



## The Langstane Group

### Pet Policy

<b>Leadership team approval</b>	26 July 2023
<b>Board / Committee</b>	Delegated to Leadership Team
<b>Approval date</b>	26 July 2023
<b>Implementation date</b>	August 2023
<b>Review date</b>	July 2026
<b>Version</b>	Version 4

Policy Version	Date of Approval	Changes made to Policy
Version 1	2 August 2011	New policy
Version 2	14 October 2016	Full re-write
Version 3	01 July 2020	Update
Version 4		<ul style="list-style-type: none"> <li>• <b>Section 6 ‘Guidance for staff and tenants on keeping pets in the Association’s properties’;</b> added that pets will be recorded on the housing management system; tenants will advise of the type, breed and name of the pet; clarification around retrospective permission provided; where permission is sought the Association may choose to visit, has been added;</li> <li>• <b>Section 7 ‘Responsible pet ownership’;</b> further detail about items in communal areas to be removed has been added and that there is no history of violence or attacks by a dog; tag information updated</li> <li>• <b>Section 8 ‘Developments where pet ownership is restricted’;</b> amendment to include that where there are furnished or partly furnished properties pet permission may be granted in limited circumstances;</li> <li>• <b>Section 9 ‘Pet management issues’;</b> confirmation regarding appeals and re-charge clarification provided</li> </ul>

## 1. Introduction

The Association acknowledges various studies have shown that keeping pets has a beneficial effect on the physical health and social wellbeing of a person.

It is also the case that irresponsible pet ownership can cause an issue for neighbours and suffering for the animals.

For this reason, the Association has a policy on pet ownership that details the conditions that apply when permission is sought to keep a pet, and the position the Association will take if these conditions are breached.

## 2. Policy Statement

The purpose of this policy is to provide a framework for allowing and encouraging responsible pet ownership in Association properties.

## 3. Objectives

- To ensure that tenants who keep pets do so in such a way as to prevent adverse impact on other tenants' enjoyment of their homes
- To ensure that the keeping of pets within the Association's tenancies has no detrimental effect on either a particular tenancy, common area or neighbourhood
- To ensure that the welfare of the animal is considered when taking any decision
- To ensure that all tenants are treated equally, and no groups within the tenant population are suffering from any form of discrimination or harassment in relation to the operation of this policy.

## 4. Links to other policies

The Association's Pets Policy is linked to a number of corporate documents and policies in particular, but not solely

- Business Plan
- Estate Management Policy
- Anti Social Behaviour Policy
- Customer Care Policy
- Equality and Diversity Policy

## 5. Relevant legislation

Many pieces of relevant legislation inform this policy. The main areas to be concerned with are:

- **Equalities Act 2010** – this Act requires that the Association does not discriminate against any person identified as having one of nine protected characteristics.
- **Animal Health and Welfare Act (Scotland) 2006** – this Act places a duty of care on pet owners to provide for their animal's basic needs. This means to provide food and water, veterinary treatment and a suitable living environment.

- **Dangerous Dogs Act 1991** – this Act makes it an offence to keep specific types of dogs in the UK. These are: Pit Bull Terrier, Dogo Argentino, Fila Brasileiro, and Japanese Tosa. Section 3 of this Act applies to all dogs, and makes it an offence to have a dog which is dangerously out of control. This includes incidents where there is simply a fear that injury may occur. Dog owners found guilty under this Act can be imprisoned for up to 6 months, be fined up to £5000, and their dog may have to be destroyed.
- **Dog Fouling (Scotland) Act 2003** – this Act makes it an offence to allow a dog to foul on any public land. Owners can be issued with fixed penalties by the Local Authorities and the police.
- **Control of Dogs (Scotland) Act 2010** - this Act gives the Local Authority the power to impose Dog Control Notices to put and keep a dog under proper control.
- **The Microchipping of Dogs (Scotland) Regulations 2016** – this makes it compulsory for all dogs over 8 weeks old to be microchipped and their details registered on a database.
- **Dangerous Wild Animals Act 1976** – this Act contains a list of all wild animals which are considered dangerous and require a licence from the Local Authority.
- **Human Rights Act 1998** – this Act protects the right for someone to be able to enjoy a home they already have. In this instance, failure to ensure that there are proper measures in place to avoid inappropriate pet ownership presents a risk that neighbouring homes may have their rights breached.

