

**HOMES POLICY DEVELOPMENT GROUP
1 OCTOBER 2019**

REVIEW OF HOUSING SERVICE PETS AND ANIMALS POLICY

Cabinet Member(s): Councillor Simon Clist
Responsible Officer: Mrs Claire Fry, Group Manager for Housing

Reason for Report: The Housing Service policy relating to pets and animals requires review

RECOMMENDATION: That the Homes PDG recommends to the Cabinet that those changes agreed following a review of the policy relating to pets and animals are adopted

Financial Implications: Housing management officers are required to manage nuisance cases involving animals and this can include cases where pets have caused damage to property. Void costs can be inflated if there is such damage and also where tenants have inserted cat flaps or similar into security doors or doors which have been double glazed.

Legal Implications: The Council's tenancy agreement contains clauses relating to animals and pets which state that tenants should seek permission for most pets and should ensure that they do not cause nuisance or annoyance to neighbours, or cause any damage to the property. Intentional breeding is also prohibited. The policy takes account of relevant legislation and animal welfare issues.

Risk Assessment: Failure to have in place an agreed policy could result in tenants keeping pets and animals which are unsuitable and which could impact the welfare of those pets, the tenant, their household and neighbouring tenants and properties. There is also a risk that a pet or animal could experience ill health or that the property could be damaged if that pet or animal is not properly cared for.

Equality Impact Assessment: Failure to provide housing management staff with policies to use in the course of their day to day activities could result in a less consistent and effective service. The policy includes reference to support dogs and makes provision for these to be kept in properties in cases where under usual circumstances this would not be allowed. The Housing Service reserves the right to seek evidence to support the request and to ensure that the property type is suitable for keeping a dog.

Relationship to Corporate Plan: The Council must run the Housing Service efficiently and effectively in accordance with the provisions of the regulatory framework.

Impact on Climate Change: The housing service has actively invested in energy efficiency; extensive use of solar PV and air source heat pumps already exists. The ongoing circa £170M 30 year maintenance programme has a significant focus on ensuring energy efficiency. Where sustainable options are available they are utilised; however, it is acknowledged that where there is a significant cost differential that plays heavily in the choices made.

We recognise that the provision of sustainable communities is important. As part of our commitment to meeting the provisions of the Tenant Involvement and Empowerment Standard within the Regulatory Framework for Social Housing, the Council offers a menu of involvement, which provides opportunities for tenants to get involved in service delivery. Tenants scrutinise the work of the Service and are also involved in the development of our newsletter which is published periodically. We use this and social media to promote sustainability and therefore publish information relating to a variety of topics including fuel efficiency, recycling and healthy living.

Officers sometimes have to respond to emergencies such as those associated those arising from serious incidents of anti-social behaviour. In such cases, safeguarding concerns will take priority in order to minimise risk and it is accepted that the ability to manage such issues effectively may have an environmental impact which would not occur if work can be planned in advance and managed in a more co-ordinated way.

1.0 Introduction/Background

- 1.1 The Council is committed to improving the Housing Service and having an effective policy to provide a framework which sets out how Officers will respond to and manage queries, permissions and complaints relating to pets and animals from tenants and their neighbours is important to ensure a consistent approach.
- 1.2 The pets and animals policy was originally adopted at the meeting of the Decent and Affordable Homes Policy Development Group on 4 October 2011 and then reviewed in June 2015.
- 1.3 Tenants Together (TT), the tenancy scrutiny group, had the review of the Pets and Animals Policy on the agenda for its meeting on 8 August 2019. The Group asked for more time in which to consider their feedback. A verbal update on amendments suggested by the Group will therefore be given at the meeting of the PDG.
- 1.4 Various support agencies were also consulted on the review of the Pets and Animals Policy and the only response received was from the Manager at the Churches Housing Action Team (CHAT) who confirmed that she and the Tenancy Support Senior Advisor had looked at the draft policy and had no comments.

2 Overview of Policy

- 2.1 The existing policy has been in use since it was adopted in 2015. Following a review, it has been agreed that it is fit for purpose and therefore only a limited number of amendments are being suggested. These changes have been included on the policy document contained within Appendix 1 and are shown as tracked changes for ease of reference.
- 2.2 Members will note that the majority of changes to the existing policy which are being proposed relate to style or grammar.

- 2.3 However, several additional references have been inserted. The first relates to the responsibilities regarding the microchipping of dogs. The second additional reference is to the Anti-social, Crime and Policing Act 2014 which extended criminal liability under section 3 of the Dangerous Dogs Act 1991 for owning or being in charge of a dog that is dangerously out of control. It now includes private places.
- 2.4 In addition, the clauses relating to intentional breeding of pets and animals in section 11 have been reinforced with reference to the tenancy agreement. Hopefully, this will provide greater clarity on the position of the Housing Service to intentional breeding. Tenants are not allowed to breed any animals at their homes or to sell any bred there.
- 2.5 When the existing policy was amended in 2015, a number of changes were made to ensure that it reflected good practice relating to pet and animal ownership.
- 2.6 The existing policy places emphasis on the need to make tenants aware of their responsibilities, and this includes giving them a copy of the pets and animals policy when permission has been granted.
- 2.7 The existing policy explains in great detail the factors which will be taken into consideration before a decision is made on whether or not to allow a tenant to keep a pet or animal at their home. In accordance with section 6 of the policy, the type of property lived in together will be taken into account, as well as the garden size, the availability of local open space and the breed, size, number and temperament of the pets or animals which the tenant is seeking permission to keep. The Neighbourhood Officer will also give consideration to the number of existing pets.
- 2.8 Generally, a tenant will not be allowed to keep a cat or a dog at a property which does not have direct access to outside. This is on the grounds of animal welfare and also to avoid causing nuisance or annoyance to neighbours. Furthermore, the Housing Service is unlikely to grant permission for a tenant to have more than two dogs or two cats at a property, or one of each. Permission to keep a registered support dog may be granted in some circumstances to enable a tenant to keep one in a property which would not usually be deemed to be suitable for keeping dogs.
- 2.9 An amendment to the existing policy has been proposed which relates to the action to be taken in cases where it is found that a tenant is keeping a pet or animal without permission. The amended policy, if agreed, would allow the Housing Service to seek vacant possession of the property should a tenant continue to keep a pet or animal without our permission. It should be noted that such action would only be proposed if attempts to work with the tenant to re-home the pet or animal had failed.
- 2.10 It should be noted that the existing policy raises awareness of other policies that tenants have to adhere to including the Housing Service Recharge policy and the Improvements to Council Properties policy. Damage caused to a property by a pet or animal will be recharged in accordance with the former;

and permission for improvements to accommodate pets and animals must be sought in accordance with the latter.

2.11 The existing policy contains other relevant clauses which provide clarity for Officers and for tenants, alike:

- Burial grounds and visiting pet graves at former properties
- The fitting of cat flaps
- House cats and dogs
- Pet sitting

2.12 It has been suggested that the next review of the policy should take place in ten years and this amendment has been suggested as a tracked change in the updated draft of the policy. In the meantime, the policy will be reviewed and revised to reflect any legislative requirements and/ or other guidance or good practice.

3 **RECOMMENDATION**

3.1 Members are asked to consider the amendments and to agree the adoption of the revised policy.

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Circulation of the Report: Councillor Simon Clist, Cabinet Member for Housing, Leadership Team

List of Background Papers: