



Pets policy

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Glossary

Assistance animals	For example; guide dogs for people with a visual disability
Biodegradable bags	Bags for collecting animal waste which rot down quickly, available from pet shops
Duty of care	A legal responsibility to carry out an action with care
Grounds maintenance	Services to regularly cut grass, bushes, and hedges in areas of housing land
RSPCA	Royal Society for the Prevention of Cruelty to Animals
Sheltered Housing	A group of flats designed for older people to live in
Tenancy agreement	The list of responsibilities that a tenant and CBH agree to at the start of the tenancy which details what the tenant must do and what the landlord must do.
Weapon dogs	Dogs that are used by individuals to menace, threaten, or attack people or other animals

1. Introduction & purpose

Pet ownership can bring a great deal of pleasure and enjoyment to residents, enhancing wellbeing and the quality of life. Research shows that pets that are well cared for and responsibly kept can be a positive attribute to the community.

A pet policy provides customers with details of when and how they may keep pets in their homes under their tenancy agreement. The policy encourages responsible pet ownership as a way of improving animal welfare and minimising nuisance to the community.

Housing organisations have a pet policy to provide consistency in dealing with issues involving pets. The relevant clauses of the tenancy agreement are set out in 2.1 below. A summary of the relevant law is listed in Appendix 1.

This policy affects the homes of individual customers and also the communal areas that CBH manages on behalf of CBC, as well as the wider community. We recognise that an effective policy relies upon strong partnership working with the Council, the police, the RSPCA and other agencies.

This policy is for:

- all staff who come into contact with our customers and their pets
- all residents where CBH manages tenancies and CBC land
- all CBH contractors and temporary staff who have contact with customers.

2. Permission for pets

We will give permission for a pet as long as the property is suitable, and the tenant has the facilities to care for the pet. Tenants are advised to discuss pet ownership with the housing officer before providing a home for a pet.

Consent for keeping a pet will include the requirement for microchipping and neutering.

2.1 Pets and the tenancy agreement

Excerpt from Colchester Borough Council tenancy agreement:

“You must not keep any animal (except fish) in your home or garden without first getting our written permission. We can take away this permission if your pet causes a nuisance.

If you have a dog, you must keep it under control at all times and make sure it does not damage our property or cause a nuisance to your neighbours.

You must make sure that any pet you keep at your home, or that is brought to your home by a visitor, does not cause a nuisance, annoyance or danger to anyone.

You must clean up any mess left by your pet in your home or anywhere near your home and get rid of the mess safely. Anyone found to not be clearing up after their dog may have their permissions to keep animals removed.”

Tenancy Agreement (Sections 47 - 50)

2.2 Before the start of a tenancy or before a tenant obtains a pet

Information about keeping pets is available within the Tenancy Agreement, on our website, and in the leaflet 'Keeping Pets in Council Homes'.

Where permission is not given the reason for withholding permission will be provided to the tenant. If the tenant has already obtained a pet, we will provide advice and support as necessary to have the pet rehomed.

2.3 Circumstances where we would refuse permission for a pet

We will not normally grant permission for a tenant to keep a pet if:

- The tenant lives in accommodation which is not suitable for the pet and the keeping of pets would cause a nuisance to neighbours.
- The tenant already has a pet(s) and the accommodation is not suitable to keep more pets.
- The pet could be dangerous or hazardous to health.
- The pet needs a special home (such as a hutch or cage) and the tenant does not have anywhere suitable to put it.

We will take away permission for a tenant to keep a pet if the pet causes a nuisance, annoyance or poses a danger to anyone, or if any of the conditions of tenancy are broken.

However, we recognise that there may be unique or exceptional circumstances, and that each application may need to be considered on its merits.

2.4 Pets and animals which will not be allowed

The following is a list of pets and animals which will not be allowed to be kept in a CBC property:

Dogs used as weapons and dogs specified in the Dangerous Dogs Act 1991. Up to date information on banned breeds can be obtained from the DEFRA website at www.defra.gov.uk.

