

## HAZELHURST COURT EXTRA CARE PET POLICY

### Responsible Officer

Director of Customer Services.

### Aim of the Policy

Phoenix Community Housing aims to ensure that it meets the individual needs of all tenants wherever possible, however we also need to ensure the wellbeing of all residents. Whilst we are reluctant to separate anyone from their pet, we do need to consider any hygiene and noise implications. Should any pet be accepted into a Scheme the tenant is solely responsible for the pet care. Phoenix recognises the benefits that pet ownership can bring to owners, however, we also recognise that pet ownership is a privilege and not a right.

This policy sets out the rules and conditions for keeping pets and aims to ensure:

- The welfare of all animals owned by tenants.
- The physical condition of our properties is preserved.
- There is no nuisance caused to neighbours.

Phoenix is committed to ensuring that when tenants do not comply with their tenancy in respect of pet ownership this is followed up with robust action to ensure the ongoing welfare of the animal and minimise any adverse effect on those living close by.

### Policy Scope

This policy applies to Hazelhurst Court Extra Care.

### Policy Statement

Phoenix recognises that pets provide people with companionship, comfort and love and offer opportunity to make contact with others. In addition, pets are often an extension of or replacement for a family and there can be scope for others to benefit from an animal presence within a scheme context.

Permission to keep a pet is not an automatic right within the Phoenix Tenancy Agreement. Written permission must be obtained before a tenant moves in accompanied with a pet or acquires one.

Responsible ownership of pets will be encouraged so that nuisance is not caused to those living nearby or to immediate neighbours especially in the communal environment of Hazelhurst Court. Phoenix has set some rules to ensure that neighbours, and the pets themselves are not adversely affected.

## The Policy

This policy provides guidance on:

- What pets can be kept and in what circumstances
- Information we give to tenants about responsible pet ownership
- Action Phoenix will take where pets are not kept in reasonable conditions or cause nuisance to neighbours

People wanting to live at Hazelhurst Court will be asked to inform Phoenix if they have any pets and how many. This will not affect their application unless they plan to keep a pet for which permission cannot be granted.

### What Pets can be kept?

Applicants or existing tenants for Hazelhurst Court can apply for permission to keep the following:

- a small well behaved dog (maximum of 14 inches in height)
- a cat
- caged birds
- tanked fish

In considering an application for a pet, we will ask the owner to ensure they can responsibly look after the animal by ensuring the following:

- That the pet fits in with their lifestyle, physical abilities and environment; for example, someone must have the ability to ensure that they can walk a dog or have someone that can do this on their behalf
- The owner can clean up any fouling caused by the pet.
- That the pet can be housed properly within the confines of the extra care apartment
- That the pet is kept in a manner which does not cause it stress such as being left alone for prolonged periods of time, which in turn can cause nuisance to neighbours
- That the animal is appropriately trained
- That, in accordance with the Control of Dogs Order 1992, anyone keeping a dog will ensure that the dog is wearing a collar with their name and address inscribed on it or on a disc attached to it when out in public
- That there is someone who can re-home or look after the pet in an emergency.

Hazelhurst Court does not have a private garden this means we will remind residents of the following aspects of responsible pet ownership in flats:

- Pets must not be permitted to roam on communal walkways
- Dogs should always be kept on a lead when in communal areas
- Pets should not be permitted on balconies or landings without the owner
- Animal waste should not be left in communal areas.
- Dogs should not be left alone to bark continuously

Permission for an assistance dog (such as hearing dogs or dogs for disabled people) will always be permitted.

### What pets are excluded?

Phoenix will not permit ownership of the following pets:

- Farm animals – for example, sheep, goats, pigs, cattle, ducks
- Horses, ponies or donkeys
- Animals registered under the Dangerous Wild Animals Act 1976 – e.g. certain types of venomous snakes and spiders and various breeds of monkey
- Dogs specified in the Dangerous Dogs Act 1991 – for example, a Pit Bull Terrier or a Japanese Tosa
- Dogs that are dangerous because they have either attacked or bitten.

