



**Pride. Quality. Integrity. Innovation.**



# Pet Policy

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# Documentation Master Sheet

Amendments to this Document are Detailed Below

Version Number	Date Amended	Comments	Date Approved	Author	Approved By
01	1/7/2010	Initial version.	28/07/2010	RSH	Services & Operations Committee
02	30/11/2010	Redraft following comments from S & O Committee members	2/3/2012	RSH	Customer panel
03	3/3/2012	Redraft following suggestion from Customer project Group	15/3/2012	RSH	Customer Panel
04	01/02/17	Policy reviewed and updated for presentation to Tenant Panel in Feb 2017	09/02/2017	AH/JH	Tenant Panel
05	February 2020	Routine 3 year Policy Review – no changes	06/02/2020	BR/JH	JH
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## OVERALL AIM

This policy sets out GCH's approach to dealing with requests for keeping a pet. The policy recognises the positive effect pet ownership can have on the general health and wellbeing of individuals. However, irresponsible pet ownership can cause nuisance and affect the quality of life for other residents in an area and will not be tolerated. It is also recognised that some buildings may not be suitable for pets such as cats and dogs and in some circumstances may be designated 'pet free'.

- Pets are kept in line with the terms of the individual tenancy agreement.
- Housing schemes and blocks of flats may be restricted in terms of pet ownership or advocate a local 'no pet approach'.
- Local Lettings Plans may incorporate a 'no pet' criteria.
- Complaints about nuisance are dealt with efficiently and effectively.
- Advice and support is offered to residents where rehoming the pet is the most appropriate option.
- All GCH residents are treated in a fair and equitable way.

## OUR MISSION, VALUES, VISION AND ETHOS

**Our Mission:** Building homes and communities where people can thrive.

### Our Values:

<b>Pride</b>	Taking pride in everything we do.
<b>Quality</b>	Continually improving by challenging, listening and learning.
<b>Integrity</b>	Being fair, objective and accountable.
<b>Innovation</b>	Creating opportunities to change and grow

**Our Vision:** Creating opportunities to make a difference.

**Our Ethos:** Supporting Successful Communities

## INTRODUCTION

This policy outlines GCH's approach to pet ownership. As a Social Landlord, GCH recognises the importance of meeting residents' expectations of a high standard of service delivery. This policy should be considered in conjunction with the conditions of tenancy as well as GCH's Anti-social Behaviour (ASB) Policy and Procedure.

This policy is designed to set out GCH's approach to responsible pet ownership and is based on the document 'Guidelines on Pet Management for Social Housing Providers' published by the Pet Advisory Committee and endorsed by the British Veterinary Association, the Chartered Institute of Environmental Health and the Chartered Institute of Housing.

## RELEVANT LEGAL AND REGULATORY INFORMATION

### **Dangerous Dogs Act 1991**

This act makes it an offence to allow any breed of dog to be dangerously out of control in a public place.

'Dangerously out of control' is defined as behaviour that will injure someone.

This act also makes it an offence to keep a Pit bull Terrier, a Japanese Tosa, a Dogo Argentino or a Fila Brasileiro without a Certificate of Exception. These dogs must also be muzzled, on a lead and in the charge of someone over 16 in public places.

### **Control of Dogs Act 1992**

This requires every dog in public to wear a collar bearing the name and address of its owner. It is not sufficient that a dog has been microchipped or tattooed. If it is not wearing a collar when out in public, the dog may be treated as a stray. In addition, the owner, and any person responsible for taking it out in public without a collar, will each be guilty of an offence and may be prosecuted and fined. The Environmental Protection Act 1990 places the duty to enforce this requirement on local authorities.

### **Animal Welfare Act 2006**

The Animal Welfare Act 2006 places a 'duty of care' on pet owners to provide for their animal's basic needs.

### **Environmental Protection Act 1990 (EPA) / Clean Neighbourhoods and Environment Act 2005 (CNEA)**

These two Acts define the local authorities' statutory role for stray dogs. The EPA defines the role of local authorities in stray dog collection. The CNEA removes the police's responsibility for stray dogs, leaving local authorities with sole statutory responsibility.

The Act also means that animals do not have to suffer for owners to be prosecuted.

### **By-Laws**

There are various council and housing by-laws, aimed at controlling the behaviour of dogs on public and local authority land. Details can be obtained from the relevant local authority.

GCH works in partnership with the Gloucester City Council to seek specialist advice and referral for the removal of identified stray dogs and potentially dangerous dogs.

### **Tenancy Agreements**

GCH's Enhanced Assured, Assured and Starter tenancy agreements say that residents are not to keep any animal other than a normal common domestic pet/and or a small caged animal without its written consent in writing. By way of an example this could include a cat or a dog as a domestic pet, alongside a hamster or gerbil as a small caged animal.

The tenancy agreements also states to keep under control any animals kept at or visiting your home and to ensure that they do not damage your home or other property that belongs to GCH or cause a nuisance or annoyance to other persons in the neighbourhood.

The conditions of tenancy states that customers will be expected to pay for any cleaning or replacement of the property that belongs to GCH or other property in the neighbourhood which is necessary because of your animals actions.

