

Mid Devon District Council

HOUSING SERVICES

PETS AND ANIMALS

POLICY

Contents

PART 1: Statement of Policies

Policy Statement	2
Definitions	2
Keeping Animals and Pets	2
General Rules	5
Care of Pets and Animals	5
Complaints About Pets or Animals	5
Pets Kept Without Permission	5
Abandoned Pets	6

PART 1: Statement of Policies

POLICY STATEMENT

The purpose of Mid Devon District Council's (MDDC), Housing Services, Pets and Animals Policy is to identify how we will respond to and manage queries, permissions and complaints relating to pets and animals from tenants and their neighbours. This policy should be read with the Tenancy Agreement.

This policy is not to be interpreted as giving written permission for a tenant or a member of their household to keep pets and animals. Individual written permission is required in each case.

This policy has been written in line with and meets current relevant legislation. Unless there are changes to such legislation beforehand, the next review of this policy is due July 2015 and every four years thereafter.

DEFINITIONS

The following definitions apply to this policy:

- **“Dangerous Dogs”** are animals/pets covered by the Dangerous Dogs Act 1991 and includes Pit Bull Terrier, Japanese Tosa, Dogo Argentino or a Fila Brazilliero without a Certificate of Exception and Cross breeds of these dogs. Dogs of other breeds can be considered as dangerous dogs if they have ever attacked a person in public.
- **“Dangerous Animals”** are animals/pets covered by the Dangerous Wild Animal Act 1997 and includes crocodiles, big cats, wolves, certain venomous snakes and poisonous spiders as well as various breeds of monkeys.
- **“Pet”** is defined as a domestic animal (such as a cat or dog).
- **“Property”** means the structural building and surrounding grounds.

KEEPING ANIMALS AND PETS

Tenants must obtain written permission from the Council if they want to keep a pet or animal, unless it is a registered assistance dog, a small domestic caged mammal/bird or small fish. Tenants will need permission to keep other caged animals such as reptiles and spiders. The Council will not unreasonably withhold permission.

Tenants, their household or visitors to their property must not keep any pets or animals which the Council consider to be unsuitable at the property. We do not permit tenants in flats to keep pets unless they have direct access to an outside space, for example low level access to a garden. Existing tenants in flats who currently have a pet (with permission) may continue to keep future pets (with permission) until such time as their tenancy ends.

Tenants must not keep any dangerous, vicious or intimidating animals in their home or allow visitors to bring such animals into their home; this includes Dangerous Dogs and Dangerous Animals.

Prospective tenants who already have pets or animals, will need to get permission to keep them before they sign their Tenancy Agreement with us. Any pets or animals that are refused will not be allowed to move into the property with the tenant.

Permission

The following criteria are considered before we grant or deny permission:

- The type of property lived in and facilities available
- Size of garden and whether there is open space nearby
- The breed, size, number and temperament of the pets the tenant is looking to keep

In all cases where permission for a pet is granted, it will be on the condition that the tenant looks after it properly and in line with the Tenancy Agreement. In the case of cats and dogs, this includes worming and regular flea treatment as advised by a vet.

We do not grant permission to tenants who are in breach of their Tenancy Agreement. This includes rent arrears and acts of anti-social behaviour.

Withdrawing Permission

We reserve the right to withdraw permission or have removed any pet or animal that:

- becomes dangerous
- causes nuisance or annoyance to anyone living in the locality of the tenant's home or causes damage to the property
- is not kept in line with this policy or the Tenancy Agreement

Consent may also be withdrawn if we consider the number of animals at the property should be restricted (such as due to nuisance behaviour), or where there is an animal being neglected or mistreated.

Pet Sitting

You will need our permission before looking after someone else's pet or animal. The normal rules (above) for granting permission will also apply for pet sitting. Where permission is granted, it will be for a limited period of 28 days and you will need to seek permission for any future pet sitting arrangements.

Where an animal's health or safety could be affected due to an unforeseen event out of office hours, tenants can take on the temporary responsibility of looking after that animal but must let us know as soon as is reasonably practicable.

Tenants are not permitted to run an "animal hostel" (including cattery, kennels, other boarding or breeding business) from our properties. Likewise, tenants are also prohibited from feeding and/or harbouring stray animals, and the excessive feeding of wild birds such as pigeons.

Cats and Dogs

We will normally only consider giving permission for one dog or cat (or one of each) per household. Tenants who currently have more than one pet (with permission) will be allowed to keep them until such time as the pets leave the household.

In accordance with the Control of Dogs Order 1992, every dog, while in a public place, must wear a collar with the name and address of the owner inscribed on the collar or a badge attached to it. There are some exceptions and more information about this can be found in the Control of Dogs Order 1992. We also encourage tenants to have their dog or cat permanently identified (such as microchip).

Tenants must never:

- Breed a Dangerous Dog
- Keep cats or dogs on balconies or in communal walkways

- Leave a dog alone or unattended overnight or for long periods of time.

Tenants will not be permitted to fit a dog or cat flap.

All dogs should be exercised on a lead if on communal areas of housing land. Dogs are not allowed to enter children's play areas.

Small Caged Mammals

Small caged mammals include: mice, rats, hamsters, guinea pigs, chipmunks, chinchillas, ferrets, weasels and rabbits.