Phoenix will work in partnership with other agencies such as the RSPCA, Police and the Local Authority in cases where it becomes aware that an excluded pet is being kept by a tenant.

### Animal Breeding

Phoenix will not permit the breeding of animals at Hazelhurst Court extra care scheme.

### Nuisance Animals

Tenants are expected to make sure that their pet(s) do not cause a nuisance, the following are examples of nuisance behaviour. However, this is not a complete list:

- Roaming and unattended pets
- Pets fouling and/or urinating in shared areas
- Pets fouling and/or urinating in communal gardens
- Excessive noise e.g. dogs barking
- Over population of pets, more than one, within a household
- Unpleasant odours from pets
- Aggressive animals

In the majority of cases, Phoenix will aim to resolve complaints about nuisance pets informally and by agreement, working with the care provider and other agencies as needed. In some cases, where agreement cannot be reached the following actions will be considered:

- Arranging for a professional mediator to become involved
- Withdrawing permission to keep a pet(s)
- Making responsible pet ownership part of an Acceptable Behaviour Contract
- Involving (statutory) organisations such as the Police or the Council's Dog Warden
- Involving (voluntary) organisations such as the RSPCA and the Dogs Trust, Cats Protection League
- Serving an injunction to make the owner start or stop doing certain actions or to remove the pet(s)
- Possession proceedings

Phoenix will always treat eviction as a last resort in dealing with breaches of the tenancy agreement in relation to pets, unless the breach is very serious and leads to a conviction which is punished by a custodial sentence.

Phoenix reserves the right to recharge residents in relation to any damage to the interior of their home, communal areas and external grounds including grassed or paved areas.

#### Dealing with Cruelty and Neglect

Animals are protected by the Animal Welfare Act 2006. In addition to increasing the penalties to those who inflict cruelty to animals, the Act places a 'duty of care' on pet owners to provide for the animal's basic needs such as:

- Adequate food and water
- Veterinary treatment
- A suitable living environment

In cases where we witness that an animal is being treated cruelly and/ or is being neglected, we will report this to the RSPCA. In cases where the cruelty or neglect is reported to us, we will arrange a visit to the property and make the necessary referral to the RSPCA.

#### Consultation and communication

We will consult with residents living at Hazelhurst Court Extra Care, partners, advice agencies, local authorities, and other statutory organisations on any changes to this policy to develop good practice in this policy area.

We will also provide information to residents on responsible pet ownership.

## Monitoring and review

This policy will be reviewed every three years or sooner if there are changes to legislation, good practice or other learning.

## Legislation

- The Breeding of dogs Act 1973 (as amended 1991)
- Animals Act 1971
- Dangerous Wild Animals Act 1976
- Dangerous Dogs Act 1991
- Control of Dogs Order 1992
- Clean Neighbourhoods and Environment Act 2005
- Animal welfare Act 2006
- Equality Act 2010

## Reference to other documents and associated policies and procedures

Including:

- Hazelhurst Court Extra Care Scheme Handbook
- Pet Agreement
- Request to keep a pet form
- Equality & Diversity Charter

## Definitions

Term/acronym	Description
Resident	Includes tenants of Hazelhurst Court Extra Care Scheme
Phoenix	Phoenix Community Housing.
RSPCA	Royal Society for the Protection and Care of Animals

Document Type:	Policy
Title:	Hazelhurst Court Extra Care Scheme Pet Policy
Author:	Housing Manager
Department Owned By:	Customer Services
Data Protection Impact Assessment:	No
Equalities Impact Assessment:	No
Approval Date:	2019-11-28
Approved By:	Board
Implementation Date:	2019-12-02
Status:	FINAL
Version No:	V2
Last updated:	2019-12-02
Issue Date:	2019-12-02
File Path:	<a href="#">CS Hazelhurst Court Extra Care Pet Policy FINAL V2 November 2019.docx</a>