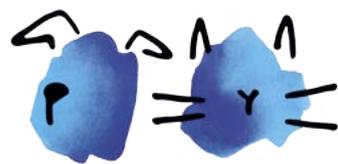




PET FRIENDLY PROPERTIES

BRINGING PEOPLE AND PETS TOGETHER FOR HAPPIER HOMES

BATTERSEA RESEARCH REPORT 2018



BATTERSEA

HERE FOR EVERY DOG AND CAT



Ariel

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FOREWORD



At Battersea, we take in any dog or cat in need of our help, irrespective of age, condition or breed; helping over 7000 animals in our three centres in 2017.

Given the increasing number of people in London that rent their home, which is forecast to be as high as 60% of the population by 2025, Battersea is increasingly seeing this societal shift have an adverse impact on animal welfare and pet ownership. Sadly we detect a trend of people being forced to choose between a home and their animals. Indeed, housing is now cited as the second biggest factor behind people giving up their pets to Battersea.

The benefits of pet ownership are felt across society – from the £2.5 billion it saves the NHS annually, to the key role animals play in tackling loneliness and social isolation. Rescue shelters everywhere see family pets being relinquished and as the rental property market increases; even people and families wishing to bring a pet into their lives for the first time, are prevented from doing so by restrictive tenancy agreements - and this is ultimately to everyone's detriment.

We know that not allowing pets in rented accommodation as a truly wasted opportunity to affect positive societal change.

We know that owning pets, not only brings joy and genuine happiness to adults and children alike but also promotes increased senses of responsibility, empathy and compassion.

And we know that this can have a direct and positive impact on animal welfare, human health, and community and society, social cohesion.

London has a large social rented sector, and this report focuses directly on the need for more pet friendly properties. Social housing is an area that has rarely been investigated, unlike the large private rental sector. The social rented sector in London is significantly oversubscribed, and the policies of Housing Associations and Councils have a profound effect on the lives of millions of people.

The Battersea Report highlights the widely varying picture across borough boundaries, with pet ownership being restricted in blanket fashion by some Councils and Housing Associations – essentially disenfranchising their tenants from the important benefits of pet ownership.

This report lays bare the issues and seeks to offer solutions. Battersea would like to work with London's social housing providers to help them all have more pet friendly properties, and offering assistance to help both Councils and Housing Associations create a better, more pet friendly capital to the benefit of all.

A handwritten signature in black ink, appearing to read 'Claire Horton', with a stylized flourish underneath.

Claire Horton Chief Executive

EXECUTIVE SUMMARY

Eight million households in the UK live in rented homes¹. This is 38% of all UK households, predicted to rise to 40% by 2025². In London, 60% of households will rent by 2025³.

Many landlords (55% according to one survey) ban pets, disenfranchising their tenants from all the health and social benefits of pet ownership that save the NHS £2.45 billion annually⁴. As a result, animals lose loving homes and stay longer in rescue centres, as the pool of potential owners shrinks.

Residents in social housing are particularly vulnerable to barriers to pet ownership. 3.4 million UK homes are social rented⁵. The sector is dominated by relatively few big landlords and tenants stay in their homes three times longer than those in the private rental sector⁶. The policies of Local Authorities and Housing Associations therefore have a profound effect on a large number of people.

There is already a wealth of research and information around pets and tenancies in general, focusing predominantly on the private rental sector. This report, however, seeks to look at the conditions for pet ownership specifically affecting the London social rented sector, where there is currently little research and analysis on how seriously pet ownership is encouraged.

This report examines landlord policies on dog and cat ownership in the London social rented sector. Our analysis of the policies of all London Local Authorities and the 30 largest Housing Associations in London found:

There are some positive findings for pet owners

- None impose a blanket ban on all their tenants from keeping a dog or cat
- 24% of Local Authorities allow all their tenants to keep a dog
- 48% of Local Authorities allow all their tenants to keep a cat
- Few tenants are the subject of formal complaints or legal action because of their pet⁷

However, there is still plenty to improve in London

- **Inconsistent policies on keeping dogs in flats** (with no private garden). Local Authorities are split on this. 24% (seven) allow dogs in these flats, 21% (six) ban them, as do most Housing Associations (64%). Our research shows that flexible policies that give tenants in flats the opportunity to have a dog can work.
- **Varying standards on responsible dog ownership.** The conditions imposed on dog owners vary considerably. Most landlords require that the dog is not a nuisance. Few include requirements relating to microchipping, breeding and selling, and animal welfare. Our survey shows that standalone policy documents, supporting the tenancy agreement, allow more comprehensive policies to be implemented, oriented towards promoting responsible ownership.
- **Little support for dog owners.** Some housing providers give contact details of animal welfare organisations to their tenants with dogs, and provide services such as free microchipping and access to responsible dog training courses. These, however, are rare. Most take an enforcement approach to dog ownership to ensure compliance with the conditions in the tenancy agreement.

In London

24%

of Local Authorities allow all their tenants to keep a dog.

48%

of Local Authorities allow all their tenants to keep a cat.

x3

Social tenants stay three times longer in property than private tenants.

Recommendations

1. Local Authorities and Housing Associations should **implement more flexible policies** on keeping dogs and cats, with a presumption in favour of allowing a pet. Some may see this as risky and costly, so should enlist the help of a recognised animal welfare organisation like Battersea. Such a partnership would provide the expertise and confidence to implement such policies, possibly on a trial basis initially, for subsequent roll out and sharing with other housing providers if successful. Battersea's Pet Ready Training Programme could form a critical part of this partnership, providing knowledge and training for dog owners and peace of mind for housing providers.
2. Tenancy agreements should be supported by a **standalone document**, setting out the conditions and standards to which dog owners are expected to adhere. These should follow the blueprint provided in Annex A, which provides a model policy, to ensure consistency.
3. Housing providers should **identify and share best practice**, with the aim of moving towards a more consistent approach to keeping dogs and cats in social housing across London. The variety of policies currently in place lends itself to testing different approaches, although the issue of poor data availability will need to be addressed.
4. The **legal standing of 'no pet' clauses** in tenancy agreements should be clarified by the Competition and Markets Authority. If it remains unclear that this is an unfair contract term, such clauses should be banned as they have already been in other jurisdictions including France, Canada (Ontario) and Australia (Victoria).

In London

60%

of all households in London by 2025 will rent their homes.

21%

of Local Authorities ban dogs in flats with no private garden or front door.

64%

of Housing Associations ban dogs in flats with no private garden or front door.

¹ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdsalldata>

² <https://www.pwc.co.uk/assets/pdf/ukey-section3-housing-market-july-2015.pdf>

³ http://pwc.blogs.com/press_room/2016/02/london-to-be-transformed-from-city-of-home-owners-to-city-of-home-renters-in-a-generation.html

⁴ <http://www.lincoln.ac.uk/news/2016/12/1300.asp>

⁵ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdsalldata>

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/632464/Social_rented_sector_report_2015-16.pdf

⁷ See figure 9 on p. 24 of this report

1. WHAT'S THE PROBLEM?

For both social and private rented accommodation, keeping pets presents challenges and risks for tenants, landlords and animals.

Some landlords worry about tenants keeping pets, particularly dogs, because⁸:

- they may be a nuisance to other tenants, spread disease and damage property
- they may affect subsequent tenants with animal-related allergies
- if anything happens to the pet owner, the landlord may be legally responsible for the pet

These concerns can lead landlords to restrict or ban pets from their properties. The National Landlords Association reports that 55% of landlords do not allow their tenants to keep pets, mainly because of potential damage to the property and annoyance to neighbours⁹. This disproportionately focuses on the risks over the significant benefits of pet ownership.

Such barriers to pet ownership have consequences for animals, tenants, communities and for society as a whole.

For animals, it can mean more dogs and cats coming into rescue centres. It can also mean they stay longer as the pool of potential adopters shrinks.

- The 2017 Pet Food Manufacturing Association (PFMA) report shows that 10% of those giving up their dogs had done so because landlords didn't allow pets¹⁰. For Battersea, that means more than 200 dogs a year coming through our gates because of landlord restrictions on pets.

For tenants, it can mean:

- Higher rents and deposits, imposed by landlords to cover the risk of damage caused by pets and any extra cleaning needed¹¹.
- Taking longer to find a suitable home and staying longer in less desirable accommodation as demand for pet friendly accommodation outstrips supply¹².
- Constant elevated worry that any complaint about their pet could mean they lose their home, leading to rental insecurity.
- Fear of potential eviction – one study found that nearly 30% of pet-owning tenants did not declare their pets for fear they would be refused, risking eviction if discovered¹³. A recent UK survey found that keeping a pet without permission was one of the most common rules broken by tenants, with 18% breaching this condition in the tenancy agreement¹⁴.
- Being disenfranchised from all the health and social benefits of keeping a pet, benefits which ultimately impact on communities and the national economy.

More than

200

dogs a year come through Battersea's gates because of landlord restrictions.

10%

of those giving up their dogs to Battersea did so because landlords didn't allow pets.

The National Landlords Association reports that

55%

of landlords do not allow their tenants to keep pets.

For local communities, restricting pet ownership can have a significant impact on the strength of a neighbourhood's 'social capital'

- Pet owners are 60% more likely than non-pet owners to get to know people in their neighbourhoods they hadn't known before¹⁵.
- Pet owners stay longer in their tenancies, develop stronger community ties than non-pet owners, and are more willing to support and help others locally¹⁶.
- Pet ownership is good for the local economy as owners spend money on food, accessories and toys, and services such as vets, grooming, and dog walking in their local area. A US study estimates that 1% of total spending per year for the average household is spent on pets¹⁷.

For the nation, barriers to pet ownership have consequences for the national economy

- Dog ownership has significant health benefits, as higher levels of walking and exercise lead to reduced obesity and lower cholesterol, protecting against heart disease and diabetes.
- Pet ownership promotes good mental health, helping to lift depression, reduce loneliness and support independent living.
- Pet owners make 15% fewer visits to a doctor and pet ownership saves the NHS £2.45 billion annually¹⁸.

It is, therefore, important that the right balance is struck between protecting property and protecting the interests of animals, tenants and society as a whole. A good pet friendly policy would aim to achieve that balance and maximise the benefits for all.

⁸ <http://www.scas.org.uk/human-animal-bond/the-bond-at-risk/pets-and-housing/>

⁹ <https://landlords.org.uk/sites/default/files/2017-09/Tenancy%20Deposit%20Cap%20%282%29.pdf>

¹⁰ http://www.pfma.org.uk/_assets/docs/Data%20report/PFMA-Pet-Population-Report%202017_WEB.pdf

¹¹ <http://www.independent.co.uk/news/business/news/demand-for-dog-friendly-flats-in-london-soars-a6690441.html>

¹² <http://www.letswithpets.org.uk/downloads/renting-to-pet-owners-web.pdf>

¹³ <http://www.tandfonline.com/doi/full/10.1080/02673037.2016.1210095>

¹⁴ <https://www.directlineforbusiness.co.uk/landlord-insurance/knowledge-centre/news/1-in-7-renters-bend-tenancy-rules>

¹⁵ <https://www.health.harvard.edu/blog/pets-can-help-their-humans-create-friendships-find-social-support-201505067981>

¹⁶ <http://www.abc.net.au/news/2017-06-21/pet-owners-make-stronger-neighbour-ties-uwa-study-finds/8638432>

¹⁷ <https://smartasset.com/personal-finance/the-economics-of-the-pet-industry>

¹⁸ <http://www.lincoln.ac.uk/news/2016/12/1300.asp>

Pet ownership saves the NHS

£2.45 billion

annually¹⁸.