Animals which should be licensed under the Dangerous Wild Animals Act 1976. Examples of animals registered under the Act are certain types of venomous snake, certain types of spider and various breeds of monkey. A full list of animals requiring a license under the Act can be obtained from the website of the Department for Environment, Food and Rural Affairs (DEFRA) at www.defra.gov.uk and on the Council's website: <http://www.colchester.gov.uk/article/1995/Dangerous-wild-animals>.

Pigeons – without consulting with neighbours, and without having membership of the Racing Pigeon Association. Consent can be withdrawn at anytime

Tenants may not breed or offer for sale any animal in their property. CBH encourages the spaying and neutering of pets to prevent unwanted breeding.

2.5 Assistance animals

We will support and assist residents who require guide dogs and other assistance animals. We will comply with Disability Discrimination Act 1995 and the Disability Act 2005. We will work with your health advisers to ensure that any appropriate adaptations are made to your home.

We are committed to providing a welcoming environment at our offices for customers accompanied by their assistance dogs. Any requirements that customers with disabilities may have will be supported under CBH's Equality Objectives and the Equalities Act 2010.

2.6 Sheltered housing and flats

Research shows that pet ownership can bring many health and social benefits, particularly to older people. The nature of sheltered housing and flats varies. Generally we will give permission for residents living in sheltered housing and in flats to have small pets like budgies, but not to have cats, dogs and other larger pets. In some accommodation which is linked to sheltered housing or has its own garden, small dogs and cats will be permitted if they are not causing a nuisance to others.

2.7 Visitors with Pets

The behaviour of a pet brought to a property by a visitor is the responsibility of the tenant. The same rules apply to the management of a visitor's pet as that

of a tenant's pet. Within our sheltered housing schemes any visiting dogs must always be kept on a leash for the safety and comfort of all other residents residing in the scheme.

3. Pet waste

3.1 Repairs and grounds maintenance issues

We have the right to refuse to complete repairs and maintenance of the home or external areas if those areas are affected by pet waste, or if pets are a threat to the health of employees or contractors.

Work will be re started once the area is cleaned to an acceptable standard and the pet is under control.

Tenants should keep their pets under control in a safe place so that repair and maintenance work, or visits by other staff, can be carried out safely.

3.2 Disposal of pet waste

Pet waste should be bagged up and sealed in (preferably biodegradable) plastic bags. Pet waste should be disposed of in bins for general waste or in specific red bins for pet waste in public areas.

3.3 Nuisance from feeding birds

Encouraging birds to feed in large numbers causes noise and a buildup of waste products. Excess bird feed can also attract rats and mice. We will act if feeding birds creates a nuisance.

4. Animal welfare

Residents are responsible for the health and welfare of their pets. Under the Animal Welfare Act 2006, this is called a "Duty of Care". If residents have any questions about the care of their pet, they should contact their vet or another organisation such as the [RSPCA](#).

Where a member of staff witnesses cruelty or neglect they will report this to the RSPCA.

Where cruelty or neglect is reported to us by a third party, we will also report this to the RSPCA. The RSPCA has legal powers to prosecute.

5. Dealing with complaints

We are committed to maintaining a good quality environment for all residents. Where issues arise because of an animal or pet these will be taken seriously. We aim to resolve these issues as promptly as possible for the benefit of residents in the area. When a negotiated solution is not achieved, or when an agreement is broken, we will enforce the conditions of tenancy.

Appeals against decisions by staff to deny permission for pets or to end permission to keep a pet should be made through the formal complaints process so that the decision can be reviewed.

6. Responsibilities

CBC Customer Services team or CBH Lettings Team is responsible for receiving requests to keep a pet and for giving permission in line with this policy.

Community Housing Officers may also receive the initial request and they are responsible for ensuring that tenants comply with their tenancy agreement and this policy.

