



Pets and animals guidance

1. Purpose

This guidance gives information and advice about some of the issues involved when dealing with customers who keep or ask to keep pets or animals at their property.

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3. Process

1. Responsibilities

If a customer is taken into care or hospital temporarily, then under s48 of the National Assistance Act 1948, '*Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.*', the local authority must take reasonable steps to prevent or mitigate the loss or damage to any movable property. This includes making provision for any pets or animals.

Dogs and cats are the most common types of pet and there are a number of laws associated with their ownership.

2. Dog ownership and the law

Dangerous dogs

Dangerous dogs are pets covered by the Dangerous Dogs Act 1991 and include Pit Bull Terriers, Japanese Tosas, Fila Brasilieros and Dogo Argentinos, as well as a dog of any type appearing to be bred for



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fighting or to have the characteristics of a type bred for that purpose.

Dogs of other breeds can also be considered dangerous if they have ever attacked a person. The Anti-social Behaviour, Crime and Policing Act 2014 extended s3 of the Dangerous Dogs Act 1991 to cover incidents that take place on private property as well as in public places.

Microchipping

Under The Microchipping of Dogs (England) Regulations 2015, all dog owners in England must have their dog microchipped and registered. Puppies must be microchipped and registered by the time they are 8 weeks old.

Any changes to an owner's contact details must be updated on their microchip database to ensure compliance with the law. If a dog owner subsequently moves, changes their contact telephone number, etc, then the dog is no longer considered microchipped under the law and enforcement action can be taken.

Dog collars and tags

Even if a dog is microchipped, under the Control of Dogs Order 1992 if a dog is in a public place it still needs to wear a collar and tag, with the name and address of the owner inscribed on the collar or on a plate or badge attached to it. There are some exceptions to this including any dog registered with the Guide Dogs for the Blind Association.

Contact details on the tag should be kept up to date. If the dog is in a public place without this identification the owner or person in charge of it is guilty of an offence under the Animal Health Act 1981.

Under the Road Traffic Act 1988 it is an offence to have a dog on a designated road without it being held on a lead.

Strays

If an offence is committed under the Control of Dogs Order 1992, the dog may be seized and treated as a stray dog under either s3 of the Dogs Act 1906 or s149 of the Environmental Protection Act 1990.



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Liability for damage

Owners of dogs could be liable for damage caused by their dog under the Animals Act 1971 or as a result of negligence. Because of this it is highly advisable for them to have third party liability insurance to cover this, something that is included in most pet insurance policies and some household insurance policies.

Nuisance

Under the Anti-social Behaviour, Crime and Policing Act 2014, Public Space Protection Orders (PSPOs) can be used to deal with owners of dogs who allow their animals to cause a nuisance in a public space.

In relation to complaints about dogs barking there is some useful advice on this topic on the RSPCA website ([here](#)).

3. Cat ownership and the law

Cats are protected by law and are free to roam meaning they might go into other people's gardens. It is understood that some people may wish to deter cats from coming onto their property.

Deterrents

It is important to make sure that any deterrent used doesn't cause pain, suffering, injury or distress to a cat as this could be an offence under the Animal Welfare Act 2006, as could putting down snares, poison or unlicensed deterrents.

Some suggested deterrents include:

- cultivating shrubs closely to make it more difficult for cats to find a place to dig
- cultivating prickly plants or placing clippings of prickly or thorny plants in any gaps in a flowerbed
- keeping flowerbeds watered as some cats don't like wet earth
- covering parts of the garden with stone chippings, pebbles, small rocks or netting to stop cats going to the toilet



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- shooing a cat away either by shouting or clapping hands
- squirting water near the cat (not at the cat) using a low powered water pistol (super soakers are not suitable) in order to give them a fright (not to hurt them). People should try to remain hidden from view because if the cat learns to associate the person with the negative experience rather than the garden, they may simply wait until the person is not around before entering. It could also cause the cat to be afraid of people
- installing an automatic garden spray triggered by an infrared detector which locates movement
- making it difficult for cats to enter the garden by using high close boarded fencing and patching up holes in existing fencing
- not encouraging cats to come into the garden by feeding them.