In terms of anti-social behaviour and compliance with the conditions of tenancy, individuals are not allowed to keep any animal which has been classed as dangerous under the Dangerous Wild Animals Act 1976 or under the Dangerous Dogs Act 1991.

## KEY TERMS AND DEFINITIONS

### Assistance Dogs

Assistance dogs – such as guide dogs for the blind, hearing dogs for the deaf or dogs for the disabled – must always be permitted. The Disability Discrimination Act 2005 (DDA) prohibits anyone renting or selling a property from discriminating against a disabled person: this includes discriminating against a person with an assistance dog.

### Animal Hoarders

Animal hoarding involves keeping higher than usual numbers of animals as pets without having the ability to properly house or care for them.

### Nuisance Pets

Nuisance, under the Environmental Protection Act 1990, is defined as: 'An unreasonable and significant emission of noise that causes significant and unreasonable interference with the use and enjoyment of your premises'.

Dangerous or nuisance activities include:

- Excessive barking.
- Dog biting and/or attacks on people or other animals
- Dogs roaming without a lead.
- Cat or dog owners failing to clear up their mess.
- A dog owner failing to report if their animal is registered under Dangerous Dog Act.
- The keeping of other animals such as snakes, rats, mice, rabbits or insects with inadequate facilities.
- Reports that dogs are used to intimidate people.

The tenant must take all reasonable steps to prevent a pet causing nuisance, annoyance or danger to their neighbours. Whilst dogs are allowed to bark and foul in designated areas, they are not allowed to do so when it creates antisocial behaviour. The volume, duration of the barking and the time of day it happens will be taken into account. Action against the dog owner may occur if they do nothing to stop the nuisance.

Under no circumstances will permission be given to breed or offer any animal for sale from a GCH property.

Dogs must not be allowed to defecate in internal or external communal areas, including grassed areas of an estate. If a dog does defecate in a communal area, faeces must always be removed immediately.

Dogs must always be kept on a lead when in public or communal areas. They must never be let out on their own – this includes communal balconies and stairwells. If cats are allowed free access outside, then steps must be taken to ensure they do not cause nuisance to neighbours.

Tenants have a duty to look after their pets responsibly and must not allow them to cause a nuisance to their neighbours, any member of their own household or any other member of the public. Tenants will also be held responsible for the behaviour of any pets bought into their homes or neighbourhoods by their visitors.

If a pet is found to be causing a nuisance or annoyance, GCH will manage the incident in line with its Antisocial Behaviour [ASB] Hate Crime & Incident Policy. The following are examples of incidents that will be recorded and managed as ASB:

- Excessive barking or any other loud noise causing a disturbance.
- Dogs or any other animals being used to intimidate people.
- Pets causing damage to a GCH property beyond reasonable wear and tear.

## SCOPE OF POLICY

### Permitted Pets

GCH permits residents to keep pets in line with the conditions set out in their tenancy agreement, the Local Lettings Plan criteria or the restrictions under a local 'no pet' agreement.

Different rights apply to different tenancies so residents should refer to their own tenancy agreement for clarification. The GCH Starter, Assured or Enhanced Assured Tenancy agreement refers to keeping 'a domestic pet' in addition to a small caged animal. In this way the permitted number of domestic pets is either 1 dog or 1 cat per dwelling.

GCH reserves the right to request that certain large breeds of dog should only be kept in a house or flat/maisonette with a private garden.

Where a resident chooses to have a permitted pet, they must fulfil the following conditions:

- All animals must be kept in proper care and control and must not cause a nuisance to other residents.
- Animals must not be allowed to foul in public or communal areas. Any fouling must be cleared up immediately by the responsible resident.
- Animals must not damage a GCH property.
- Dogs must be kept on a lead in communal areas and must not enter children's play areas.

Livestock, wild animals and endangered species are not permitted under any circumstances.

In exceptional circumstances GCH may allow a resident to keep a pet(s) where they do not meet the criteria above. In these situations the resident must have written permission from GCH to keep the pet(s).

### **Prohibited Activities**

Residents must not keep dogs for commercial breeding purposes.

Vending of pets is not allowed within GCH properties. The sale of pets from a property can cause a nuisance to neighbours and may require a licence from the local authority.

Any resident who is not permitted pets under the terms of their tenancy agreement or Local Lettings Plan are also not allowed to 'pet sit' or have a pet reside at their property on a temporary basis. Residents are responsible for ensuring that any visiting dogs do not cause any nuisance.

### **Dealing with Complaints**

Complaints about keeping pets generally fall into two categories:

- Complaints about pets being kept when they are not permitted, for example, keeping multiple domestic pets within a property.
- Complaints about nuisance being caused by the pet.

Both of these complaints constitute a breach of tenancy.

Where a complaint is made about a pet being kept without permission, GCH will investigate the complaint and if it is upheld then the resident will be asked to rehome the pet within 14 days. GCH will provide advice and assistance with rehoming through referrals to relevant organisations such as the RSPCA and other animal shelters or charities.

If the resident fails to rehome the pet, GCH may take legal action to resolve the issue.