Pet owners are

60%

more likely than non-pet owners to get to know people in their neighbourhoods.

Pet owners make

15%

fewer visits to a doctor.

2. HOW MANY PEOPLE ARE AFFECTED BY LANDLORD POLICIES ON PETS?

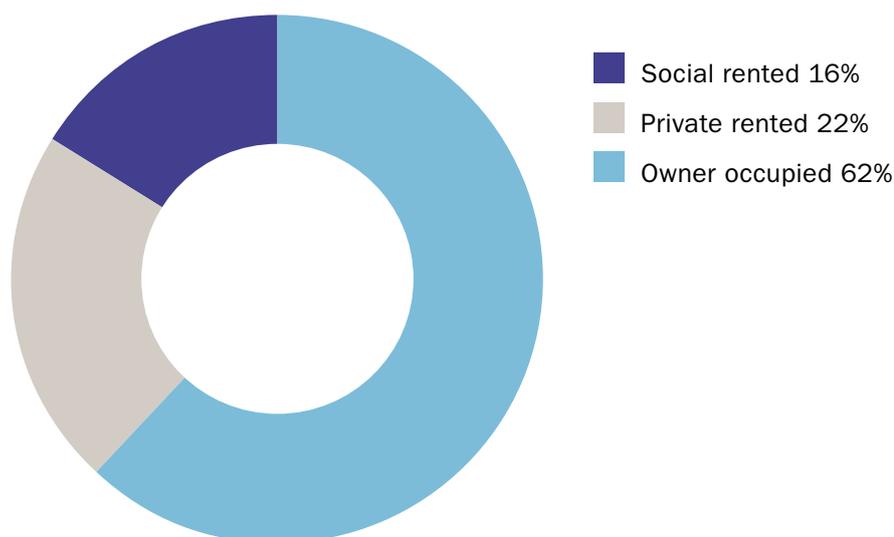
The size of the UK rented sector

38% of all UK households rent their home – some eight million¹⁹:

- 4.6 million rent from private landlords. There are around 2 million private landlords in the UK²⁰.
- 3.4 million rent from social landlords, mainly Local Authorities and Housing Associations who provide affordable housing for those on low incomes. With 1,708 registered providers of social housing in England, housing in this sector is concentrated in the hands of fewer landlords²¹, each of whom will rent to a larger number of residents.

The size of the rented sector is large and will continue to grow. It is estimated that at least 40% of UK households will rent by 2025. The private rented sector will continue to expand, making up 24% of all households by 2025²², and there is considerable pressure on the social sector to deliver more housing to meet increasing demand²³.

Figure 1 UK household tenure, June 2018



¹⁹ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstabledhouseholdsbyhousingtenureandcombinedeconomicactivitystatusofhouseholdmembers>

²⁰ <https://homelet.co.uk/letting-agents/news/article/how-many-landlords-and-tenants-are-there-in-the-uk>

²¹ <https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>

²² <https://www.pwc.co.uk/assets/pdf/ukeyo-section3-housing-market-july-2015.pdf>

²³ <https://www.gov.uk/government/news/2-billion-boost-for-affordable-housing-and-long-term-deal-for-social-rent>

Pet ownership in the rented sector

Of course, not all tenants will want to own a pet. Pet ownership figures are not available specifically for the rented sector as a whole. However, we know that 44% of households in the UK have a pet, and 23% own a dog²⁴. What evidence there is seems to support these kind of potential ownership levels in the rented sector:

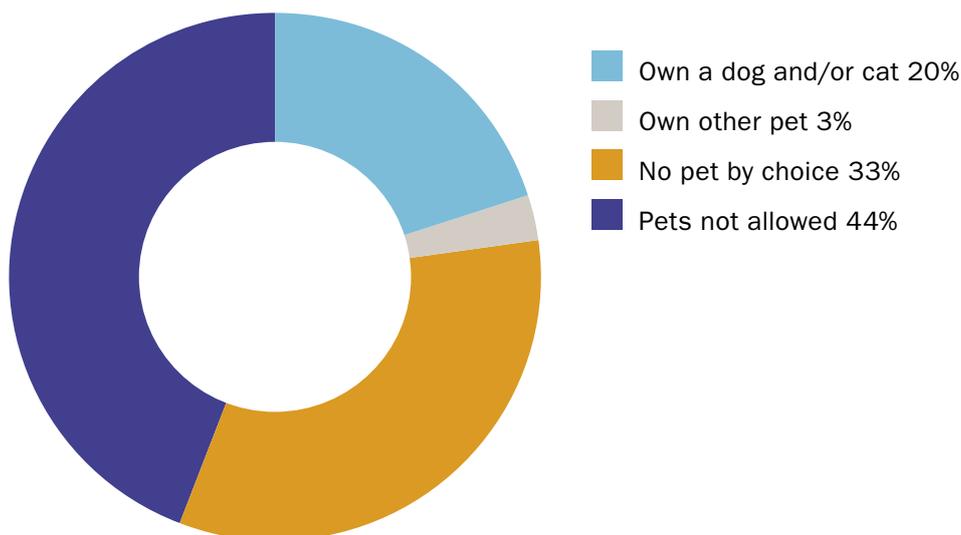
- One letting agent has claimed that 30% of their prospective tenants were dog owners²⁵.
- A recent survey of tenants in the private sector found that 20% kept a dog and/or a cat, but a further 44% might have kept a pet had the tenancy agreement permitted them to do so. 33% did not keep a pet out of choice. There is no reason to assume a different picture for the social rental sector.

Based on these figures, it seems likely that around half of tenants may want to keep a pet, and a quarter may want a dog, so that:

- Some 4 million households in the UK will be directly affected by landlord policies on keeping a pet.
- 2 million households will be affected by any specific conditions relating to keeping a dog.

These figures will increase as the size of the rented sector grows over the next few years.

Figure 2 Pet ownership in the private rental sector²⁶



²⁴ http://www.pfma.org.uk/_assets/docs/Data%20report/PFMA-Pet-Population-Report%202017_WEB.pdf

²⁵ <http://www.independent.co.uk/news/business/news/demand-for-dog-friendly-flats-in-london-soars-a6690441.html>

²⁶ <https://homelet.co.uk/tenants/blog/article/tenant-market-survey-2017>

3. WHAT DOES THE LAW SAY LANDLORDS CAN AND CANNOT DO?

Banning pets

Currently, in the UK there are no restrictions on landlords banning pets from their properties, other than the Equality Act 2010 which makes it illegal for them to ban tenants from keeping an assistance or other guide dog²⁷.

A blanket ban on keeping any pet was considered by the Office of Fair Trading (OFT) in 2005 to be an unfair contract term in tenancy agreements, and therefore unenforceable²⁸. A fairer approach was to require tenants to ask permission to keep a pet, and to not withhold consent unreasonably.

However, that guidance was withdrawn by the Competition and Markets Authority in 2015, when it issued new guidance on unfair terms provisions in the Consumer Rights Act 2015²⁹.

While many believe that a blanket ban on pets would still be considered an unfair contract term³⁰, there is now no official guidance on this. Moreover, the OFT did not feel that it was unfair to ban pets that could damage property, affect subsequent tenants or be a nuisance to other tenants. Indeed, these are the main reasons cited by the 55% of landlords that do not allow their tenants to keep a pet³¹.

Banning 'no pet' clauses – international perspective

Some jurisdictions have clarified the legal standing of 'no pet' clauses in tenancy agreements by testing them in the courts, and some have gone further and introduced legislation banning such clauses^{32 33}.

- In Belgium, the court ruled that a complete ban on pets violates the right to private life, enshrined in article eight of the European Convention on Human Rights.
- In Germany, the Federal Court ruled that a blanket ban on pets would be unfair and legally 'ineffective'³⁴.
- In France, 'no pet' clauses have been banned since 1970.
- In the USA, blanket bans on pets were prohibited from Federally-funded assisted housing for the elderly and disabled in 1983³⁵, and from all public housing receiving Federal funding in 2000³⁶. Tenants must be given the opportunity to own a pet, including a dog or cat, subject to reasonable rules which local housing authorities may prescribe under national guidelines.

²⁷ <https://www.gov.uk/private-renting-tenancy-agreements/changes-to-tenancy-agreements>

²⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284440/of356.pdf

²⁹ <https://www.gov.uk/government/publications/unfair-contract-terms-cma37>

³⁰ <https://www.today conveyancer.co.uk/guest-writers/home-life-tenants-given-automatic-right-keep-pets-rental-properties/>

³¹ <https://landlords.org.uk/sites/default/files/2017-09/Tenancy%20Deposit%20Cap%20%282%29.pdf>

³² https://link.springer.com/article/10.1007/s10991-018-9209-y?wt_mc=Internal.Event.1.SEM.ArticleAuthorOnlineFirst

³³ <http://www.tenlaw.uni-bremen.de/brochures.html>

³⁴ <https://www.berliner-mieterverein.de/recht/bgh/bgh1311.htm>

³⁵ <https://www.law.cornell.edu/uscode/text/12/1701r-1>

³⁶ <https://www.federalregister.gov/documents/2000/07/10/00-17023/pet-ownership-in-public-housing>



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- In Ontario, Canada, the Residential Tenants Act 2006 prohibits a ban on pets in tenancy agreements. Tenants cannot be evicted simply for keeping a pet³⁷.
- In Victoria, Australia, the Residential Tenancies Act 2018 bans 'no pet' clauses. Renters must ask permission from their landlord, who can only refuse their consent by taking the case to the Victorian Civil & Administrative Tribunal^{38 39}.
- The Czech Republic civil code gives tenants the right to keep an animal⁴⁰.

Rightly, none of these laws and rulings gives tenants unfettered rights to keep an animal. So, for example, they may not be allowed to keep animals that are dangerous or a nuisance. There are valid reasons for refusing pet ownership which, as a rescue, Battersea would also follow. The intention is to ensure that the interests of tenants are better balanced with those of landlords. Some believe 'no pet' clauses should also now be prohibited in the UK⁴¹, as demonstrated by the support for a petition currently before the Scottish Parliament⁴².