7. References

- Pathway Pets and Housing (The Dogs Trust)
- Pet policies of other housing providers.
- Protection of Animals Act 1911
- Abandonment of Animals Act 1960
- Animals Act 1971
- Road Traffic Act 1988
- Dogs Act 1871
- Dangerous Dogs Act 1991 (amended 2019)
- Control of Dogs Order 1992
- Environmental Protection Act 1990
- Dog (Fouling of Land) Act 1996
- Clean Neighbourhoods and Environment Act 2005.

8. Related documents

Tenancy agreement

“Keeping Pets in Council Homes” leaflet.

9. Advice and training

A procedure is available for staff to implement this policy. The procedure for staff contains detailed advice about:

- What issues to consider when receiving a request from a resident for a pet
- How to encourage responsible pet ownership
- How to enforce the conditions of tenancy
- Information on available advice and support available for tenants on animal welfare and rehoming.

Training will be delivered periodically by Housing Managers and staff from Colchester Borough Council.

10. Review and compliance monitoring

Working closely with Colchester Borough Council we will review the policy every three years or whenever there are changes in legislation or significant changes in good practice.

A working group coordinated by CBC promotes responsible dog ownership. This group consists of interested councillors, representatives of voluntary animal welfare groups, and staff from CBC and CBH.

Document control sheet

Title	CBH Pets Policy					
File location	https://colchbh.sharepoint.com/sites/fnc/corpdoc/PolDevLib/CBH Pets Policy.docx					
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Document amendment history

Version	Date	Brief description
1.0	Sept 2012	New policy
2.0	June 2015	Revision following consultation
3.0	Jan 2020	Revised and no changes required

Appendix 1 – Pets, animals and the law

There are many laws concerning animals, the following are some of the most relevant:

Protection of Animals Act 1911

Persons found guilty of cruelty or neglect may be imprisoned and / or fined. They may also be banned from keeping an animal for life.

Abandonment of Animals Act 1960

Abandoning an animal is an offence.

Animals Act 1971

If a dog worries livestock, it may be shot and the owner faces criminal prosecution. It is the duty of owners to ensure that animals do not stray onto the road and cause injury or damage.

The Road Traffic Act 1988

It is an offence to have a dog without a lead on certain designated roads.

Dogs Act 1871

Courts can order a dangerous dog to be destroyed or order the owner to keep it under proper control.

Dangerous Dogs Act 1991 (amended 1997)

There are a number of dog breeds that are illegal under UK dog law as specified in the Dangerous Dogs Act 1991. To own a dog of such a breed or, crucially, a dog of that 'type' – which can include crossbreeds – is a criminal offence.

The Act applies to four types of dogs:

- Pit Bull Terrier
- Japanese Tosa
- Dogo Argentino
- Fila Brasileiro (Brazilian Mastiff)

The act states that it is illegal to:

- Own a banned breed of dog
- Further breed from a banned breed dog
- Sell banned breed of dog
- Give away or abandon a banned breed of dog

The Act also states that any dog dangerously out of control in a public place may be destroyed; owners face the possibility of a 6-month prison sentence or a maximum £5000 fine.

Control of Dogs Order 1992

Every dog, while in a public place, must wear a collar displaying the owner's name and address.

Environmental Protection Act 1990

This Act gives the relevant local authority the power to seize a stray dog and to hold it for 7 days. After 7 days, the dog can be found another home, sold or destroyed. The local authority can also serve a Noise Abatement notice or an Abatement notice for the accumulations of faeces where this causes a nuisance (odours and flies) to neighbours.

Dog (Fouling of Land) Act 1996

Allows local authorities to apply a bye law to make owners clean up after their pets. The Housing Act 1996 (amended by part 2 of the Anti-Social Behaviour Act 2003) gives social landlords the power to apply to Court for an injunction or demotion of a tenancy when nuisance and annoyance has been caused.

Clean Neighbourhoods and Environment Act 2005

This Act allows the local authority to designate public areas where dogs must be kept on leads or where they are excluded. It also gives the local authority powers to enforce dog fouling bye laws on public land. It is no defence for the owner to say they were unaware of the dogs' actions and the owner may be prosecuted or fined. The Act can also enforce dog control orders.