Where a complaint is made about a permitted pet causing a nuisance, GCH will investigate the complaint and deal with it in line with GCH's Anti-social Behaviour procedure. Staff will record all nuisance complaints and consider a range of options for resolving the problem. This will include working with the local authority's Environmental Health Department and/or Dog Warden.

If the nuisance is persistent and the resident fails to engage in dealing with the problem, GCH may consider legal action after all other options have been exhausted. Legal action may be applied sooner where it is deemed necessary, e.g. dangerous dog.

Any complaint of animal cruelty will be immediately reported to the RSPCA.

### **Animal Hoarding**

Where residents are found to be hoarding animals and struggling to maintain their tenancy as a result, staff will support them and involve the appropriate agencies in accordance with GCH's Hoarding Policy and the criteria set out in this Policy.

### **Cat and Dog Flaps**

GCH will not give permission for residents to install a cat or dog flap if the fitting affects the fire integrity of the door.

## **TENANCY SUSTAINMENT**

GCH is committed to promoting tenancy sustainment for individuals and households and to harness wider sustainable communities.

Tenancy sustainment refers to a customer's ability to successfully manage a tenancy independently or with tailored support.

Our approach to ensuring tenancy sustainment for individuals wishing to keep pets will be to provide clear advice, guidance and support as necessary.

## **SHELTERED HOUSING**

Pets are encouraged in GCH's sheltered housing where:

- This is appropriate to the scheme and the property.
- The tenant has the permission of GCH following a discussion with the tenant/prospective tenant about the suitability of the property and the tenant/prospective tenant accepting the ongoing responsibilities of pet ownership.
- The tenants has signed up to an agreement stating the requirements of pet ownership and understands that permission to keep the pet maybe withdrawn if they do not comply with this or provide any additional information requested.

## **SHELTERED HOUSING - LOCAL PET AGREEMENTS**

GCH acknowledges that whilst this Policy and the tenancy agreement establish the core principles for pet ownership on sheltered housing schemes, additional terms may be agreed with tenants in the form of a local pet agreement. These will be produced in consultation with tenants for each scheme. The local pet agreement will cover:

### **Communal Areas - internal**

Pets are not allowed in internal communal areas but each scheme will need to consider if there are any exception to this or for example, where are dogs left if a resident calls into the office on their way out.

### **Communal areas - external**

Dogs must be exercised on the lead around the external scheme areas and taken off site to be exercised off the lead. Any excrement must be picked up and disposed of. Reference could be made to where the nearest locations are to exercise off the lead

### **Guest flats on sheltered schemes**

Pets are not allowed in the guest rooms/flats.

The local pet agreement will ensure that we are clear about the position regarding pets for each sheltered scheme and that we are able to communicate this clearly to other agencies, existing tenants, prospective tenants and other GCH staff.

### **Arrangements if the tenant is no longer able to care for their pet**

Inevitably there may be occasions where the tenant is unwell or needs to go into hospital where they will not be able to continue to look after their pet. In these circumstances each tenant will be asked to identify arrangements in advance; either through family or friends or through a charity.

## **TENANCY ENFORCEMENT**

It's our primary objective to seek to provide support to customers in addressing issues or responding to incident reports surrounding their domestic pets. In this way enforcement action will usually be taken as a last result, where other options and engagement with the customer have proved unsuccessful in ensuring the pets are not causing a nuisance, do not present as a welfare concern or are associated with hoarding.

In terms of tenancy compliance an applicant would need to demonstrate a clear understanding of their responsibilities in respect of using or parking their mobility scooter.

GCH acknowledges that there are no 'one size fits all' solutions and the legal intervention may include either an Injunction or Possession proceedings (or both).

GCH will only consider an injunction or possession regarding Pets when all other options have been exhausted. For this type of intervention GCH will consider the impact and vulnerability of the customer, alongside reasonableness and proportionality of bringing a claim for possession.

## **FLEXIBILITY**

GCH will not unreasonably withhold permission for keeping a domestic pet provided it meets the criteria set out in this Policy.

The Pet Policy allows for the flexibility to consider a range of options and to provide customers with clear advice. It also enables GCH to decide on the appropriate action in accordance with the customer's specific needs and circumstances.

Where a 'no pet agreement' is introduced within a block or scheme existing residents are permitted to keep their pet until it dies

The use of this flexibility will ensure that those customers who need and are willing to engage, will receive help and support to harness tenancy sustainment, with the aim of building strong and cohesive communities.

## **RESPONSIBILITY**

The Head of Housing Services is responsible for the effective implementation of this policy. At an operational level the application of this Policy will be managed by the Tenancy Services Team and/or ASB Team.

## **CONSULTATION**

GCH will consult and review The Pet Policy with Tenant Panel and link in with other relevant agencies in order to continually develop good practice in this policy area.

## **COMPLAINTS**

Any customer who is not satisfied with our approach in the application of the Pet Policy or providing clear guidance in relation to keeping Pets can lodge a complaint.

If the customer is dissatisfied with actions and decisions made under this policy it will be dealt with under our Customer Complaints Policy.

## **REVIEW**

This policy will normally be reviewed every three years to ensure that it remains fit for purpose; references associated legislative changes and incorporates best practice.