There are also a variety of approved cat repellent products on the market but only licensed products should be used in strict accordance with the manufacturer's instructions. Failure to do so could lead to unnecessary suffering being caused to the cat and an offence being committed.

Cat owners can also help to stop their pet from roaming if they ensure that the animal is neutered and has suitable toilet sites within their own garden.



4. Permission

A request for permission to have a pet form can be found at appendix 1.

We have a standard notice about the keeping of pets in flats which can be found at appendix 2.

Conditions attached

Permission to keep the pet or animal must be given in writing (see appendix 3) and on condition that they do not:

-  cause a nuisance or annoyance
-  injure or frighten people



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- ✚ cause a deterioration in the condition of the property
- ✚ impact on our landlord function, e.g. foul on grassed areas, bring mud into blocks of flats, cause unpleasant smells, etc.
- ✚ stray or roam
- ✚ damage property, e.g. some caged animals can gnaw through electrical wiring if allowed to roam free
- ✚ breed
- ✚ become dangerous

A letter refusing permission for a customer to keep a pet or animal can be found at appendix 4.

Rescue Centres

If a customer is getting a pet from a rescue centre they will need our permission before the centre will allow them to register an interest. At this stage they will only know the type of animal they want to get, not necessarily its breed, age and colour.

Permission can be given subject to the checks mentioned above but the customer will need to provide the additional details about the animal when they get it. The neighbourhood assistant/sheltered housing coordinator should make a diary appointment 1 month after permission has been given to check that the additional information has been provided.

5. Property alterations

Customers will need permission to make alterations to their property associated with keeping a pet or animal such as installing a cat flap, constructing a pond or aviary or erecting a fence. Any alterations will need to be reinstated at the end of the tenancy unless we agree that they can be left, otherwise they will be recharged for the cost of reinstatement.

Some of the doors on our properties are not suitable for cat or dog flaps and they cannot be fitted to fire safety doors, communal entrance doors



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or windows.

Structures for pets and animals are not allowed to be placed in communal areas nor can alterations be made to blocks of flats.

6. Breaches of tenancy

If a pet or animal causes a nuisance or annoyance or causes a deterioration in the condition of a property, reference should first be made to the customer's tenancy agreement and any restrictive covenants.

The action we take will be proportionate to the nature of the problem but if enforcement action is necessary this could include:

- applying for an injunction
- instigating possession proceedings.

7. Abandoned pets and animals

If a customer has been evicted or has abandoned their property and a pet or animal has been left on the premises, we have a legal responsibility under the Torts (Interference with Goods) Act 1977 for ensuring its welfare. This is because pets or animals are regarded as 'property' just like any other items left behind.

In such cases we should contact the customer's emergency contact, relatives or friends to see if they are able to look after the pet or animal until the customer can be found. If this fails then contact should be made

with local animal rescue centres to see if they can help. It may also be worth seeing if a member of staff would be willing to help rehome the pet or animal temporarily.

If no immediate rehoming arrangements can be made we will need to arrange for a veterinary practice to look after the pet or animal until a permanent home can be found.

There are several organisations who rehome pets and animals such as the Royal Society for the Prevention of Cruelty to Animals (RSPCA). However some are specialist in nature such as the Birdline Parrot Rescue Charity who rehome parrots.



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8. Pets and animals – Frequently asked questions factsheet

A list of frequently asked questions about pets and animals can be found at appendix 5.

4. Signposting

- Animal Health Act 1981
- Animal Welfare Act 2006
- Animals Act 1971
- Anti-social Behaviour Crime and Policing Act 2014
- Breeding and Sale of Dogs (Welfare) Act 1999
- Clean Neighbourhoods and Environment Act 2005
- Consumer Rights Act 2015
- Control of Dogs Order 1992
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Dogs Act 1906
- Environmental Protection Act 1990
- National Assistance Act 1948 – s48
- Torts (Interference with Goods Act 1977
- Wildlife and Countryside Act 1981
- The Microchipping of Dogs (England) Regulations 2015
- The Welfare of Animals (Transport) (England) Order 2006
- Regulator of Social Housing Neighbourhood and Community Standard 2015
- Regulator of Social Housing Tenant Involvement and Empowerment Standard 2017
- RSPCA – Housing – A Guide To Good Practice 2013
- Anti-social behaviour policy
- Anti-social behaviour procedure
- Eviction procedure
- Lettings policy
- Lettings procedure
- Neighbourhood management policy
- Neighbourhood management procedure
- Pets policy