In the case of small caged mammals, tenants must limit them to manageable numbers of which housing management staff will advise. Tenants must also make sure they are suitable for their living conditions.

In the case of rabbits and guinea pigs, tenants should normally keep them outside the home. Tenants must have access to an outside space for the animals to have a secure exercise run away from prolonged direct sunlight and where they are safe from predators.

Caged Birds

Tenants can keep small caged birds in the home provided their cage is large enough for the bird to spread its wings fully in any direction and that it has enough space to perch.

Ideally tenants should also let the bird exercise outside the cage, provided it can not escape and any excrement is cleaned up.

Aviary Birds and Pigeons

We will consider requests for aviaries on Council property on an individual basis, taking into consideration the likelihood of nuisance to neighbours (such as through morning noise or the potential to attract rodents).

Tenants are not permitted to keep pigeons unless they are a member of the Royal Pigeon Racing Association. Tenants who are members of this association will still need to apply for permission before keeping pigeons and provide the relevant documentation.

Reptiles and Spiders

We do not encourage tenants to keep these types of animals in a Council home as they need specialised care and living conditions. If a tenant wishes to keep a reptile or spider, they must provide a suitable and secure environment.

Chickens, Fowl or Other Livestock

Permission will not be granted for farm animals i.e. sheep, goats, pigs, cattle, horses, or ducks. Permission will be granted to keep chickens on an individual tenant basis, on the condition that there have been no complaints.

Tenants who wish to keep chickens must have appropriate facilities. The animals must not cause nuisance or distress to neighbours.

We will limit the number of chickens kept. Tenants are not permitted to keep cockerels on Council property.

Fish

Tenants are allowed to keep small fish in tanks, without our permission. However, fish tanks are not to be stored upstairs.

Permission for ponds must be sought in line with our Improvements to Council Properties Policy.

GENERAL RULES

We do not permit tenants to intentionally breed their pets or animals. Tenants must avoid letting their animals breed by either keeping same-sex or neutered animals and they must keep their home free from animal faeces.

Tenants must also keep garden areas free of animal faeces and not allow their pets to foul shared areas or roads, footpaths or local play areas. If an animal fouls either in a communal area or on their property it should be cleared up and responsibly disposed of immediately by the owner. Where a tenant fails to do this, we will charge them for the cost of cleaning and any other expenses that are needed to remove the nuisance. Tenants should be aware that it is a prosecutable offence to allow a dog to foul in a public place.

Pets or animals must not cause damage to the property. In all cases of damage to a property, the tenant will be recharged for the repair work.

Emergency Information

We ask that all tenants with pets or animals give us a named contact "pet friend" who can take care of their pet or animal in the event of an emergency.

CARE OF PETS AND ANIMALS

Tenants are responsible for the care of their pets or animals. They must, comply with any legislation concerning the keeping and control of their pets or animals.

Tenants must keep pets securely where they cannot escape and make sure all animals have enough room for exercise.

If the tenant plans to be away from their home for a while (such as a holiday), they must make reasonable arrangements for the care of their pets and animals.

Where a case of animal cruelty or neglect is either witness by us, or reported to us, we will inform the relevant agencies. Anyone mistreating or neglecting their pet or animal will be refused permission to keep any pet or animal.

COMPLAINTS ABOUT PETS OR ANIMALS

Tenants must not allow their pet(s) or animal(s) to become a public health or noise nuisance or to annoy or frighten other people. We will handle complaints about nuisance pets or animals in line with our Housing Services Anti-Social Behaviour Policy.

A range of behaviours can cause nuisance and annoyance. This includes: unattended animals, pets fouling in communal areas and in owner's gardens and this not being cleared immediately, pets fouling in neighbour's gardens, excessive noise, over population of animals within a household, unpleasant odours from pets or animals and aggressive animals.

Where reports are received of stray dogs causing a nuisance on housing land then the Council's District Officers will investigate.

PETS KEPT WITHOUT PERMISSION

Where it is found that a tenant is keeping pets or animals without our permission, we will in the first instance send a warning letter to the tenant. This letter will ask for the tenant to confirm what animals they are keeping and whether it is a temporary or permanent arrangement. Where appropriate, we will grant permission.

If it is not appropriate to grant permission for some or all of the pets or animals, we will give the tenant 28 days in which to find suitable alternative accommodation for them.

Ultimately, if the tenant continues to keep a pet without our permission they are in breach of their Tenancy Agreement. MDDC will take relevant legal action where necessary. The tenants will be liable for any resulting legal costs.

ABANDONED PETS

Pets and animals are classed as abandoned when either a tenant leaves the property for an unreasonable length of time as deemed by housing management staff, or the tenant moves out of the property and doesn't take their pets or animals with them. Pets and animals can also be classed as abandoned when their owner dies and there is no-one else in the property to look after them.

MDDC will in the first instance try to reach either the tenant or named emergency contact. Where this fails, or where an animal's health is at risk, we will contact local animal sanctuaries including RSPCA, Blue Cross and local vets.

Where a tenant (current or former) is evidenced to have wilfully abandoned their pet or animal and this has resulted in damage to the property, we will recharge the cost of resulting repair work to that tenant. Repair work also includes any cleaning required.