

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	The Cabinet
2.	Date:	6th February 2013
3.	Title:	Responsible Pet Ownership: Dog Chipping
4.	Directorate:	Neighbourhoods and Adult Services

5. Summary

The Cabinet Member for Health & Wellbeing initiated and received a presentation from the Dogs Trust on the 17th September 2012.

From that presentation an offer was made for the Dogs Trust for the provision of 400 microchips to enable both residents from the Borough's priority neighbourhoods and social housing tenants and to chip their dog(s) free of charge.

The presentation also highlighted that in, at least one Local Authority area the micro chipping of dogs had been made, as part of a Pet Policy, a mandatory requirement of the Council Housing Tenancy Conditions. This was ahead of anticipated changes in national legislation.

The information provided and approach for Rotherham has been considered and this report presents recommendations to the Cabinet following discussion with the Cabinet Member for Safe & Attractive Neighbourhoods.

6. Recommendations

It is recommended that the Council's Cabinet:

- 6.1 Welcomes the offer made by the Dogs Trust relating to the provision of free micro chipping to dog owners in prioritised areas of the Borough, and to all Council and other social housing tenants.**
- 6.2 Supports the development and introduction of a Pets Policy for Council Housing tenants to include the voluntary micro chipping of dogs.**

7. Proposals and Details

Currently it is required by law for all dogs, when outside, to wear a collar and tag with the owner's name and address inscribed. Whilst legally required there is resistance for some dog owners to meet their duty. Accordingly nationally there is a significant problem of stray dogs. The statutory duty to ensure the collection of stray dogs is a function of local Councils.

In Rotherham, the Council's Streetpride Dog Wardens respond to over 1,500 reports of stray dogs. Of these reports, some 500 dogs are seized and taken to the contracted holding kennels. Analysis has shown that the majority of these reports reflect stray dogs being on the streets of particular neighbourhoods including but not limited to Council housing estates. The analysis is also supported from the experience and work activity of the Council's two Dog Wardens.

The Dog Wardens provide both proactive and reactive working by daily patrols of known hot spot areas; investigating complaints, securing and processing stray dogs and promotional activity to reduce the number of unexpected litters. Recently an increase of un-licensed dog breeding within the Borough has been reported and work between the Dog Warden's and local TARAs has started whereby the alleged breeders are contacted and advised of their responsibilities. Such activity in Council housing may breach tenancy conditions and lead to tenancy enforcement; whilst in other housing sectors it can be addressed by Environmental Health engagement with the householder.

For a number of years, to help reduce the number of stray dogs the service has been working in partnership with both the Dogs Trust and a number of local re-homing charities. These not only promote responsible ownership but also provide easier access to, and on many occasions direct access, to free or reduced cost neutering services through local vets. The Dog Wardens currently provide free dog identification chipping from electronic chips provided by the Dog's Trust.

Increasingly "Status Dogs", including Staffordshire Bull Terriers, Rotweillers and other breeds (including American Pit Bull types) that are popular because of their powerful and potentially intimidating appearance have become more apparent off lead and straying. Whilst most owners of these types of breeds take a responsible approach to their ownership, there are a minority of dog owners who obtain a dog for its street status and tend not to look after the welfare of their dog to standards expected and release it into the local neighbourhood.

The consequence of this, together with reduced available household income, has led to an increase in the destruction of dogs seized. Rotherham is quoted by the Dogs Trust as being in the top 20 local authorities for the number of stray dogs being destroyed and this was a trend based on increased unwanted "status" dogs. Overall, however, the numbers of seized dogs not being reclaimed by their owners has increased, and this has been highlighted in the months leading to Christmas when the percentage reclaimed was extremely low (less than 10%). This trend can be anticipated further with the impact of Welfare Reform.

It is clear that the Council, in partnership with the Dogs Trust, need to prioritise action to help address issues surrounding stray dogs, and wider responsibilities relating to dog and pet ownership generally. It is intended that this prioritisation will be intelligence led in those areas where the incidence of stray dogs and wider pet nuisance is identified.