³⁷ <https://www.ontario.ca/laws/statute/06r17>

³⁸ <https://engage.vic.gov.au/fairersaferhousing>

³⁹ <https://www.vic.gov.au/rentfair/pets-are-welcome.html>

⁴⁰ <http://obcanskyzakonik.justice.cz/images/pdf/Civil-Code.pdf>

⁴¹ https://link.springer.com/article/10.1007/s10991-018-9209-y?wt_mc=Internal.Event.1.SEM.ArticleAuthorOnlineFirst

⁴² <http://external.parliament.scot/GettingInvolved/Petitions/petsinrentedaccommodation>

4. PET FRIENDLY POLICIES ARE THE WAY TO GO

In 2007, the Pet Advisory Committee published guidance on pets for housing providers⁴³. It recommended including a pet policy in tenancy agreements. This was reinforced by the Government in 2010, also recommending that landlords develop pet policies as a means of ensuring responsible ownership specifically of dogs⁴⁴. Annex A provides an example of a comprehensive pet friendly policy.

Pet policies set out the conditions for being allowed to keep a pet. Properly formulated, such policies can be good for pets as well as tenants and landlords as they can help enforce the law around animal welfare and encourage responsible ownership. Such policies typically include that:

- the accommodation must be suitable
- dogs are microchipped
- the number of dogs in each dwelling is limited
- animals must not cause annoyance or nuisance to others or damage property
- fouling must be cleaned up
- there is no breeding or selling of animals from the property
- dogs are regularly vaccinated and are neutered.

Pet policies can be more effective by including specific conditions in the tenancy agreement. For example, the tenancy agreement may make permission to keep a pet conditional on tenants adhering to the standards set out in the separate pet policy.

Social housing

Social housing is accommodation let on a secure basis to those most in need. Most is 'general needs' housing for people on low incomes. Other, more specialist, social housing is for vulnerable people in need of support; such as the homeless, those at risk of abuse, and older people. Social housing is provided mainly by Local Authorities and Housing Associations.

The RSPCA encourages the development of good pet policies in this sector through its Community Animal Welfare Footprint Scheme⁴⁵. This includes an award for social housing providers that encourage responsible pet ownership in their properties. Three levels of standard are defined. Table 1 sets out the key ones.

⁴³ Pet Advisory Committee guidance 2007

⁴⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8278/1530807.pdf

⁴⁵ <http://cawf.hdmldev.uk/award/housing-2/>

⁴⁶ <http://politicalanimal.org.uk/england/cawf-awards/past-winners/>

⁴⁷ <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100305/debtext/100305-0010.htm>

⁴⁸ <http://www.ageuk.org.uk/documents/en-gb/for-professionals/housing/sheltered-and%20retirement%20housing%20report.pdf?dtrk=true>

⁴⁹ <http://www.dailymail.co.uk/health/article-2934355/If-pets-bring-joy-care-homes-condemn-death-health-benefits-keeping-pet-huge-thousands-owners-forced-theirs-just-need-most.html>

⁵⁰ <http://www.cinnamon.org.uk/events/>

⁵¹ <http://www.housingcare.org/housing-care/search.aspx>

Table 1 Standards for the RSPCA Housing Footprint Award for pet policies

Bronze	Silver (as Bronze, plus)	Gold (as Silver, plus)
<p>Has a written policy that:</p> <ul style="list-style-type: none"> • has clear assessment criteria • defines owner responsibilities • sets out the procedure for handling complaints • bans commercial breeding and selling and discourages non-commercial breeding 	<p>Provides written pet care advice by, or approved by a recognised animal welfare source</p>	<p>Provides discounted microchipping and neutering</p>
<p>Provides a list of local, reputable animal welfare organisations, so residents know where to go for advice</p>	<p>Actively promotes microchipping and neutering</p>	<p>Provides for pets in emergency (e.g. fostering)</p>
	<p>Maintains a register of pets kept in each dwelling</p>	<p>Has a link with a recognised animal welfare organisation that provides tenants with advice on request or by monthly or quarterly visits</p>

In 2017, 10 social housing providers achieved the highest, gold award⁴⁶. This standard of pet policy requires a partnership with a recognised animal welfare organisation that can provide expert knowledge and support for tenants with pets. Battersea is happy to work with Local Authorities and Housing Associations to provide this partnership.

Sheltered housing and care homes

Keeping pets, particularly dogs, in residential care homes and sheltered housing for older people is especially challenging. More communal living areas and limited ability of residents to control and look after their animals are particular issues. In 2010, the Elderly Accommodation Counsel reported that less than half of 500,000 sheltered housing units considered taking pets, and the Cinammon Trust reported that only 750 of 18,500 care homes in England were pet friendly⁴⁷. The situation doesn't appear to have improved much since then⁴⁸.

Age UK recommend that all sheltered housing schemes should have a pet policy based on a realistic assessment of the ability of residents to look after their pet⁴⁹. Their good practice guide recommends a presumption in favour of pets, but recognising there should be a choice of schemes with and without pets. A number of organisations help prospective residents find retirement and care homes that accept pets^{50 51}.

5. PET POLICIES IN SOCIAL HOUSING: BATTERSEA'S LONDON SURVEY

Why social housing?

16% of all households in the UK are rented in the social sector, some 3.4 million homes⁵². This is large by comparison with the rest of the EU, similar in size to France with only Austria, Denmark and the Netherlands having larger social rented sectors⁵³.

These households are particularly vulnerable to restrictions on keeping a pet, as tenants:

- do not have the option of paying a higher rent to keep a pet
- have a much more limited choice of landlord as the market is dominated by relatively few providers
- stay in their homes for much longer, an average of 11 years compared with four years for private renters⁵⁴, meaning they face any unfriendly pet policies for longer.

Social housing is much more heavily concentrated in the hands of relatively few landlords than the private sector. There are 1,708 registered social landlords in England⁵⁵, with Housing Associations providing 60% of homes and Local Authorities 40%. However, 21 Local Authorities⁵⁶ and 21 Housing Associations⁵⁷ in England each provide more than 20,000 homes, and together provide 33% of all the social housing in England.

Housing Association mergers are creating ever larger organisations. Clarion, for example, now provides 125,000 homes nationwide. Compare this with the private sector, where 94% of the estimated 2 million landlords each own less than 10 properties⁵⁸ and the largest private sector landlords own around 1,000 properties⁵⁹.

The reach of some of these organisations is vast. Local Authorities and Housing Associations therefore have a social responsibility to make informed and well-judged decisions that do not disadvantage some of the most vulnerable in society from all the social and health benefits of keeping a pet.

Social housing in London

London has the largest rented sector in England, with 52% of households renting⁶⁰. This is predicted to rise to 60% by 2025⁶¹.

Both the private and social rented sectors are larger in London than in any other part of the country, as figure 3 shows. 30% of households in London rent from private landlords and 22.4% rent from social landlords⁶².

⁵² <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstables>

⁵³ <http://www.housingeurope.eu/resource-1000/the-state-of-housing-in-the-eu-2017>

⁵⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/632464/Social_rented_sector_report_2015-16.pdf

⁵⁵ <https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>

⁵⁶ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

⁵⁷ <https://www.gov.uk/government/statistics/statistical-data-return-2016-to-2017>

⁵⁸ <https://www.statista.com/statistics/752525/number-of-rental-properties-owned-by-landlords-uk/>

⁵⁹ <https://www.theguardian.com/money/2013/jun/28/new-class-landlords-profiting-generation-rent>

⁶⁰ <https://www.gov.uk/government/statistics/english-housing-survey-2016-to-2017-headline-report>

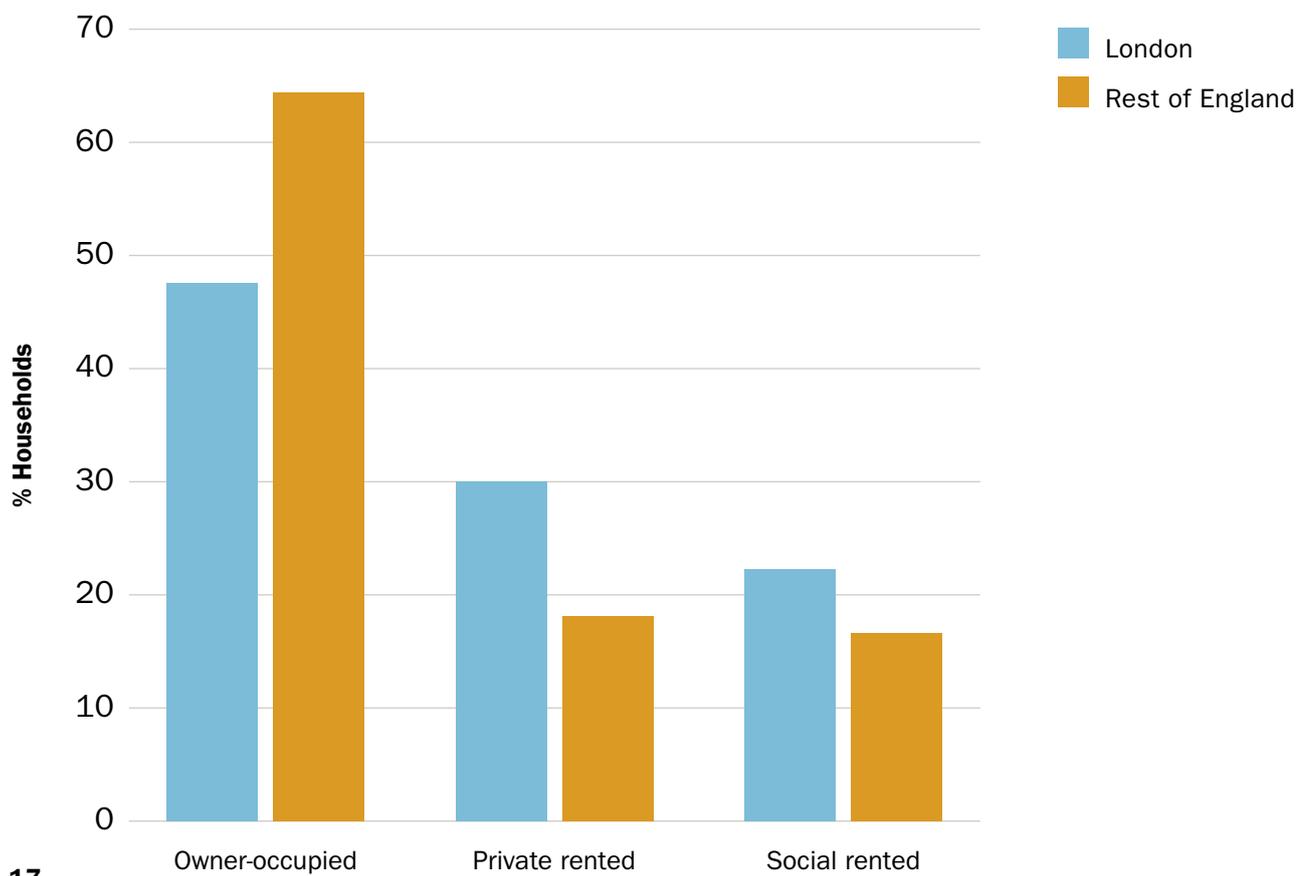
⁶¹ http://pwc.blogs.com/press_room/2016/02/london-to-be-transformed-from-city-of-home-owners-to-city-of-home-renters-in-a-generation.html

⁶² <https://www.gov.uk/government/statistics/english-housing-survey-2016-to-2017-headline-report>



CJ

Figure 3 Household tenure in London vs the rest of England



5. PET POLICIES IN SOCIAL HOUSING: BATTERSEA'S LONDON SURVEY

The national trend has been for Housing Associations to provide an increasing proportion of social housing. In London, however, Local Authorities are still a dominant social landlord. There are 774,000 homes in the social rented sector in London. 50% are provided by Local Authorities, compared with 37% in the rest of the country, as figure 4 shows⁶³.