Procedure Review Date – 28 March 2026

Appendix 1

Request for permission to have a pet	
Name	
Address	
Telephone number	
Mobile number	
Email	
Type of property	
Are there any shared areas?	Yes/No
<p>I/we apply for permission to keep the following animal as a pet. Please give details below of the type of animal, its breed, age and colour. For pets from a rescue centre please give as a minimum the type of animal you want to get.</p>	
<p>Please give details below of any pets already kept at this address.</p>	
<p>Have you or any member of your household ever been convicted for animal cruelty or neglect or been prevented from having a pet or animal?</p> <p>Yes/No If Yes, give details below.</p>	
<p>Do you have someone who can care for the pet if you go on holiday or in the case of an emergency such as ill health or hospitalisation?</p> <p>Yes/No If Yes, please complete the Emergency Contact section below.</p>	

Emergency Contact		
Name		
Address		
Telephone number		
Mobile		
Email		
Relationship to you		
<p>I/we have read, understood and agree to abide by Selwood Housing's pets and animals policy and understand that if permission is granted for me to have a pet that I will need to comply with the conditions set out in the permission letter.</p> <p>I understand that it is my responsibility to notify the individual mentioned above that I have shared their data with you.</p>		
Name		
Signed		
Date		
Name		
Signed		
Date		
<p>Selwood Housing's privacy notice, a copy of which can be found on our website, outlines what information we hold about you and how we collect and use your personal data.</p>		

Appendix 2



Pets in flats

Dear customer

You are not allowed to keep a pet in your flat without our permission. The keeping of dogs and cats is prohibited unless you were given permission to have one before 1 October 2016.

If at any time you want to replace your pet you will also need our permission.

If you want to ask for permission to keep a pet or have any questions in relation to this matter, please contact us on 01225 715715.

Appendix 3

DATE

NAME
ADDRESS

Dear NAME

Permission to have a pet

I am writing to advise you that permission has been given for you to keep a (*description of animal*) as a pet subject to the following conditions.

If you are getting a pet from a rescue centre you must notify us of the breed, age and colour of the animal when this is known.

Responsibilities

As the owner of the pet you are legally responsible for its welfare.

You must ensure that your pet does not cause a nuisance or annoyance or cause a deterioration in the condition of your property.

You must make sure that your pet has a suitable environment with room to exercise, is kept securely where it cannot escape, is provided with a suitable diet and fresh water and is given the ability to display normal behaviour patterns.

You must protect your pet from pain, suffering, injury and disease.

You must ensure that the pet will not be left unattended for any period of time that will result in you not being able to meet its welfare needs.

If you have provided us with the contact details of someone who can care for the pet if you go on holiday or in an emergency such as ill health or hospitalisation, you must notify us as quickly as possible if that contact changes.

Property alterations

Permission to construct any type of animal home or make alterations to the property must be sought from neighbourhood services before any work is carried out. If permission is granted you will be asked to return your home to its original condition at the end of your tenancy.

Withdrawing permission

We reserve the right to withdraw permission for you to keep a pet at your property if you do not adhere to your tenancy agreement, any restrictive covenants or our pets and animals policy.

Replacing a pet

If something happens to your pet and you want to replace it you will need our permission.

Yours sincerely

NAME
POSITION

Tel.
Email

Appendix 4

DATE

NAME
ADDRESS

Dear NAME

Refusal of permission to have a pet

I am writing to advise you that permission for you to have a (*description of animal*) as a pet has been refused. The reasons for this are as follows.

(Refer to the tenancy agreement, any restrictive covenants, our pets and animals policy as well as the lettings policy).

