

### Keeping of dogs and other pets

A tenant or leaseholder, may wish to care for an animal in their home. It is the intention of the Council to accommodate this within reason and this policy sets out under what circumstances it will be accommodated.

Under this policy, a tenant or leaseholder will be required to ask the Council's permission to keep a dog.

There are a number of Acts of Government that we need to know about.

- **Dangerous Wild Animals Act 1976** – a tenant is not allowed to keep any animal that is classed as dangerous under this Act. (Dangerous Wild Animals List)
  - <http://www.legislation.gov.uk/ukpga/1976/38>
- **Dangerous Dogs Act 1991** – a tenant is not allowed to keep any dog which is classed as a dangerous dog under this Act. (Dangerous Dog Information sheet)
  - <http://www.legislation.gov.uk/ukpga/1991/65/contents>
- **Animal Welfare Act 2007** – This Act refers to the legal responsibility of the tenant for the basic welfare of an animal. (Description of 5 basic needs of a pet)
  - <http://www.legislation.gov.uk/ukpga/2006/45/contents>

The conditions of tenancy states that:-

- If council believes that an animal is unsuitable or the tenant does not request permission for the animal we can ask the tenant to remove the animal.
- If the animal causes a nuisance for example fouling in shared areas, making a lot of noise or roaming the estate or shared areas we can ask the animal to be removed.
- If the tenant keeps more than a reasonable number of pets we can ask for some to be removed. If the animals are causing a nuisance or if the tenant is unable to meet the five basic welfare needs of the pets (see Animal Welfare Act 2007) we can ask the tenant to remove the animals and or we may refer them to Environmental Health and/or RSPCA.
- The tenant cannot keep any livestock in the property such as cows, sheep, chickens, pigs, goats, horses or any other animal that could be classed as livestock.

### Tenants living in houses

Tenants living in houses can keep a wider range of animals, where they have direct access to a garden. However, the following points must be taken into account:

- A tenant can keep one small domesticated animal such as a cat or an animal that requires a small cage or glass tank. If a tenant would like to keep a dog or more than one animal, the tenant must ask the Council for permission;

- A tenant can keep fish in a tank up to the size of 3ft long and 1ft wide and 1ft high. If the tenant wishes to keep a tank bigger than this, they must request permission and may be asked to pay for a structural report to make sure that the floor can support the weight;
- A tenant can keep pigeons and other birds in a pigeon loft or an aviary but they must ask for the Council's permission to do this. If however the birds cause a nuisance then we can withdraw permission and ask the tenant to remove the bird(s).
- In certain circumstances the food for the animal may cause a nuisance. The tenant or lessee is responsible for everything associated with the animal. For example a tenant may have a lizard that requires live food the tenant is responsible for keeping the food in a safe and secure environment and ensure that it cannot escape. If the food does escape and causes a nuisance such as an infestation the tenant will be responsible for the costs to remedy the nuisance.

### **Tenants & leaseholders living in flats**

The guidelines for a flat are different to a house because of close proximity to other properties. The following points must be taken into account:

- If a tenant/lessee would like to keep a dog in their flat, they should ask for permission from the Council. The permission will not be given, if the dog is considered to be on the Dangerous Dogs Act 1991 or has not been registered under the Council's dog registration scheme;
- If the tenant has direct access to a garden then the same conditions apply as if the tenant lived in a house except for the keeping of birds in an aviary which is not permitted.

### **Dogs**

In order for permission to be granted the following criteria must be met:

- The owner must register their dog through the Council's dog registration scheme which aims to tackle and prevent dog fouling issues as well as ensuring the basic welfare of dogs in this borough;
- The dog has not been known to cause nuisance or annoyance;
- The tenant has not previously had permission withdrawn from them for owning a pet.

Permission will only be granted to a tenant or leaseholder on the following conditions:-

- Permission will only be granted for one dog, for tenants and leaseholders in a flat.
- The council will withdraw permission to keep a dog if it is causing a nuisance or annoyance to neighbours or it is continually allowed to roam free on the estate.
- The tenant/lessee has a responsibility to make sure that their fence is adequate to stop a dog from escaping into a neighbour's garden.

Where the Council gives permission for a dog, it will be given for the life of the dog only.

The tenant/leaseholder has the right of appeal, but only because new information is provided that shows that permission can be granted as an exception (e.g. medical grounds). The appeal will be considered by the Group Manager Housing Management.