## 6. Guidance for staff and tenants on keeping pets in the Association's properties

The Association will not unreasonably refuse to grant permission to a tenant who wishes to keep a pet. However, there are a number of conditions that apply to pet ownership. All requests to keep a pet must be in writing (or e mail) and will be responded to within 28 days. Information regarding pets in the home will be held on the housing management system.

- **Permitted Animals** – The Association keeps a register of pets; written permission is required before a tenant can keep any pets in their home. Where permission to keep a pet is requested the tenant will inform the Association of the animal(s) type(s), breed(s) and name(s). Permission will normally be granted for small domestic animals and birds. Permission will not be granted for farm animals (this is in line with Royal Society for the Prevention of Cruelty to Animals (RSPCA) guidance), wild animals registered under the Dangerous Wild Animals Act 1976, or dogs specified in the Dangerous Dogs Act 1991, **unless** the dog has been exempted from the prohibition by a Court Order. Where permission is sought retrospectively after complaints have been received about a tenants pet(s) then the Association may refuse permission to keep a pet(s) or impose a probationary period of up to six months to allow monitoring of any issues.
- **Service Animals** - Service animals are animals trained to perform tasks that assist people with disabilities. Service animals may also be referred to as assistance animals, assist animals, support animals, or helper animals depending on the animal's function.

Permission will normally be granted for tenants who request permission to bring a service animal into their home, on condition that the animal has been through the necessary training provided by a recognised body. Failure to allow for service animals could constitute a breach of equalities legislation.

- **Emergency Service Animals** – Any animal that has been trained to undertake tasks by emergency services shall be subject to the same terms and conditions as Service Animals.
- **Number of pets per household** – There is no exact calculation that can be made. The Association has developed the following guidance, based on property size, for staff to use when considering a request to keep animals:

Bedsits – only one pet of any type, any dogs will be small or medium sized. No large dogs.

Flats – two pets allowed, for example two cats or two small or medium sized dogs, or one large dog.

Houses with their own garden area – three pets allowed, any combination of cats, small/medium sized dogs, maximum of 2 large dogs.

This is intended purely as guidance and each case will be considered on its individual merits. The Association may give permission for more pets over and above the guidance to be kept if the animals have been kept together in the same household previously and any requirement to re-home would cause undue distress to the other animals or owner.

This is entirely at the discretion of the Association and will normally apply to new tenants moving into the Association's property and on the understanding that the extra pet(s) are not replaced once they are deceased.

Staff will always consider the welfare of the animal when giving permission to tenants to have them in their homes, and so the following information will be considered:

- **Dogs** - need space to interact; the size of the animal matters, as each animal needs space in which to lie comfortably in its own bed area.
- **Cats** - require one litter tray each.
- **House rabbits** - allowed up to a maximum of two and must be trained to use a litter tray.
- **Caged or tanked animals** - the number of these will depend on how many other pets the tenant owns and the size of the tank or cage required in order to keep the animal in the best of health.
- **Non-standard breeds** - e.g. Savannah Cats, will be considered on a case by case basis and professional guidance will be sought by the tenant to protect the pet's safety and comfort. This must be produced as part of the permission process prior to a decision

being made. Where a licence is required for the ownership of certain types of animal, this will need to be produced prior to permission being granted.

- **Others Animals** - such as racing pigeons, hens (cockerels will not be considered due to potential noise issues) or small pig breeds where they do not come under the classification of farm animals, will be considered on a case-by-case basis. Any permission will be based on the owner evidencing that they have the necessary precautions in place and equipment to ensure that the animal's needs are fully met. This will be in line with guidance from relevant professional bodies and will not contradict any title conditions.

When considering a request to keep animals the Association may choose to visit a tenants property to allow an informed choice to be made about the number of animals allowed or that the animals needs can be fully met. Refusal to allow access may mean that permission is refused.

If permission to keep a pet is refused or the number of pets restricted an appeal can be made to the Housing Manager. All appeals will be responded to within 28 days.