However, one option available to you which would enable you to have a pet would be to try and get a move to a property where pets are allowed. You could therefore register on the local authority's housing waiting list so that you can bid on properties where pets are allowed. You could also register on Homeswapper, a national mutual exchange service, to try and find another tenant to exchange homes with where pets can be kept in their property.

Yours sincerely

NAME
POSITION

Tel.
Email

Appendix 5



Pets and animals – Frequently asked questions factsheet

- Q ? Do I need permission to keep a pet?**
A ✓ This depends on what your tenancy agreement and any restrictive covenants say but generally speaking the answer is yes. The reasons why we may refuse permission are set out in our pets and animals policy.
- Q ? Are there any restrictions on the type of pet I can have?**
A ✓ Yes, there are. It depends on the type of pet and also what type of property you live in. Information about this can be found in your tenancy agreement, any restrictive covenants and our pets and animals policy.
- Q ? Can I keep livestock at my property?**
A ✓ No. The keeping of livestock such as sheep, goats, pigs, horses, ducks and poultry, etc, is prohibited unless your tenancy agreement states that you can keep such animals.
- Q ? How do I go about asking for permission to keep a pet?**
A ✓ You will need to submit a 'Request for permission to have a pet' form which we will send to you.
- Q ? I am getting a pet from a rescue centre and know what type of animal I want but I need your permission first so that I can register my interest with them. I don't know the breed, age or colour of the animal at the moment. Will you still give me permission to have a pet?**
A ✓ It depends on the type of pet and also what type of property you live in. Information about this can be found in your tenancy agreement, any restrictive covenants and our pets and animals policy. Our staff also refer to our pets and animals guidance when advising you about this. If we do give permission then you will need to provide further details to us about the animal once you have acquired it.
- Q ? If my pet dies do I need permission to get another one?**
A ✓ This depends on what your tenancy agreement says but generally speaking the answer is yes.

Q ? I already have a pet. Do I need to ask for retrospective permission to keep it?

A ✓ This depends on what your tenancy agreement says but generally speaking the answer is yes.

Q ? I already have a pet. Do I need permission to get another one?

A ✓ This depends on what your tenancy agreement says but generally speaking the answer is yes.

Q ? Will you need to visit my home before you give me permission to keep a pet and do you carry out spot checks after permission has been given?

A ✓ Yes, we will need to carry out a property inspection of your home before giving permission for you to have a pet, unless we have visited your property in the past 12 months and the condition of your home was satisfactory. We do not carry out spot checks once permission has been given.

Q ? If I needed permission to keep a pet and didn't ask for it and you refuse retrospective permission for me to keep it, will I have to arrange to have the animal rehomed?

A ✓ Unfortunately the answer is yes, you will.

Q ? Where can I get advice about how to look after my pet?

A ✓ You can find lots of advice on the internet but the Royal Society for the Prevention of Cruelty to Animals (RSPCA) is a good place to start.

Q ? I live in a flat. Am I allowed to keep a dog or a cat?

A ✓ This depends on what your tenancy agreement says but generally speaking the answer is no if your front door opens onto a communal area such as a corridor. However if you previously had permission to keep a pet in your flat you will be allowed to keep it.

Q ? I live in a flat and you have told me I cannot have a dog or a cat but one of my neighbours has a dog and a cat. Why can't I?

A ✓ It is likely that their tenancy began before we stopped customers in flats being able to keep dogs and cats so this rule did not apply to them at that time.

Q ? Can I ask for permission to keep a house cat in my flat?

A ✓ Unfortunately no as we cannot discriminate between different types of cat.

Q ? Is there a limit to how many pets I can have?

A ✓ Yes but it depends on the type of property you live in. Each situation is considered on a case by case basis.

Q ? I have an 'assistance dog' which was provided for me by an organisation which is a member of Assistance Dogs (UK) and I live in a flat. Will you make an exception for me so that my dog can live with me?

A ✓ Yes we will.

Q ? My neighbour's pet causes a nuisance. Can you do anything about this?