The way in which social housing is concentrated in the hands of a few big landlords is particularly marked in London. 238 Housing Associations and 29 Local Authorities provide social housing in London^{64 65}. However, 10 of these organisations each provide in excess of 20,000 tenancies. Together, these big 10 provide 42% of all the social housing in London. They are:

- London Boroughs of Camden, Greenwich, Hackney, Islington, Lambeth and Southwark. These provide 39% of the total Local Authority-owned housing stock in London.
- L&Q, Clarion, Notting Hill Genesis, and Peabody. These provide 44% of all the Housing Association owned stock in London.

The Battersea Survey

Local Authorities

In May 2018, a Freedom of Information request was made to all 33 London Local Authorities asking:

- what their policy is on tenants in 'general needs' social housing keeping dogs and cats
- how many tenants have a dog or cat
- how many tenants have asked to keep a dog or cat and how many have been refused
- how many pet-related complaints have been received
- how many notices seeking possession and injunctions have been issued because of their dog or cat
- how many tenants have been evicted because of their dog or cat

Housing Associations

Although not subject to the Freedom of Information Act, the eight largest Housing Associations in London were asked to respond to the same questions. They were A2 Dominion, Catalyst, Clarion, L&Q, Metropolitan, Notting Hill Genesis, Optivo, and Peabody.

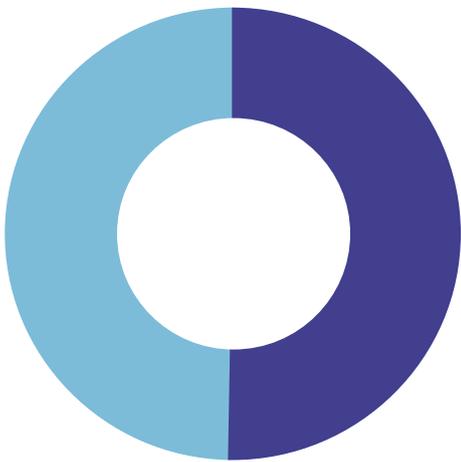
Additionally, a content analysis was carried out of the published pet policies of the largest 30 Housing Associations in London, each providing 2,000 or more homes. Together, these 30 own 87% of all the Housing Association stock in the capital.

⁶³ <https://www.gov.uk/government/statistics/english-housing-survey-2016-to-2017-headline-report>

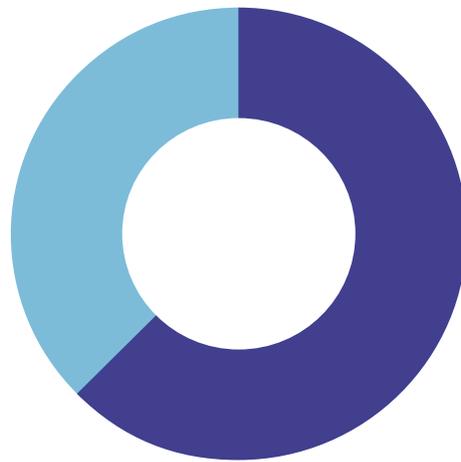
⁶⁴ <https://www.gov.uk/government/statistics/statistical-data-return-2016-to-2017>

⁶⁵ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

Figure 4 Number of households provided by Local Authorities and Housing Associations



■ London – Housing Associations = 390,000
■ London – Local Authorities = 385,000



■ Rest of England – Housing Associations = 1,991,000
■ Rest of England – Local Authorities = 1,181,000



Tigger

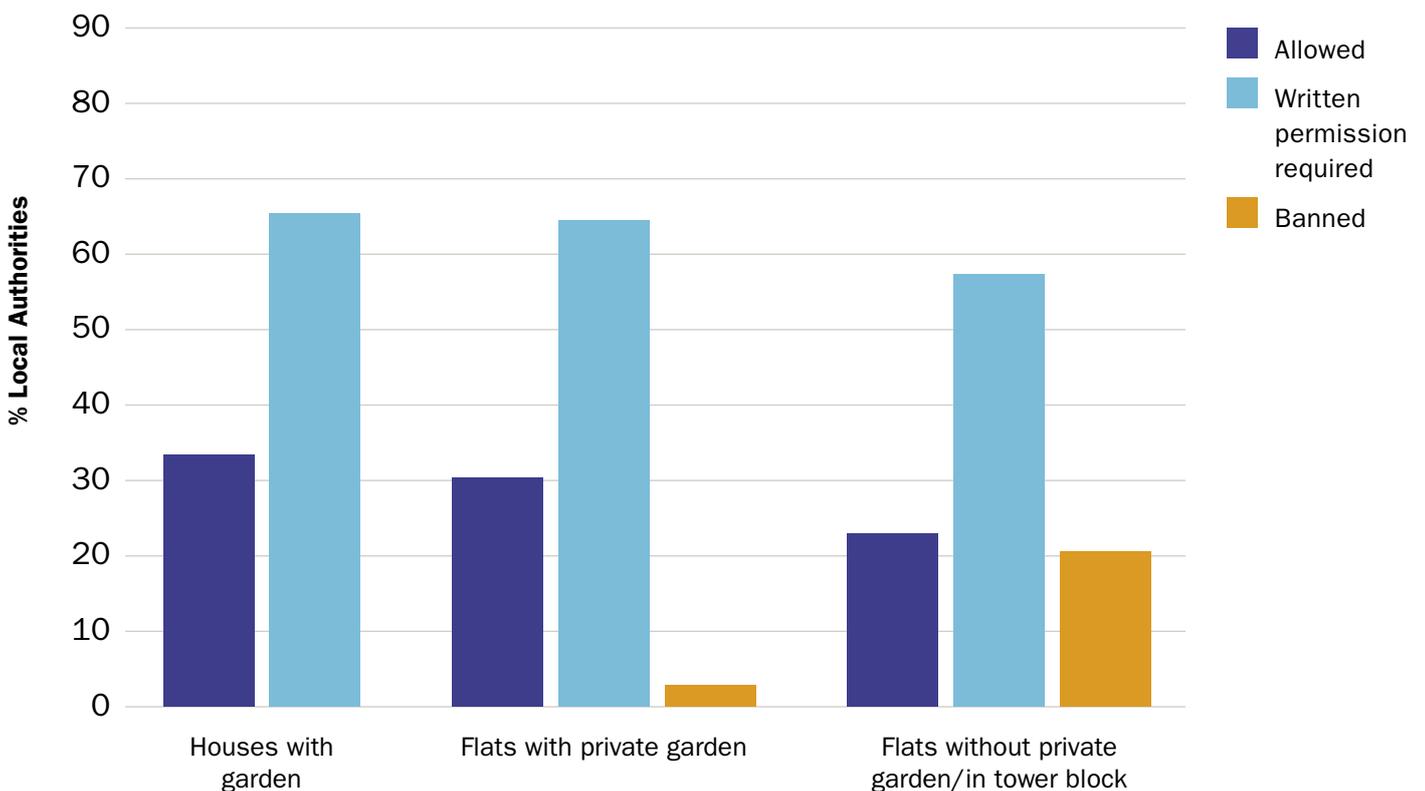
6. SURVEY FINDINGS – LOCAL AUTHORITIES

A 100% response rate was achieved from the 33 London Local Authorities. Four no longer own any social housing stock, so information was provided by 29 Local Authorities. In four of these, the information was supplied by a social housing provider managing tenancies on behalf of the Local Authority. Together, these 29 Local Authorities provide 394,000 homes.

How many Local Authorities allow their tenants to keep a dog or cat?

Local Authorities vary considerably in their policies on tenants keeping a dog or cat. This creates something of a ‘golden postcode’ which is unfair for residents. It means that whether tenants are allowed to keep a dog or cat depends on which Local Authority is their landlord as well as what type of accommodation they live in and whether it is a dog or cat involved. Figures 5 and 6 show Local Authority policies on keeping a dog or cat.

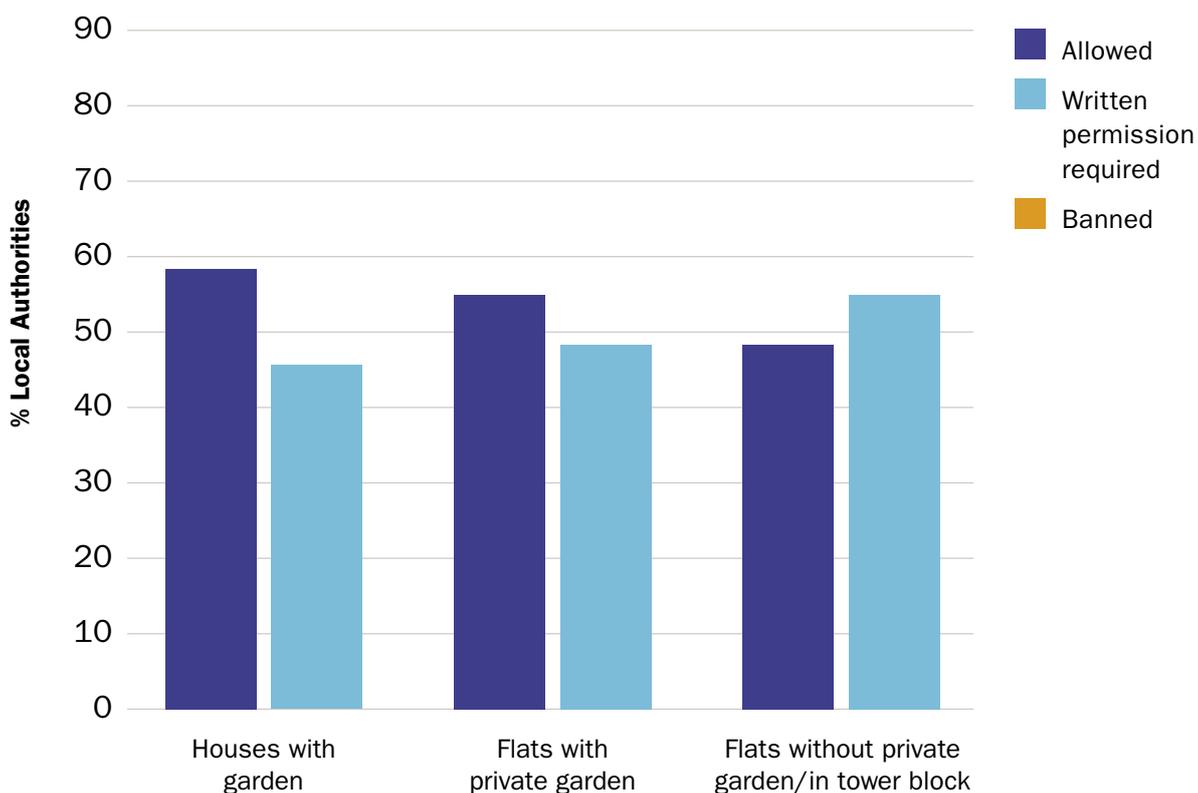
Figure 5 Proportion of Local Authorities that allow tenants to keep a dog



Figures 5 and 6 show that:

- No Local Authority imposes a blanket ban on all its tenants from owning a dog or cat. This is welcome and a good basis to start from.
- 24% (seven) of Local Authorities allow all their tenants to keep a dog by default, usually limited to one, although some allow two. 48% (14) of Local Authorities allow all their tenants to keep a cat.
- The most common policy is that tenants must apply for permission to keep a dog. 62% (18) of Local Authorities require all their tenants to ask permission to keep a dog, even if they live in a house that has its own private garden, compared with 45% for cats. These applications are assessed against criteria including the size of the animal, the size of the accommodation, the number of animals and people living in the home, and any previous complaints.
- Flats are a particular problem for dogs. This is where Local Authorities are most inconsistent and where dogs are most likely to be banned. Six Local Authorities ban dogs from flats that have no private garden or are in a tower block. One Local Authority bans dogs from all of its flats. No Local Authority bans cats from flats.

