

Brentwood April 2021



**BRENTWOOD
BOROUGH COUNCIL**

Pets Policy

Where everyone matters



Scope

This policy applies to secure and introductory tenants living in a Council property. This policy also applies to Shared Ownership, Shared Equity and Leaseholders and to the letting of temporary or private accommodation for homeless households.



More information regarding the keeping of pets can be found in your tenancy agreement.

This policy does not apply if a Council estate regeneration scheme has defined separate rules for the keeping of pets.

Permission for keeping Pets

There are different permission guidelines for keeping pets depending upon the type of accommodation that is let.



Secure and introductory tenants in general needs properties

If you are a secure or introductory tenant, you and your household will be able to keep small, caged birds, fish in tanks or small caged rodents without requesting permission. Exotic or wild animals are not permitted to be kept. You and your household may not keep any other animal(s) except with the Council's prior written permission.

Consent for a single cat will usually be granted.



Sheltered Accommodation

If you are living in sheltered accommodation and would like to keep any pets, you must first get our written permission. We will look at each case on its own merits, please note that you will only be given permission if you live in a suitable property but permission will not be unreasonably withheld for small, caged birds, fish in tanks or small caged rodents. You must not keep dogs, cats or other large animals in sheltered accommodation.



Leaseholders

If you are a leaseholder and would like to keep any pets, you must first get our written permission. We will look at each case on its own merits, please note that you will only be given permission if you live in a suitable property but permission will not be unreasonably withheld for small, caged birds, fish in tanks, small caged rodents and a single cat.



Temporary Accommodation

Temporary Accommodation provided through the Council to homeless households may provide a home suitable for a pet. However, where the accommodation offers shared access, communal facilities or the absence of a self-enclosed garden there remains the possibility that the accommodation provider might reasonably withhold the right to keep a pet in consideration of other residents sharing the property and the suitability of the property. In these circumstances the Council will seek alternative accommodation. Where none is readily available, to ensure a household's homelessness is prevented the Council will source alternative pet homing arrangements.



Emergency Accommodation

For households approaching our service as homeless requiring accommodation on an emergency basis, we will ask the accommodation providers if they will permit pets in their property. If accommodation cannot be found that will permit pets the Council will enquire with the household about alternative homing arrangements and if not available offer to assist arranging kenneling or fostering.



All tenures

The pet should not cause excessive or persistent noise or smell.

If the pet becomes a nuisance in any way (noise/smell/fouling/control etc.) or if we suspect the pet is neglected, consent for the pet will be withdrawn and the tenant/leaseholder will be required to permanently remove the pet from the property. If the Council receives a report that a pet is neglected the Council will seek assistance from the RSPCA who will provide an independent view of a pet's welfare and are also able to take their own independent action.



A dog will only be allowed if you live on the ground floor and have direct access (not via a shared pathway) to a private garden fenced in on all sides to at least 1m in height and if you agree to keep to the rules listed below. More than one dog may be considered on a case by case basis.

Special consideration will be given to visually impaired residents who may not have access to a private garden or live above the ground floor and need to keep a guide dog, and for residents who need a hearing dog. We will also give consideration to keeping registered assistance dogs where other medical reasons are provided.

Permission will not be granted for any animals listed under the Dangerous Wild Animal Act 1976 or for any dog listed under the Dangerous Dogs Act 1991. Any animals kept must follow all legal requirements including but not limited to Microchipping of Dogs (England) Regulations 2015 and Control of Dogs Order 1992



If we have granted permission for you to house a pet and your pet dies you will need permission from the Council before housing another pet.

Where the Council has arranged kenneling or alternative temporary rehoming of a pet on the household's behalf and there is a cost for this, the full amount will be re-charged to the household. Payment agreements will be considered on a case by case basis.

The Council will always seek to source and provide accommodation that can accommodate a pet to meet the needs of any member of a household in respect of a defined medical, social or disability requirement.

In exceptional circumstances, the Council may consider variations to this policy. The variation will depend upon the individual situation, any extenuating circumstances and the evidence available. Each case will be considered on individual merit. The Council's decision and reasons for the decision will be provided in writing to the relevant parties.



Enforcement action

Where a tenant has never sought permission to keep a pet excluding the exceptions detailed before, this is a breach of the Tenancy Conditions. Where the Council is aware that a tenant is keeping pets without permission the pet owner will be contacted and given 14 days to apply for permission. If this is not done or permission is applied for and refused and the tenant remains in breach of the tenancy the Council will contact the tenant in writing and advise the time frame for rehoming the pet. After this if the tenant remains in breach of the tenancy the Council may apply for an injunction and/or a possession order.



Recording information about pets

Where permission to keep a pet is granted, the council will take details of all the pets the tenant wants to keep, including their breed and age. The council will also take details of the vet, an emergency contact and microchip details where applicable.



The council will need to know if pets are being kept in the property and emergency contact details in case there is an emergency, such as a flood or a fire or the tenant has to go to hospital. Holding these details will also ensure the council is aware of any animals being kept in the property in the event of any eviction procedures being taken. Details should be held on file and updated with any changes.

If the resident has to go into hospital or dies and no emergency contact is available the Council will seek assistance from the RSPCA who are able to take their own independent action to safeguard the welfare of the pet. Costs for this may be passed on to the resident or the estate of the deceased.



The Council are not able to provide any pet feeding or other pet services.

If your pet causes damage to the property

Any damage caused by your pets to the property will need to be put right. Please see our rechargeable repairs policy.



If your pet causes a nuisance

If it comes to our attention that an animal is causing a nuisance, we will inform you of these problems and advise you that permission will be removed. If permission is removed, you will be notified in writing and given a timeframe in which you should rehome the pet. If you fail to rehome the pet after notification, then the Council may take legal action. This may be in the form of an injunction or possession action.

Residents may not undertake the following activities from their Council property:

- Breeding of animals.
- Sale of animals.
- Hoarding of animals – this is the term used for people who keep an excessive number of animals without the ability to properly house or care for them.



Dogs

In addition to the conditions stated above, there are further rules relating to the keeping of dogs, specifically:



- A dog must remain secure within the property and must be accompanied and on a lead in internal and external communal areas and accompanied when in a tenant/leaseholders private garden.
- A dog is under control at all times and is not a potential threat to other residents or the public.
- You must clean up after your dog if it fouls your garden or shared areas of the estate.
- You must keep the dog on a lead in communal areas, with a name tag and not allow it out without a responsible adult.
- Puppies must be microchipped before they go to their new homes under the new law which came into force on 6 April 2016.
- Be kept under control at all times and not cause a nuisance or a danger to anyone. They must be kept on a lead when outside in shared areas of the council's estates.
- Where your dog has fouled your home, garden or any communal areas to adequately clean this up. Dog faeces can carry diseases which can be harmful to people. It is an offence for a dog owner not to clean up after their dog in public places such as roads, estates, footpaths and parks. Failure to clean up can result in a on the spot fine or prosecution and a fine.
- Not cause any other nuisance to other people such as excessive barking or making excessive noise.

If you do have a pet, you are responsible by law for the pet's welfare, as defined by the Animal Welfare Act 2006. It is an offence for anyone responsible for a pet not to look after it properly. You must ensure that your pet has a suitable environment to live in, a suitable diet, and is safe from harm and abide by the Animal Welfare Act 2006.

Concerned about cruelty or dangerous dogs?

If you have a complaint about a dangerous dog or a banned dog please contact the police on 101. In an emergency always dial 999.

If you wish to report any welfare concerns about pets you can call the RSPCA 24-hour National Cruelty and Advice line on 0300 1234 999.





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