A ✓ Yes. Every customer's tenancy agreement contains clauses about pets or animals and nuisance. If we cannot resolve the issue amicably we may have to take legal action against your neighbour to stop the nuisance. However the nuisance will have to be quite serious before such action is taken.

Q ? My neighbour's dog barks a lot. Can you do anything about this?

A ✓ Yes as this is classed as nuisance so there are things we can do but we would encourage you to talk to your neighbour about it first.

Q ? My neighbour's cat keeps coming into my garden and fouling. Is there anything you can do about this?

A ✓ No. As cats are roaming animals we do not consider them entering or messing in gardens to be a nuisance, so you will need to try and resolve any issues with your neighbour.

Q ? What is your stance on fostering pets and 'pet sitting'?

A ✓ This is not allowed as the animal is not your pet.

Q ? Can visitors to my flat bring their pets with them?

A ✓ Yes but we don't encourage it.

Q ? Am I allowed to breed animals in my home?

A ✓ No

Q ? My pet has had young born. Can I keep them?

A ✓ You will need to ask for permission to keep them in the usual way and our decision will be based on the criteria that we apply to any request to keep a pet.

Q ? What do I do if I am concerned about the welfare of my neighbour's pet?

A ✓ You should contact the RSPCA but also let us know as well as there may be associated tenancy issues such as poor property condition. The police and the council may also need to be aware as in some cases they may also want to take action against the pet's owner.

Q ? Do I need to ask for permission to put in a cat flap, construct a pond or aviary, set up a rabbit hutch or erect a fence to keep my pet secure?

A ✓ Yes as these are classed as alterations.

Q ? Am I allowed to keep animals in my garden?

A ✓ This depends on the animal and its welfare. You should seek advice by going onto the RSPCA's website or get advice from a vet.

Q ? If my pet dies can I bury it in my garden?

A ✓ No. We do not allow this for environmental reasons and because if you ever move to another property you will not be allowed to return to visit your pet's grave. Instead you should use a reputable pet and animal sanctuary to either bury your pet or scatter the ashes.

Q ? I already have a pet buried in my garden. What happens in this situation?

A ✓ No action will be taken in relation to customers who buried pets in their garden before our pets and animals policy came into effect.

Q ? Do I have to let you know if my pet dies?

A ✓ No this will not be necessary.

Q ? What happens if my pet has caused damage to my home, someone else's property or injures someone?

A ✓ You will be liable for the cost of any repairs and could be sued for damages. It is also likely that you will also be in breach of your tenancy agreement.

Q ? Should I take out pet insurance?

A ✓ This is generally speaking a good idea but it is your choice.

Q ? Can I put pet faeces in my refuse bin?

A ✓ You should check this with your local authority.

Q ? I am moving to another Selwood Housing property. Can I take my pet with me?

A ✓ This depends on the type of property you are moving to and its suitability for your pets.

Q ? What do I do with my pet if I go on holiday or have to go into hospital?

A ✓ You should make sure that you have someone available such as a relative, friend or neighbour who can care for your pet whilst you are away. If there is no-one who can help you you will need to find temporary accommodation for them to stay in such as kennels or a cattery. Pet sitting and pet boarding are other alternatives.

Q ? Foxes and badgers are coming into my garden and causing a nuisance. What can I do about this?

A ✓ You should contact your local authority as some animals are protected by law.

Q ? Are there any other restrictions that I need to be aware of that might affect me being able to keep a pet or animal at my property?

A ✓ There could be as some of our properties are subject to restrictive covenants. A covenant is a provision or promise contained in the legal title to a property that affects or limits its use.



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Decision-making record

Date	Meeting/Minute Reference	Version /Amendment
22 March 2017	Marc Robins	1
21 December 2017	Marc Robins	2
19 September 2018	Marc Robins	3
7 October 2019	Marc Robins	4
22 October 2019	Marc Robins	5
9 March 2020	Marc Robins	6
27 May 2020	Marc Robins	7
28 March 2023	Executive Team Updated, some aspects of the guidance incorporated into the pets and animals policy, some additional issues included, clarification given to certain matters and some changes made to the wording, the process and some of the appendices.	8