Figure 6 Proportion of Local Authorities that allow tenants to keep a cat



Battersea does not believe it is appropriate to simply ban pets in flats.

Battersea’s own rehoming policy considers a large variety of factors when assessing rehoming suitability, including:

- the size of the flat compared to the dog
- the energy levels and exercise needs of the animal
- the dog’s age and the level of training it has already received
- the dog’s sociability with other dogs
- the owner’s lifestyle to ensure the dog receives sufficient exercise and attention.

What standards are required of tenants that have a dog or cat?

All Local Authorities require tenants with pets to adhere to a set of conditions. These are in the tenancy agreement. Some Local Authorities expand on these in the tenancy conditions, a handbook for tenants which explains in more detail what is expected of them. A few Local Authorities have an additional standalone policy that sets out the specific conditions for keeping a pet. Breaching these conditions could result in eviction.

Many of these conditions are focused on dog owners. There are no conditions specific to cat owners, other than the generic requirement that a pet should not be a nuisance.

The conditions for keeping a dog

Five aspects of responsible ownership are covered in Local Authority policies for keeping a dog:

-
1. Anti-social behaviour – the dog must not be a nuisance, e.g. be noisy or make a mess

 2. Dangerousness – the dog must not frighten or harm others

 3. Identity – the dog must be microchipped and wear a collar and tag when outside

 4. Breeding – breeding and selling dogs is banned

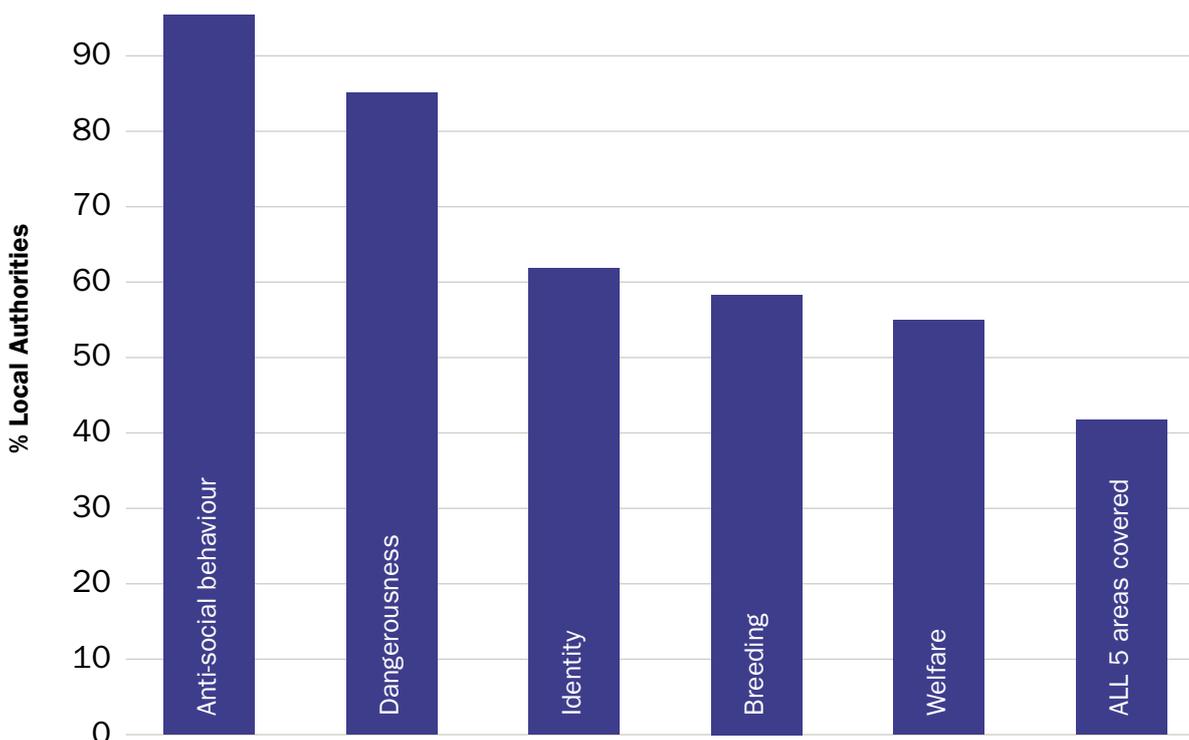
 5. Welfare – owners must ensure they look after their dogs properly

Figure 7 shows that:

- Anti-social behaviour and aggression are issues of most concern to Local Authorities. All 29 Local Authorities require owners to ensure their dogs are not a nuisance to neighbours and visitors.
- The welfare of the dog is the least common topic covered – 45% of Local Authorities do not include any conditions to ensure the dog is well looked after.
- Only 41% of Local Authorities (12) have policies that cover all five areas of responsible ownership.

Battersea would welcome a chance to work with Local Authorities when amending their pet friendly policies, to improve the quality of responsible pet ownership and animal welfare.

Figure 7 Proportion of Local Authority policies that cover the five areas of responsible ownership



6. SURVEY FINDINGS – LOCAL AUTHORITIES

Policies vary a great deal and each local authority has its own specific conditions which owners must adhere to.

- While all 29 state the dog must not be a nuisance, only 14 are explicit that this includes noisy and persistent barking. Fouling is the most common banned behaviour.
- 16 Local Authorities require the dog to be microchipped and 10 that it wears a collar and tag in public. Only eight (28%), however, require both, which is the law.
- 14 ban breeding and sale. Battersea welcomes any clauses that encourage neutering.
- The range of behaviours specified in the 16 policies that deal with the welfare of the dog is wide and varied:
 - eight mention the needs set out in the Animal Welfare Act
 - six explicitly state the owners must not mistreat or be cruel to their dog
 - only six require or recommend that the dog is neutered
 - only three require that the dog is vaccinated, and regularly treated for worms and fleas
 - eight ban owners from leaving their dogs alone for long periods, and one is explicit that this means no longer than six hours.





Maizie

WANDSWORTH COUNCIL'S PET POLICY JOURNEY

Wandsworth Council is a large social landlord in London, owning and managing nearly 17,000 tenanted dwellings and 16,000 leaseholder-owned properties arising from Right to Buy and other sales on Council housing estates.

Like many social housing providers, Wandsworth used to adopt a strict policy towards dog ownership, allowing dogs only in accommodation with direct access to a private rear garden. This effectively banned dogs from flats, except where the tenant was blind or partially sighted and needed an assistance dog.

This changed when the Council realised that such a policy could not be enforced and was becoming untenable. Many tenants were keeping dogs without approval, due in part to police advice that they should get a dog to deter burglars.

New byelaws support a more pet friendly policy

As the current policy was not working, the Council amended the Conditions of Tenancy in 2000, following consultation with tenants, to allow dogs in all Council accommodation. Tenants did not need to ask permission but were required to ensure the dog was not dangerous, didn't cause mess, nuisance or hygiene problems.

Councillors were reassured that this was not too relaxed a policy by the requirement for tenants to keep to Wandsworth's new dog byelaws. Uniquely, Wandsworth had been granted powers to make new byelaws that banned dogs from fouling anywhere within the boundaries of a housing estate. These byelaws now covered 95% of Council housing in Wandsworth and were enforced by a specially trained Dog Control Unit.

“Wandsworth Council recognises the hugely positive impact that dogs and other pets can have within families and communities. We will continue to innovate our housing policy on animals to ensure our approach is rooted around the welfare of the animal and the promotion of responsible pet ownership.”

**Brian Reilly,
Director of Housing
and Regeneration**

Microchipping of dogs is made compulsory for tenants for the first time in the UK

The following years, however, saw an increase in serious dog-related incidents in Wandsworth, reflecting a growing problem nationally. The Metropolitan Police were reporting increasing numbers of dogs seized under the Dangerous Dogs Act, up from 173 in 2006/7 to 480 in 2007/8. There were reports of attacks by dogs on people and other dogs, and evidence of organised dog fighting.

On one estate in Battersea, for example, it was clear from the state of trees that dogs were being encouraged to bite down on branches and not let go of their grip at any cost. The picture this kind of training painted of actual fights was horrendous.

It was felt that the Council could contribute to efforts to tackle this problem by tightening up its Conditions of Tenancy to make microchipping of dogs compulsory. These were therefore changed in 2009:

“You must not keep a dog at the property without first obtaining our written permission, which will not be unreasonably withheld, delayed or withdrawn. If permission is given, it will be on the condition that the dog is microchipped and relevant owner details recorded.”

Wandsworth was the first Council in the country to introduce a compulsory microchipping and registration scheme for its tenants. Microchipping was seen as key to enforcing responsible dog ownership. As access to the national database was limited at that time, local records were kept to aid the speedy investigation and resolution of incidents. The information on the local database could be used to identify a particular dog and owner, and as evidence in their prosecution or to eliminate them from inquiries into an incident. It could also facilitate the return of lost, latch-key and abandoned dogs, and help in determining ownership in any dispute over an individual dog.

To make the fastest possible progress in implementing this new policy, and to support tenants in obtaining permission to keep a dog, microchipping was and still is offered as a free service to tenants. It is carried out by the Council's Animal Welfare Team (formerly the Dog Control Unit). The service has been recognised and commended by organisations such as Battersea Dogs & Cats Home and the Kennel Club and often cited as an example of best practice by the RSPCA.

In 2011, a free neutering scheme was also introduced by the Council to help manage the dog population on its council estates. The scheme is offered to residents when they get their dogs microchipped and registered. It is also strongly recommended to tenants whose dogs are becoming a nuisance, or it can be made a condition of being allowed to keep a dog.

Since January 2009, when the new Conditions of Tenancy took effect, 3,576 dogs have been registered by the Council and 300 dogs have been neutered.

