

Aim:

- To provide a foundation for a consistent and enforceable approach to pet ownership.
- To provide a balance that ensures pet ownership does not infringe on the right of others to the peaceful enjoyment of their home.

Pet Policy

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Onchan District Commissioners

Pet Policy

PURPOSE

The purpose of this policy is to provide guidance to all tenants residing in Onchan District Commissioners' properties.

It is widely accepted that pets provide people with companionship, comfort and love and offer them a way of making contact with others. As such, pets are not something we as a housing provider should ignore. Many people see their pets as a natural extension of, or a replacement for, a family. However, controls must be put in place to prevent irresponsible pet ownership which can cause suffering to animals and nuisance to neighbours.

SCOPE

This policy outlines Onchan District Commissioners' approach to pet ownership.

Onchan District Commissioners recognises that keeping pets can offer significant benefits to their owners. However, irresponsible pet ownership can cause nuisance and affect the quality of life for other residents in an area and will not be tolerated.

Tenants must apply for permission to keep any pet and Onchan District Commissioners will not unreasonably withhold consent.

Tenants wishing to own a pet must apply to Onchan District Commissioners for permission as part of the conditions of their tenancy.

POLICY

Aims:

- To provide a foundation for a consistent and enforceable approach to pet ownership.
- To provide a balance that ensures pet ownership does not infringe on the right of others to the peaceful enjoyment of their home.

Objectives:

- To provide residents with clear guidance on pet ownership, how to apply for permission and how permission may be revoked.
- To provide residents with information on what type of animals are acceptable as pets and in what type of property.
- To provide residents with information relating to acceptable and non-acceptable behaviour.

ONCHAN DISTRICT COMMISSIONERS REFERENCES

Cruelty to Animals Act 1997
Data Protection Act 2002
Dogs Act 1990
Dogs Amendment Act 2018
Housing Act 1955 to 2011
Human Rights Act 2001
Onchan District Commissioners' Tenancy Agreement
Onchan District Commissioners' Tenant's Handbook
Manx Society for Prevention of Cruelty to Animals
Royal Society for Prevention of Cruelty to Animals – Housing Best Practice
One Housing Group

DEFINITIONS

For the purpose of this policy, a Pet is any domesticated or tamed animal that is kept as a companion and cared for responsibly.

Onchan District Commissioners' definition of pets is dogs, cats, small caged birds (not pigeons), rodents, rabbits, non-poisonous insects and small non-poisonous reptiles or fish.

ROLES

All

AUTHORITY TO VARY THE PROCEDURE

Chief Executive

PROCEDURE

1. Introduction

This policy outlines Onchan District Commissioners' approach to pet ownership. As a landlord, Onchan District Commissioners recognises the importance of meeting residents' expectations of a high standard of service delivery.

The tenant shall not keep any dog, cat or noisy or dangerous animal or bird in, or about, the Property without the written consent of the Commission and in no case shall fowls or poultry be kept on the Property.

2. Application and Permission

Written permission must be sought **BEFORE** obtaining such pets and such permission will be restricted to **one cat or one dog per household depending on the size of the garden and the property.**

Such permission being specific to the animal in question. Any additional pets will require special consideration and approval by the Board of Onchan District Commissioners.

Permission will only be considered where a Pet Application form has been completed. (*Appendix 1*) An application form must be completed for each new pet.

Onchan District Commissioners will deal with requests to keep pets as fairly as possible bearing in mind any problems or restrictions which may exist on any estate or in any block.

Onchan District Commissioners have the right to make changes to this Policy and a Tenant's Pet Agreement at any time by giving the Tenant at least 30 days' notice.

Tenants must request permission to replace a pet. This will be subject to the same conditions; however history of previous pet ownership will be taken into consideration.

Permission may be granted based on the following circumstances:

2.1 Small animals:

Tenants may be given permission to keep small animals which are housed in cages, bowls or tanks inside the home and do not need to be allowed outside of the property, for example small birds, fish, hamsters or gerbils etc.

If the tenant has their own private garden, permission may be given for them to keep small pets in hutches such as rabbits or guinea pigs.

2.2 Cats:

Permission to keep a cat may only be granted to tenants housed in ground floor properties so that the cat may be let outside on a regular basis.

2.3 Exotic Pets:

An application for exotic pets such as snakes or spiders will be refused if:

- The pet requires a licence and the tenant does not hold one.
- The pet will pose a safety risk to the household or neighbours should it escape.

2.4 Dogs:

Permission will only be granted to allow dogs to be kept in accommodation where residents have a sole entrance door, with direct access to an outside space or exclusive use of a garden.

The only exception to the above is where the tenant has a disability and requires the use of a guide or support dog. In these cases the tenant's property does not need to have a private garden or a sole entrance door.

Permission will not be given in any circumstances to keep any dog which is prohibited from importation, e.g. Pit Bull Terrier types, Japanese Tosa, Dogo Argentino and Fila Brasileiro.

The tenant must not allow the dog to breed.

The animal must be microchipped.

In most cases we will allow replacement of the dog as long as the home is suitable.

Anyone mistreating or neglecting their dog will be refused permission to keep ANY pet and will be reported to the Manx Society for the Prevention of Cruelty to Animals (MSPCA).

2.5 Service or Assistant Animals:

Assistance dogs – such as guide dogs for blind people, hearing dogs for deaf people or dogs for disabled people – must always be permitted.

Emotional Support Animals - such animals, which offer emotional support, comfort and a sense of security to individuals through companionship alone, and do not carry out any trained tasks. These animals vary by species, size and breed. Permission will be considered on a case by case basis.

However tenants are still responsible for their animal's behaviour and its welfare.

2.6 Property Type and Space:

Onchan District Commissioners will not grant permission when a tenant does not have adequate space in their home or garden for the type of pet they are applying to keep. This is particularly important when considering an application to keep a dog.

2.7 Number of Pets:

If a tenant requests permission to keep more than one dog or cat (or one of each) judgement would be made on each request on its own merits. This means Onchan District Commissioners will consider such things as the type of home the tenant resides, the size of the garden, as well as the breed, size and number of pets they want to keep.

If a number of other pets already exist in the property, permission will not be given where a new pet will affect their welfare. Health, safety and hygiene will all be considered. Too many pets in a property will also cause a nuisance to neighbours or damage to the property.

2.8 New Tenants:

Onchan District Commissioners' new tenants who already have a pet may be granted permission at the discretion of the Chief Executive.

3. Identification

All dogs and cats must be permanently identified by microchipping and the identification details must be registered. This identification number will be required as part of the Pet Application with Onchan District Commissioners.

To comply with current legislation, a microchip must be implanted in dogs that are 8 weeks old or older. You can arrange this through your local Vet.

4. Welfare

Where permission is granted, tenants are responsible for the health and welfare of their pets. The tenant has a duty of care under the Cruelty to Animals Act 1997 and Animal Welfare Act 1996. This requires proper day-to-day management and care of the pet. If tenants have any questions about the care of their pets they should contact their vet or the MSPCA.

No pet should be left in the property when the tenant is away unless clear arrangements have been made to provide adequate care. In general, this will require the pet to be boarded elsewhere but close supervision by a neighbour may be adequate for some animals.

Routine healthcare must include regular control of parasites (fleas and worms), vaccinations and neutering where appropriate. When applying to keep a pet, tenants may be asked to provide the name of their vet and evidence from them that their pet is regularly or appropriately treated.

5. Breeding

The breeding and sale of animals is prohibited on premises that Onchan District Commissioners manage, including the dwelling and other areas such as garages. This helps encourage responsible pet ownership and reduce the number of 'accidental owners', i.e. those who acquire pets from friends and neighbours without being aware of the animal's basic welfare needs. It will also help avoid environmental nuisance and health and safety problems for neighbours.

Breeding prevention:

Whilst pets are permitted, we encourage the owner to have the pet neutered or spayed, or males and females are housed apart, to prevent them from breeding, as appropriate to the species.

6. Flea and vermin infestation

All tenants must keep their home clean and tidy so as not to cause a nuisance or endanger health. If the tenant fails to keep their home clean, tidy and free from animal mess, fleas or vermin, they must put things right immediately and seek any help they may need.

However, if the problem persists, we will take action for breach of the tenancy agreement and they may have to re-home their pet or face possession proceedings to end their tenancy.

7. Care of the Property

Tenants are required to pay for any damage their animal has caused to the property and garden including fixed contents within the property and it is recommended they take out adequate insurance to cover this eventuality. For the avoidance of doubt any such damage shall not be deemed to be fair wear and tear.

Tenants must professionally clean the property when they move out, ensuring that all floors are thoroughly cleaned and treated for fleas and mites and any possible infested floor coverings are removed and disposed of in a courteous manner.

8. Prohibited Activity/Anti-Social Behaviour

Under no circumstances will permission be given to breed or offer any animal for sale from an Onchan District Commissioners' property.

Tenants must not allow any animals to foul any shared areas of their property or on roads, footpaths or play areas including grassed areas of an estate. If an animal does defecate in such areas, faeces must always be removed immediately and disposed of hygienically.

Dogs must always be kept on a lead when in public or communal areas. They must never be let out on their own. 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.

9. Pets that are or could be aggressive

If we think your pet may threaten, frighten or harm other people and stop them going about their business or enjoying their home, you must put things right at once. You should seek advice from a vet, dog warden or other expert. If you cannot keep the animal under control, or where we think a particular type or breed of animal is inappropriate to where you live, we will tell you to re-home the pet or face action for breach of tenancy, which may lead to possession proceedings to end your tenancy

10. Security

There is an obligation on the pet-owner to house the animals securely to avoid any escapes, where appropriate to the species.

11. Complaints

Where we receive complaints about pet nuisance and the resident has not in line with their tenancy/lease agreement had permission for the pet, we will require the resident to request permission retrospectively. For those residents who insist they have been previously given permission to keep a pet we will require written evidence to substantiate this. Where previous permission can be evidenced we will uphold the permission, however all permissions are subject to withdrawal if the conditions are not being adhered to.

Any resident that has concerns related to the Pets Policy, including refused consent, must be given the opportunity to make a formal or informal complaint as per Onchan District Commissioners Complaints Procedure.

The following are examples of nuisance and annoyance incidents that will be recorded and managed as antisocial behaviour:

- Excessive barking or any other loud noise causing a disturbance.
- Dogs or any other animals being used to intimidate people.
- Pets causing damage to Onchan District Commissioners' property beyond reasonable wear and tear.
- Any other behaviour considered to be causing a nuisance or annoyance.

Onchan District Commissioners will consider taking the following action against tenants allowing their pets to cause a nuisance:

- Issuing the tenant with a verbal and written warning.
- Requesting that the tenant has the pet re-housed within 14 days of notification.
- Reporting an incident to the Police.
- Taking legal action to obtain an injunction order.
- Taking legal action to obtain a possession order as a last resort.

If a tenant or resident is concerned about a dog(s) which may or may not belong to an Onchan District Commissioners tenant they may contact their Housing Officer for advice.

12. Conditions

The following conditions apply to ALL tenants who are granted permission to keep a pet:

- Pets must be kept under control at all times.
- Pets must not cause any nuisance to neighbours, i.e. straying on to neighbouring gardens, letting your dog bark for a long period of time;
- Pets must not foul on shared areas or estate roads, footpaths and green areas;
- Pets must not be allowed to foul inside the property, except for caged pets and pets trained to use a litter tray. Any pet faeces must be removed immediately from the garden or outside areas and disposed of safely and hygienically;
- Pets must be kept under control when Onchan District Commissioners' staff or contractors visit the home;
- Tenants must not leave their pets in the property when they are away unless clear arrangements have been made for their care;
- Tenants must ensure that their animal will not cause damage to the property if they are left unsupervised;
- All pets kept at the property must be vaccinated and regularly treated for fleas and worms (if appropriate);
- Tenants are responsible for keeping all areas of the property clean and free from parasites, such as fleas;
- Tenants may not breed animals or offer for sale any animal in the property;
- Any animal listed in the schedule of the Dangerous Wild Animals Act 1976 may not be kept at the property;
- Any dog listed under the Dangerous Dogs Act 1991 may not be kept at the property with the exception of dogs registered on the Index of Exempted Dogs.
- Tenants are responsible for their pets in accordance with the Animal Welfare Act. If the Onchan District Commissioners believes that a pet kept in the property has been neglected or abandoned, they will report it to an appropriate animal welfare organisation.

13. Prohibited Activities

- We will not allow the sale of pets within Onchan District Commissioners' properties.
- Residents must seek permission from Onchan District Commissioners if they wish to pet sit or have a pet reside in their property for longer than one day in seven days.
- Residents are responsible for ensuring any dogs visiting their property are accompanied by their owners and they do not cause a nuisance.
- Onchan District Commissioners will not give permission for residents to install cat or dog flaps if the fitting affects the integrity of the door.

14. Consequent action if a pet is kept without permission

If a tenant is found to be keeping an uncaged pet or pets without the Authority's permission, then they must apply for permission within two weeks.

Normally permission will be granted, unless one of the categories listed applies.

Where permission is granted, the tenant must agree to abide by the conditions.

Where permission is refused, the tenant must make arrangements for the permanent removal of the pet within two weeks.

If the tenant fails to comply, then legal action may be considered.

15. Resident Support

Onchan District Commissioners will make all reasonable support available to tenants to ensure they understand the policy and their responsibilities to comply with this policy. If tenants require any assistance in understanding the policy or completing a Pet Application Form, the Housing Officer will assist them in doing so.

16. Special circumstances

If unique or exceptional circumstances suggest we should depart from our normal rules, we will consider the application on its merits.

17. Staffing

Onchan District Commissioners employs a Housing Officer who will administer and oversee applications for pet ownership. Any anti-social behaviour issues arising from the ownership of pets will be investigated.

18. Confidentiality

Under the Data Protection Act 2002 and the Human Rights Act 2001, all personal and sensitive organisational information, however received, is treated as confidential. This includes:

- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or committee member
- sensitive organisational information. Officers will ensure that they only involve other agencies and share information with the consent of the resident concerned, unless:
 - the information is necessary for the protection of children or vulnerable adults.
 - Onchan District Commissioners is required to by law. For example, Onchan District Commissioners cannot withhold information if being questioned by the Police during a criminal investigation.

On occasions the information may also be shared between different Departments of the Commissioners and with third parties such as contractors working on the Commission's behalf and the Department of Infrastructure. In such instances the Commissioners will ensure that your personal data is processed in accordance with the Data Protection Act 2002.

19. Health and Safety

All Officers will follow Onchan District Commissioners' Health and Safety Policy, at all times when dealing with residents and executing this policy.