There is the opportunity, however, for the Council to take a lead on this and work with our tenants to help prevent such occurrence of straying & nuisance. The Dogs Trust has highlighted that in Hartlepool they have worked in partnership with the Council in the development of a Pets Policy and has required all dogs in Council Housing to be micro chipped. This is ahead of anticipated national regulatory change where the Government has consulted on proposals to make it compulsory for puppies to be chipped when sold or given away.

The impact of the approach in Hartlepool to promote this responsible pet ownership has shown in relation to Council tenancies:

- A reduction in dog related complaints by over 2/3rds
- Allowed closer enforcement of tenancy conditions re living conditions and the monitoring of cruelty arising towards the dogs.
- A reduction of 1/3 in the number of fixed penalty notices for dog fouling – the dogs can be more readily identified back to their owners, who face action against their tenancy for the offence
- The number of stray dogs collected and returned to their owners has risen from 23% to 41.2%.

The Dogs Trust are offering a similar deal to help Rotherham Council introduce a Pets Policy and in doing so would provide the microchips so there would be no cost to the tenant of both Council and other social housing. At this stage the dog's details would be registered on the database. If they moved house or sold the animal there would be a £10 charge to update the database. A similar partnership arrangement will be arranged for targeted areas e.g. the 11 priority neighbourhoods in the Borough. Also free neutering vouchers are available. It is seen that the development of a Pets Policy for our tenants would help mitigate against both stray dogs and other pet nuisances.

A key consideration has been whether the micro-chipping scheme should become a compulsory requirement of the Council Tenancy Agreement or a voluntary scheme. Consideration has been given to the reasonableness, proportionality, enforceability and impact of the scheme and on balance it is recommended that the micro-chipping of dogs should remain a voluntary arrangement. However, in encouraging this, it can be seen that the Council is being proactive in helping tenants and reduce annoyance or nuisance from more irresponsible neighbours.

Consequently dogs would be chipped at pre-arranged roadshows arranged for either the Dogs Trust, or the Streetpride Dog Wardens to carry out the service. Currently such events are usually arranged between the Wardens and local Community Groups (including TARAs) and the availability of the supply of free dog electronic chips is not seen by the Dog Wardens as a blockage to the service. It is confirmed that if current or the additional 400 chips are used a further supply would be negotiable.

Whilst the overall scheme will cross all resident tenure/ownerships in areas identified of enhanced activity, this approach would still allow a Housing Champions to advise new tenant at the time of signing their Tenancy Agreement about responsible pet ownership and the availability of the free dog chipping scheme. Advice will be given relating to the requirements of the Tenancy Agreement and the potentially detrimental impact and nuisance to neighbours, caused by such issues as barking dogs, cleanliness of gardens and stray dogs.

On considering the suggested approach the current update of the Tenancy Handbook has been amended to encourage the voluntary micro-chipping of dogs. The new wording is:

‘In addition to the requirement to seek permission, we also suggest your pet is micro-chipped. Micro-chipping your pet gives them the best chance of being identified and returned to you if they become lost or stolen. This service can be provided free of charge. For further advice, please contact the Council’s Dog Warden Service. In addition, general information is also available from the Dogs Trust at www.dogstrust.org.uk’

8. Finance

Contained within existing service budgets – Housing Revenue and General Fund

9 Risks and Uncertainties

The introduction of a more mandatory scheme e.g. for new tenants, would require tenancy consultation; such consultation is seen to be more cost effective in including such a proposal within a wider review.

In the assessment of the benefits of introducing such a scheme it is critical that the enforceability of any tenancy condition is considered. The introduction of a condition that may not stand scrutiny in potential tenancy actions, including that of court procedures, cannot be supported.

Any legislative change or mandatory legal requirements would need to be reflected in the tenancy agreement, as necessary.

10 Policy & Performance Agenda Implications

Contributes to the Corporate Plan’s goals of helping to create safe and healthy communities.

In addressing the Community Strategy’s “Rotherham Safe” objectives the following key strategic actions are delivered;

- Aiding the development of a sustainable housing stock.
- Increase satisfaction with local neighbourhoods.
- Making the connection between national and local strategies.

11 Background Papers and Consultation

- Rotherham MBC, Housing Tenancy Agreement
- Head of Legal Services
- Clean Neighbourhoods and Environment Act 2005
- Environmental Protection Act 1990
- Guidance on Stray Dogs, DEFRA, October 2007

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