without their owners intending it to happen. This results in the owner having to deal with unwanted kittens, and adds to the problem of there already being too many cats and too few homes for them.

3.6 A three stage approach is hereby recommended for Housing Management Staff

Firstly, Ensure tenants know what their obligations will be when given permission for a pet to ensure that they take responsibility for the welfare and behaviour of their pet. This process of education will begin before the resident decides to get a pet with the inclusion of pet owning information in Lettings Packs.

Secondly, to provide support when appropriate to help residents to solve pet related nuisance.

Thirdly, to provide enforcement action, as with other anti-social behaviour, which should be taken when stage 2 fails and the resident won't or can't take responsibility to solve the problem. In some cases, the answer may be for that person to relinquish their pet but this would be our end point rather than our start point in most cases.

The main things on which the Pet Policy will concentrate are:

3.7 Comprehensive management when taking applications to keep a pet.

3.7.1 The permission process will outline the obligations we place on residents to ensure that the pet is kept responsibly, and will not cause a nuisance to others in the vicinity. Part of the application process will require the tenant to give details of who will look after their pet if they are unable to do so.

3.8 Requiring all owners of dogs in our properties to micro chip their dogs.

3.8.1 This can be done free of charge by The Dogs Trust and should reduce the number of unidentified stray dogs being collected by Animal Welfare Officers. It will also identify owners in the rare cases where stray dogs attack people or other animals.

3.9 Prohibition of the breeding of pets

3.9.1 Council homes are not suitable for pet breeding, which requires space and can cause noise and smells. Pet breeding in private homes often leads to "accidental ownership" which is when friends or neighbours see the newly born puppies or kittens and can't resist taking one because they are so cute, without really thinking about the responsibility or work involved.

3.9.2 We are not making neutering compulsory, as this is surgery and therefore has risks attached. Some people also believe that neutering leads to unintended and unwanted health and behaviour problems. We will publicise neutering, and the health benefits and convenience this has, and the low cost availability, but if someone chooses to manage their pet's fertility differently, this will be their choice.

- 3.9.3 We will require pet owners to think about this, and to state how they will prevent their pet breeding on the application form.
- 3.9.4 If breeding does occur, the approach we take will depend on the circumstances under which this happens. A person whose pet escapes and becomes pregnant, is very different from someone who purposely breeds pets in order to make money. The former will probably require no action/advice on neutering, while the latter may be subject to tenancy action

3.10 A database established so that all dogs in our properties are recorded.

This will enable the Neighbourhoods Team to gain data on how many dogs there are in certain areas, to more easily identify a dog that may be running loose, or fouling, and to enable us to include pets in emergency contingency plans.

3.11 Other landlords

Some landlords use a simplistic approach to solve animal ASB.

It is often written as standard into letters (even initial ones) *"if you do not solve this problem we may withdraw permission for you to keep a pet"*. This can be very frightening to pet owners, most of who love their pets and do not want them to cause a nuisance or inconvenience to those around them. With a bit of support and guidance most problems can be solved

Other registered social landlords who the RSPCA feel demonstrate good practice were researched and a summary is attached in Appendix 3.

- 3.12 Due to the number of unwanted pets currently in shelters, **we will be promoting adoption from rescue societies**, rather than persons obtaining pets from newspaper ads or from breeders. Shelter staff have the expertise to be able to identify suitable owners, and pets from rescue societies will usually already be neutered, micro chipped and inoculated. Shelters also usually provide lifelong support to pet owners on behaviour issues, and will take the pet back if the person is unable to care for it.
- 3.13 The revision of the Housing Management policy will streamline the way we deal with pet ownership, so we will be more effective in solving problems. As much of the policy is preventative (ie., getting people to think about what getting a pet involves before they obtain one, and ensuring owners know their obligations) this should reduce the amount of nuisance which occurs
- 3.14 In order to promote responsible adoption and ownership, we will be featuring articles in Homing In, producing leaflets, and doing poster campaigns around our Estates.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

The proposals in this report to change and clarify our own pet policy was presented to Area Panels in January 2013. All of the proposals were well received and there were no objections to any of the proposals.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs associated with the introduction of policy relate to the production of information sheets, posters and leaflets in order to publicise the policy. These costs should be minimal and it is anticipated that they can be met out of existing publicity and marketing budgets for 2013/14.

Finance Officer Consulted: Monica Brooks

Date: 19/08/2013

Legal Implications:

- 5.2 The legal framework around the keeping of animals is outlined in the report and Appendices. The council's standard secure tenancy agreement provides that a tenant must not keep a dog, cat, bird or other animal without written permission. The council therefore has a discretion as to whether it allows a tenant to keep a pet. The law requires a discretion to be exercised reasonably, and the proposed Housing Management Pet Policy will assist in the exercise of that discretion.

Lawyer Consulted: Liz Woodley

Date: 15/10/2013

Equalities Implications:

An Equalities Impact Assessment is attached as Appendix 5.

- 5.3 The RSPCA have stated that restrictions on pet ownership in tenancy agreements and pet policies are appropriate and will not infringe tenants' rights, where they are needed to ensure good animal welfare, avoid nuisance to other residents, and protect the landlord's premises from damage.
- 5.4 The policy would be non discriminatory and proportionate. We will not unreasonably withhold permission for people to keep pets, and will offer advice and assistance to people to ensure they are able to keep to our conditions for keeping pets.
- 5.5 Some Local Authorities restrict which pets are allowed in particular properties; for example, some will not allow dogs in high rise blocks, or cats where there is no direct access to an outside space.
- 5.6 We are not proposing at this stage to restrict cats and dogs to particular types of properties (as these pets can be kept responsibly within any type of housing with the right care). However, other species, such as chickens, can only reasonably live outside, so permission will be restricted to residents who have gardens.
- 5.7 A small number of our sheltered blocks do not permit pets, but many others do, so home seekers should not be disadvantaged when seeking a property.

Sustainability Implications:

There are no sustainability implications

Crime & Disorder Implications:

The revised Pet Policy will help to prevent pet owners breaking the law i.e. The Dangerous Dogs Act 1991

Risk and Opportunity Management Implications:

The risks to persons staff and residents will be reduced through more careful education and monitoring of pets and owners.

Public Health Implications:

The risks to health and safety residents and staff will be reduced through more careful education and monitoring of pets and owners.

Corporate / Citywide Implications:

None.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 If there were no pets in council properties there would be no pet nuisance. However given how enormously important pets are to people and the joy they bring, to introduce a blanket “no pets” policy would greatly impede on the wellbeing of many of our residents. For some people it is literally their pets who keep them alive, and some people would choose to be homeless rather than live in a home without them.
- 6.2 It would not be proportionate to impose a compulsory neutering policy in order to stop the nuisance of pet breeding; this is not the only way to stop breeding, and people need to be able to make their own decisions about how to manage their animal’s health and fertility.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To consult and seek comments from members of the Housing Management Consultative Sub-Committee on the proposal. To endorse the policy and recommend its adoption to the Housing Committee. .

SUPPORTING DOCUMENTATION

Appendices:

1. RSPCA guidance leaflet
2. Summary of pet related legislation
3. Examples of pet policies from other social housing landlords
4. Revised pet policy
5. EIA

Documents in Members' Rooms

None

Background Documents

None