## 7. Responsible pet ownership

The Association expects that any tenant who owns a pet will ensure that the animal is well cared for and is kept under proper control both inside and outside of the property. In order to ensure this the Association insists that:

- Pet owners do not allow their pets to roam in communal areas (outdoor cats are an exception).
- Dogs are kept on their lead in communal areas and exercised appropriately away from the communal areas where possible.
- Dogs are not allowed on balconies or walkways without their owners.
- Owners do not leave animal waste or cat litter trays, food, toys or other pet equipment in communal areas.
- Pets are not allowed to cause noise nuisance, fouling or damage, either within the tenancy or the neighbourhood. Any fouling if it does occur must be picked up immediately.
- Any dog has no history of violence or attacks.
- When outside, all dogs must wear an ID collar and ID tag with the owner's house number and postcode on it. Certain dogs are exempt from having to wear a collar with a dog tag. They are:
  - Any dog registered with the Guide Dogs for the Blind Association.
  - Any working dog whilst in the process of carrying out its duties.
- There is no intentional breeding of pets in Association properties.
- There is no prolonged tethering of any sort of animal in any area.
- From April 2016 all dogs are microchipped, as required by law.

**It is the tenant's responsibility to ensure that they comply at all times with any relevant legislation relating to their pet or pets.**

## 8. Developments where pet ownership is restricted

Pet ownership is restricted in the following circumstances:

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- Generally where the properties are furnished or part-furnished however permission may be granted in limited circumstances
- Where development title deeds include restrictions on pet ownership.
- Where, due to the layout of the building or location in relation to recreational facilities, pet ownership may be deemed inappropriate as it would prove very difficult to ensure that the needs of larger pets such as dogs can be assured.
- Where there have been persistent problems with nuisance pets in the area, and all other measures have been unsuccessful, it may be decided that no additional animals are allowed in the immediate area for a specified length of time.
- Where there have been persistent problems with nuisance pets in the area restricting access to pets to certain parts of the development e.g. back garden in a tenement block.

If a restriction on new pets is proposed, all tenants in the area will be advised about this, the reason for it and the duration of the ban. Tenants can appeal against this by contacting the Housing Manager. New tenants moving into an area with restricted pet ownership are made aware of this restriction when an offer of accommodation is made.

**Any restriction will only be proposed once every other possible course of action has been exhausted. There will be a clear and demonstrable link between the issue and why it is necessary to restrict ownership.**

**These restrictions do not apply to service animal permissions.**

## 9. Pet management issues

Irresponsible pet owners will be held accountable by the Association. Animal related neighbourhood issues are classed as a category B anti-social behaviour complaint, and staff aim to resolve cases in 21 days. Staff will work together with other agencies in order to resolve any issues or problems involving animals. Examples of these other agencies include:

- The Dog Warden
- Environmental Health Department
- The Police
- Animal protection organisations, such as the Scottish Society for the Prevention of Cruelty to Animals (SSPCA)

Common pet management issues include fouling, noise, strays, abandoned animals, and cases of animal neglect. There are written procedures for dealing with these pet issues. Tenants' rights and responsibilities in relation to keeping pets are included in relevant leaflets and the tenant handbook. The policy will be publicised on the Association's website and through the newsletter.

In a situation where a tenant has a pet but is failing to take adequate steps to control or care for the pet then the permission will be withdrawn and the tenant will be required to re-home the pet. Tenants can appeal against this by contacting the Housing Manager.

In addition to this the Association will also re-charge a tenant for any remedial works required to a property or communal area due to damage caused by the tenants pet(s).

Failure to take appropriate steps to manage pets and pet behaviour is a breach of tenancy conditions (section 2.5 Scottish Secure Tenancy) and the tenancy may be at risk if the tenant does not comply with the lease including where the tenant fails to re-home the pet when requested.

The Association may take legal action against a tenant where there are persistent problems involving pets causing damage or nuisance, but this is viewed as a last resort. This may include eviction action. All reasonable alternative actions are taken before this is considered.

The tenant also has a responsibility to ensure that any pets brought by visitors do not cause a nuisance or annoyance. Any failure to resolve this issue will also be considered a breach of tenancy conditions.

Where appropriate community based solutions will be sought that involve partnership working with relevant agencies.

## **11. Staff resources**

The policy is implemented by the Association's Housing Services Team.

## **12. Monitoring and review**

Requests to keep pets, permission processes, and issues are monitored by the Association's Housing Services Team and will include:

- The maintenance of a pet permission data base
- The recording, investigation and finalisation of complaints received
- Annual review of all processes relating to the operation of the pet policy to take into account changes in pet ownership trends and behaviours.

## **Right to Complain**

In the event you are not satisfied with the service you have received, please contact the Association for a copy of the Complaints Policy, which can also be viewed on the Association's website – [www.langstane-ha.co.uk](http://www.langstane-ha.co.uk)

## **Equality and Diversity**

The Association is committed to promoting equality and diversity across all areas of its work, and discrimination or harassment of any kind is not tolerated

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