Other powers that have been used to enforce responsible dog ownership include:

- imposing a statutory fee, under the Environmental Protection Act 1990, for the return of dogs that have strayed for the second and subsequent times
- entering into voluntary Acceptable Behaviour Contracts with owners
- issuing Community Protection Warnings, under the Anti-social Behaviour, Crime and Policing Act 2014
- serving microchip notices under the Microchipping of Dogs (England) Regulations 2015.

Wandsworth and pets today

The general consensus is that the revised Conditions of Tenancy backed up by the threat of enforcement have led to a pet friendly policy that also enables better management of dog-related issues on Wandsworth's housing estates.

Only eight Notices of Seeking Possession (NoSP), the first stage in the formal eviction process, have been served against Wandsworth tenants because of dog nuisance in the last five years. Operational Housing staff report that dog-related nuisance does not figure in their day-to-day management issues.

The Wandsworth Dog Byelaws on council estates continue to play a role. Between 2013-2017, there were 101 prosecutions for breach of these byelaws, where dogs had fouled the prohibited areas, and 431 verbal warnings. Many of these actions, however, were against non-council estate residents who see the grassed areas on estates as ideal places to exercise their dogs. Wandsworth Council also recognises the hugely positive impact that dogs and other pets can have within families and communities.

Bubbles' and Maizie's story

Joyce Neal, known to her friends as Bubbles, lives in a Wandsworth Council-owned flat with her 11-year-old Shih Tzu, Maizie. Bubbles used to look after and walk Maizie for her neighbour. When the neighbour sadly died, Bubbles took Maizie on as her own.

Bubbles has owned Maizie for two years and says having a dog has changed her life for the better. The inseparable pair live with Bubbles's mother, who suffers from dementia. Bubbles said Maizie is a great source of comfort for both her and her mother.

Bubbles said: "Maizie means the world to me and I adore her. She gets on so well with my mum and will sit with her and make her smile. I think having Maizie has made things so much better for both of us. I always thought I wouldn't have a dog, as I didn't know how I'd cope with it on top of looking after mum. But I'm so glad I did – it's the best thing I've ever done. Maizie really gets me through the day and having her around to sit on my bed or on my lap completely changes my mood."

Standalone pet policies

Ten Local Authorities have standalone pet policy documents. These support the Tenancy agreement and enable Local Authorities to set out more comprehensive and detailed conditions for keeping a dog, as figure 8 shows.

Figure 8 Comparison of the scope of standalone pet policies

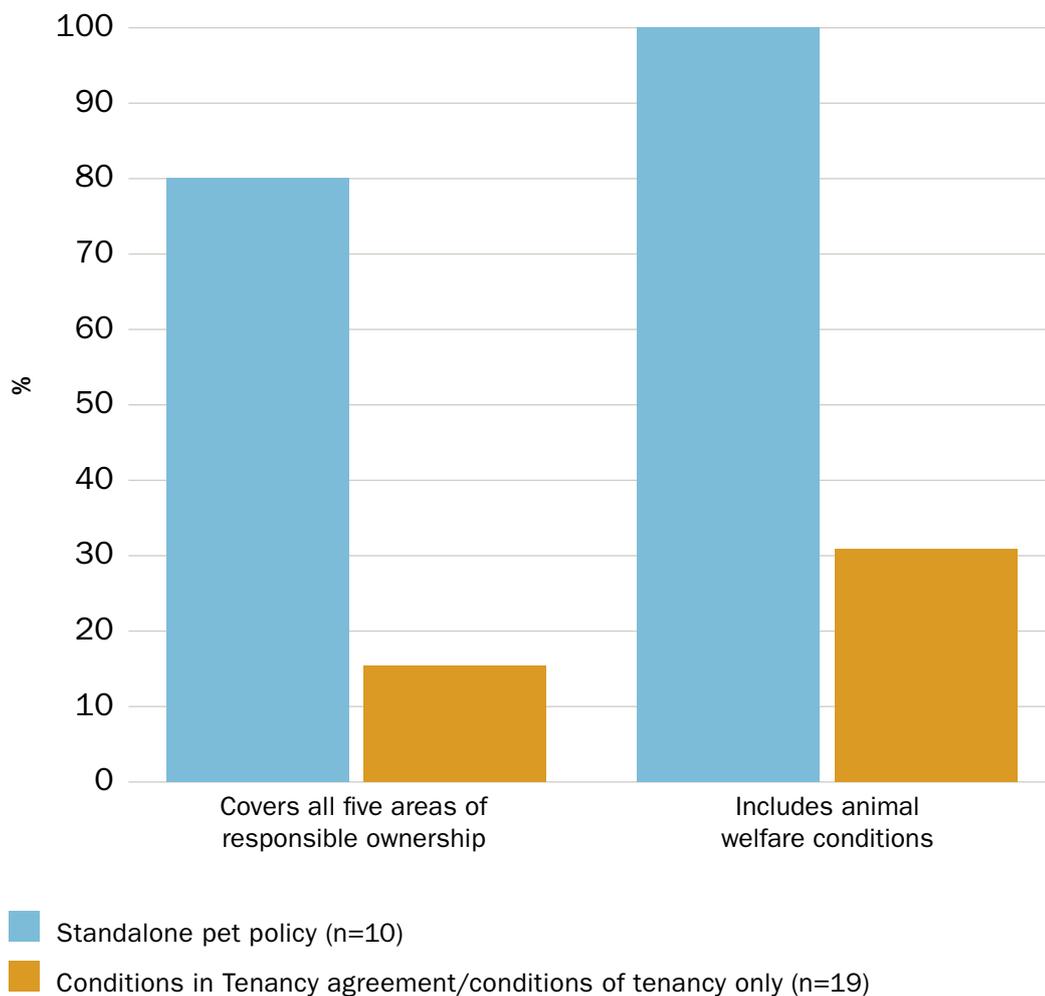


Figure 8 shows that:

- Eight of the ten standalone policies (80%) cover all five areas of responsible ownership compared with just three of the 19 (16%) that set out their policy only in the Tenancy agreement or conditions of tenancy.
- All ten of the standalone policies (100%) include animal welfare conditions compared with just six for the 19 (32%) that do not have a standalone policy.

While some tenancy agreements can be quite detailed, this analysis suggests that a standalone document helps to define a more comprehensive and balanced set of conditions and requirements for keeping a dog. Such policy documents:

- Are more comprehensive and specific in the behaviours expected of both animals and owners.
- Are oriented towards encouraging and supporting responsible ownership, rather than only enforcing tenancy agreements, which Battersea welcomes as an approach. Lewisham Homes' responsible dog owners policy, for example, includes a training programme for residents on how to look after their dogs, awareness about safety around dogs, dog control, hygiene and animal welfare.
- Seem to better balance the interests of animals, tenants and the landlord. Lambeth's pets and dog policy, for example, aims to
 - ensure that its implementation does not discriminate directly or indirectly on the grounds of race, religion or belief, gender, sexual orientation, disability or age
 - promote animal welfare
 - minimise nuisance caused by pets
 - address residents' concerns about dangerous dogs and nuisance caused by dogs
 - identify irresponsible owners and tackle them for breach of tenancy conditions, and
 - improve the safety and environmental condition of housing estates.

What is the impact of these policies?

As shown in Table 2, most Local Authorities are able to assess the impact of their pet policy.

Most Local Authorities did not know how many of their tenants had a dog or a cat, how many had asked or been refused permission to keep a dog or cat, or how many complaints had been received about dogs or cats. This is mainly because the information is held on individual tenant files and is not collected centrally. While this facilitates the management of individual tenancy agreements, it can hinder Local Authorities from seeing the bigger picture of the impact of their policy on pet owners and their neighbours.

Table 2 Availability of data to assess policy impact

	Number of Local Authorities who could provide figures	Number of Local Authorities who didn't know
How many tenants have a dog?	3	26
How many tenants have asked to keep a dog and how many have been refused?	1	28
How many complaints have been received about dogs/cats?	10	19
How many notices, injunctions and evictions because of dogs/cats?	18	11

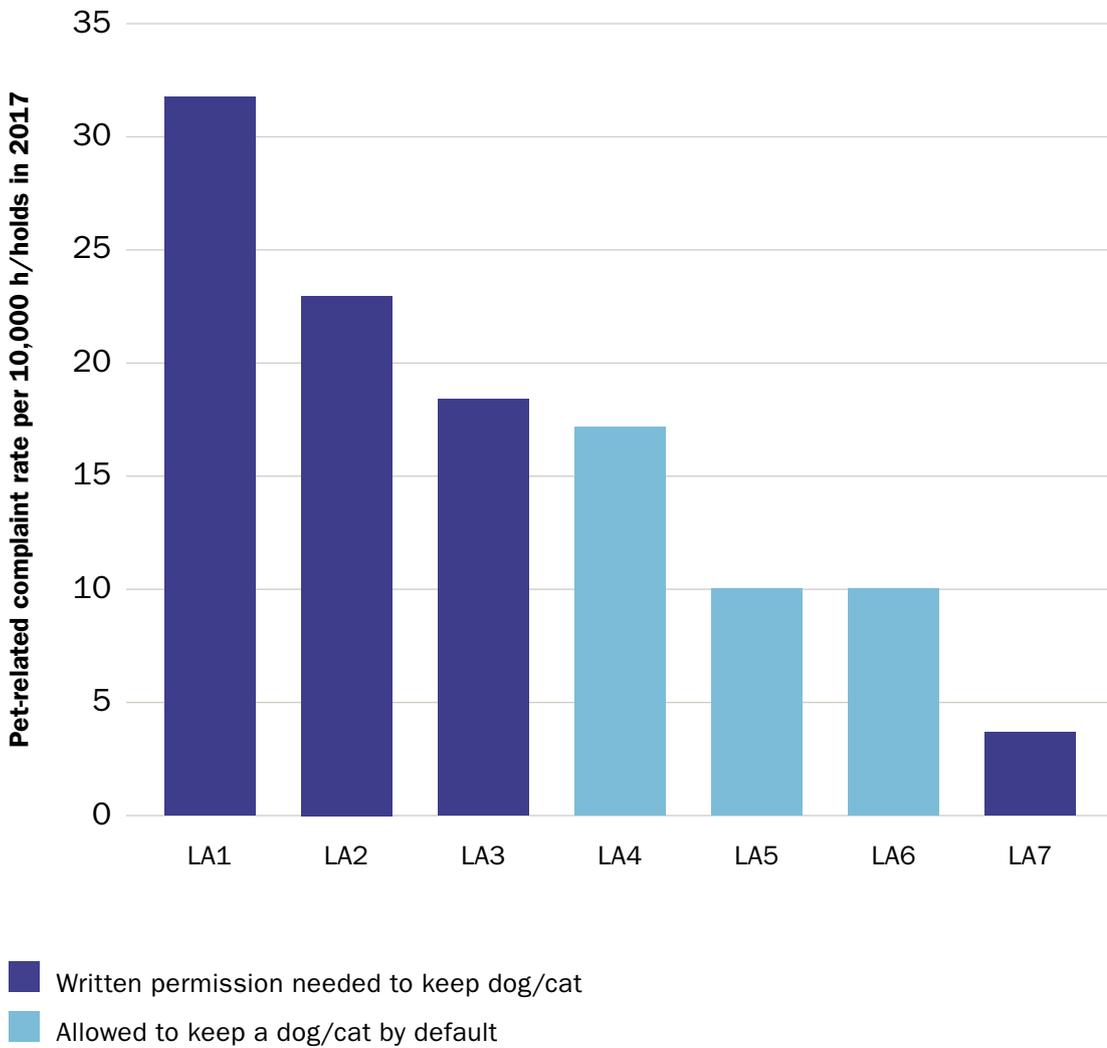
Impact on complaints

Only seven Local Authorities were able to provide figures for pet-related complaints in 2017. This allows some assessment of the comparative impact of their pet policies on the community, as figure 9 shows. While some cannot identify the type of animal as the subject of these complaints, Local Authorities suggest anecdotally that dogs are likely to be the source of most.

Figure 9 shows little difference in the complaint rate about pets in those Local Authorities that allow tenants to keep a dog or cat by default and those that vet applications.

The mean rate of complaints for the three Local Authorities that allow tenants to keep a dog or cat by default is 12 per 10,000 households compared with 19 for those that require tenants to apply for permission.

Figure 9 The impact of pet policies on pet-related complaints in Local Authorities that could supply figures



This could be because:

- Few tenants are refused permission so that, in practice, there is little difference between this and allowing tenants to keep a dog or cat by default. This is a possibility. The one Local Authority that could provide figures received 1,118 requests to keep a dog or cat in 2017. Only two were refused.
- The conditions imposed by these Local Authorities on tenants who keep a dog are a powerful incentive to be responsible owners. Such tenants have more to lose (i.e. their pet) if they breach those conditions, so they try hard to adhere to them. This could explain the very low complaint rate about pets generally. In Haringey in 2016, for example, there were 178 complaints about noise per 10,000 residents⁶⁶. The worst pet-related complaint rate in our sample is 32 per 10,000 households.

Clearly some complaints about dogs will require intervention. However, allowing tenants to keep a dog or cat by default does not appear to create the kind of chaotic situation that some might fear. Indeed, it can be a workable and effective approach if implemented carefully, as Harrow's experience demonstrates.

Formal action taken against tenants because of their pets

The suggestion that pets in tenancies cause few problems is also supported by the figures revealing how few formal proceedings have been taken against tenants because of their pets.

Of the 11 Local Authorities that could supply figures, for the last five years:

- two had issued notices seeking possession because of irresponsible pet ownership
- two had issued injunctions
- none had evicted any tenants because of their pets, although it is possible that pets may have been a secondary issue in evictions for other matters such as rent arrears.

This is not because these Local Authorities shy away from evicting troublesome tenants. These same 11 Local Authorities in 2015-16⁶⁷.

- evicted 435 tenants for rent arrears
- evicted 40 tenants for anti-social behaviour.

Nor is it because these 11 Local Authorities scrutinise requests to keep a dog or cat, so are weeding out potentially troublesome pet owners, as they include those that allow tenants to keep a dog or cat by default.

These figures suggest that pets have not proven to be a problem for landlords that allow them.

⁶⁶ https://www.haringey.gov.uk/sites/haringeygovuk/files/property_licensing_-_11._high_level_analysis_of_asb_crime.pdf

⁶⁷ <https://www.gov.uk/government/statistical-data-sets/local-authority-housing-statistics-data-returns-for-2015-to-2016>

HARROW COUNCIL

Harrow Council used to ban tenants in flats from keeping a dog. In 2013, however, they radically changed this policy to allow tenants to keep a dog.

Banning dogs from flats simply didn't work as a policy. Some tenants would still keep a dog, despite the fact that this was in breach of their tenancy agreement. Moreover, in enforcing the ban, Harrow found themselves in the distressing situation of having to remove pets from their home that were actually well behaved and well looked after. They reached the conclusion that a ban was unworkable, too harsh and unfair.

So, recognising the social and health benefits of dog ownership, Harrow abandoned this policy. Since 2013, all tenants have been allowed to keep a dog with no limit on the number of animals they can keep. Tenants who keep a dog are asked to sign a voluntary Responsible Dog Owner's Agreement. This agreement sets out the standards of care and behaviour expected of dog owners and their pets. If owners have trouble keeping to these standards, the Council works with them and with other agencies to resolve the situation. Action taken will depend on the individual circumstances of each case.

Harrow has found that this approach works. It allows tenants the opportunity of dog ownership while protecting also the interests of the animals and other residents. There have only been a few complaints about dogs since the new policy was introduced.

“Generally, our tenants are very responsible dog owners. Our responsible dog agreement reinforces our expectations.”

Harrow housing officer



7. SURVEY FINDINGS – HOUSING ASSOCIATIONS

How many Housing Associations allow their tenants to keep a dog or cat?

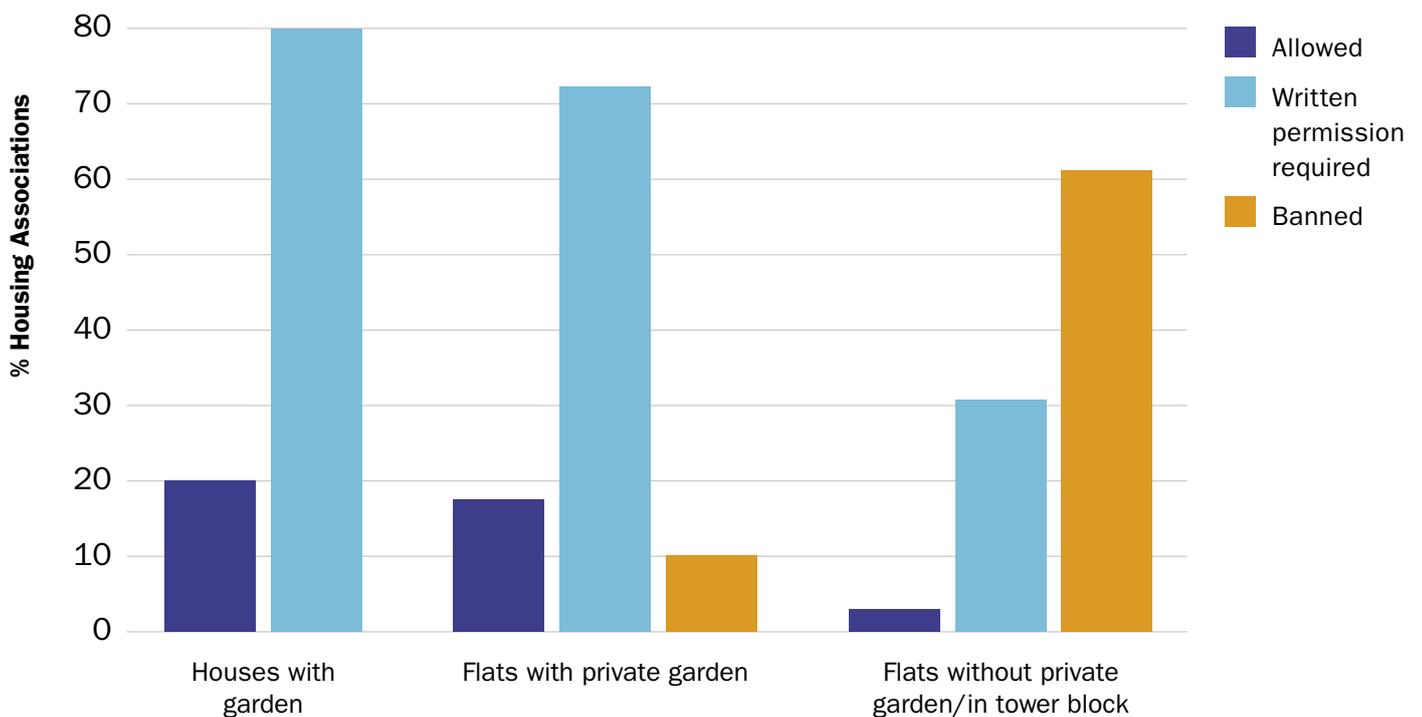
Analysis of the pet policies of the 30 largest Housing Associations in London shows more consistency, but more restriction, on tenants keeping a dog or cat compared with Local Authorities.

Figures 10 and 11 show that, like Local Authorities, no Housing Association imposes a blanket ban on all its tenants from owning a dog or cat.

Housing Association policies on pets are, however, much more restrictive, particularly for tenants living in flats.

- Only one Housing Association allows all its tenants to keep a dog or cat by default, compared with seven Local Authorities.
- Most (64%) ban dogs from flats that do not have direct access to a private garden, compared with 20% of Local Authorities. Three Housing Associations (10%) ban dogs from all flats, increasing to nine (30%) if those that ban dogs from flats that do not have their own private and separate entrance are included. Only one Local Authority bans dogs from all its flats.

Figure 10 Proportion of Housing Associations that allow tenants to keep a dog



- 37% of Housing Associations ban cats from flats with no direct access to a private garden. No Local Authority bans cats from any of its properties.
- Housing Associations generally require their tenants who have gardens to ask permission to keep a dog or cat, while Local Authorities are more likely to allow them.

What standards are required of tenants that have a dog or cat?

All Housing Associations, like Local Authorities, require tenants with pets to adhere to a set of conditions, and most of these are focused on dog owners. Figure 12 shows the proportion of Housing Associations whose conditions address the various responsible ownership behaviours for dog owners.

Figure 11 Proportion of Housing Associations that allow tenants to keep a cat

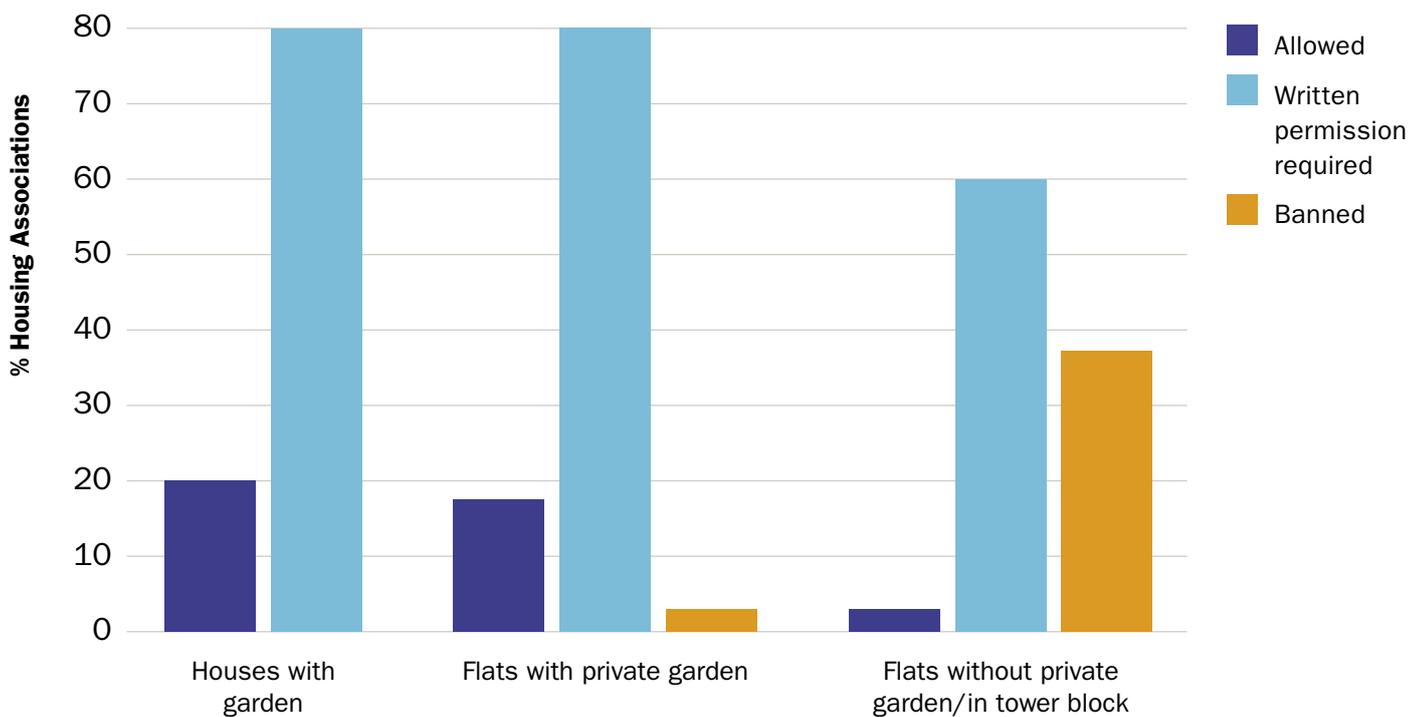


Figure 12 Proportion of Housing Association policies that cover the five areas of responsible dog ownership

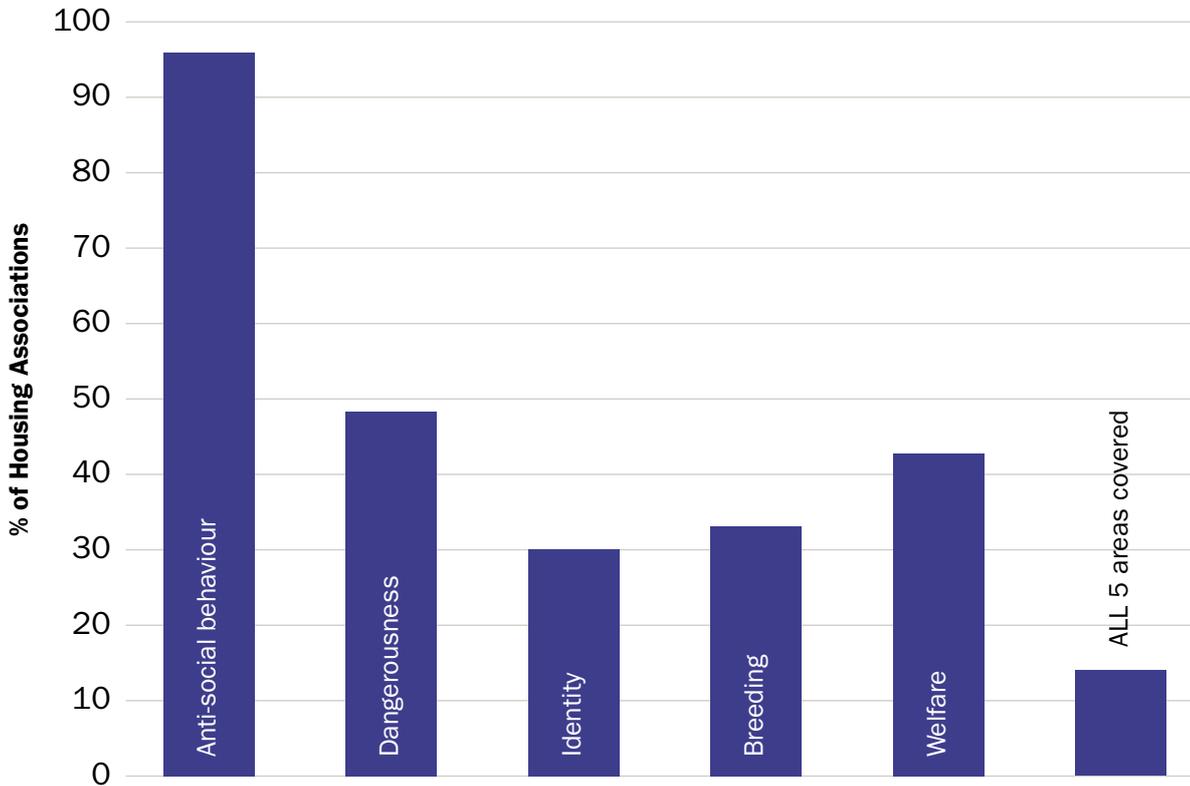


Figure 12 shows a similar picture to Local Authorities.

- The overarching concern is with anti-social behaviour and nuisance.
- Few Housing Associations include the full range of responsible ownership behaviours in their pet policies, although some may provide more detailed advice to individual owners once permission has been given to keep a dog.

A similar proportion of Housing Associations to Local Authorities have standalone pet policy documents supporting the tenancy agreement, and these tend to be more comprehensive policies.

What is the impact of these policies?

Only two of the eight large Housing Associations we approached could provide any of the figures requested. Table 3 shows the average annual complaint rate about pets in each of these two organisations, and their pet policy.

Table 3 Number of complaints about dogs in two large Housing Associations that could supply data

	MEAN ANNUAL RATE OF PET-RELATED COMPLAINTS PER 10,000 H/HOLDS	POLICY ON KEEPING A DOG
HA1	1	<ul style="list-style-type: none"> • allowed in homes with their own garden • banned from flats with communal access areas
HA2	19	<ul style="list-style-type: none"> • written permission required by all • usually banned from flats

One has to be cautious of making too much of such limited information. Nevertheless, the figures in table 3 support the findings from Local Authorities that more restrictive policies (HA2) do not necessarily reduce the number of complaints about dogs – complaints about pets are generally low anyway.

The examples below describe the experience of two Housing Associations that, like Harrow, found that more relaxed pet policies were both workable and more beneficial for tenants and themselves.

Mergers

One of the reasons why most of our eight survey Housing Associations could not supply figures is that they had recently merged with other Housing Associations. Mergers and stock transfers are a significant feature of the Housing Association environment, and the last two years have seen created some very large organisations as a result.

Housing Associations are expected to play a major role in achieving the Government’s house building target⁶⁸. Merging to create larger organisations enables them to finance and build more homes. Larger organisations can attract more money as they are seen as a more secure investment. L&Q, for example, announced plans to build 100,000 new homes over the next ten years after its merger, 35,000 more homes than they could have built as separate organisations⁶⁹.

⁶⁸ <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

⁶⁹ <https://www.morganhunt.com/our-expertise/social-housing-jobs/industry-insights/housing-association-mega-mergers>

PHOENIX COMMUNITY HOUSING

Phoenix Community Housing is a not-for-profit resident-led Housing Association based in South London. It owns and manages more than 6,000 homes.

Phoenix recognises the benefits that pets can have in people’s lives. All tenants in Phoenix’s general needs housing are allowed to keep a dog or cat, so long as their animals do not cause nuisance, are kept on a lead in all communal areas, do not foul or cause damage to property, and do not frighten or attack people.

Since 2015, Phoenix has partnered with Battersea Dogs & Cats Home to offer free microchipping and general advice on responsible pet ownership at community events. In 2017-18, there were just eight complaints about pets, these being 6% of all complaints about antisocial behaviour. These were about fouling, aggressive dogs, health and safety concerns, and a large number of cats in one property. There are two to three cases a year where the permission to keep a pet is revoked.

Phoenix’s Housing Management team feel that this approach is more manageable than requiring tenants formally to obtain written permission to keep a pet. The time and resources needed to manage the consent process, track pets and enforce consistently would not, they believe, improve the benefits to Phoenix, as a landlord, or to their tenants.

“In my experience, pet friendly policies are workable and are good for landlords as well as tenants.”

Phil James,
Housing Manager



COASTAL HOUSING

Coastal Housing provides almost 6,000 homes for social rent in Wales. Their policy, like many Housing Associations, used to be that only tenants with a door that opened onto their own garden could have a dog or cat.

They found, however, that this rule led to many tenants being evasive about having a pet, leading to concerns they may not report repairs for fear that their pet would be discovered, and applicants having to rehome their much loved pets before moving in. At one point, to test a change of approach, Coastal declared a 'pet amnesty' on one large estate with 120 apartments and discovered 34 tenants had a dog or cat that they weren't aware of. This helped them think about how their rules around pets were not working and were creating the conditions where tenants felt unable to be honest with their landlord.

This led Coastal to conclude that their policy was too inflexible. It focused too much on the risks of pet ownership and not enough on the benefits, and this was affecting their work and reputation as a caring social landlord. They therefore abandoned the front door rule to allow tenants who did not have a garden to seek permission to keep a dog or cat.

While there may still be situations that are not suitable for a dog or cat, the presumption is now that pets bring more benefits than disadvantages. This approach leads to conversations about pet ownership in a compassionate way. It's no longer about the type of property and is more about how the tenants will manage the health and welfare needs of the pets and manage any concerns that are raised in the community. There must be a very good reason for refusing permission.

Coastal has found that this more flexible approach works well. It sets a tone of trust and respect between themselves as landlord and their tenants. Tenant feedback is that they like this and Coastal says it also helps them tackle wider, more profound issues in the community such as loneliness and isolation.

“Changing our pet policy in this way has helped us reinforce the message that we work alongside communities and we care about tackling issues like social isolation, health and wellbeing. It can be too easy for housing associations to focus on the negatives of pet ownership, missing the tremendous amount of joy that pets bring and with so many people experiencing hard times at the moment, it's important to us to do what we can to help people live their versions of a good life.”

Serena Jones
Director of Homes, Communities and
Services for Coastal Housing Group



Jack

Emma's story

When Emma accepted a flat with Coastal she had a Labrador and was told she was unable to bring the dog, as it did not have a door that opened to an outdoor space. She gave the dog to a family member who has kept him since. Emma said this had a negative effect on her mental health as she felt more and more lonely, impacting on her pre-existing conditions.

Emma contacted Coastal to ask if she could keep a pet at her property as she was struggling not having a companion. Coastal explained their new pet policy and discussed the implications of having pets in apartment.

Emma decided to opt for a smaller dog and rehomed a Poodle cross named Jack. She feels that her life has now completely changed and is a lot happier in all aspects of her life. She said that having the dog is therapeutic and that her health and wellbeing have dramatically improved. She is exercising more and believes this will help her manage her diabetes, as she feels healthier (previously she rarely left the house). As a result of the long walks, she is drinking more water. Her son comes along too, which she feels has bonded them better as a family. Her son also enjoys the companionship of the dog and sharing its care as another member of their family.

Emma thinks that this has helped her teach her son to understand and care for animals better, and that she is a more responsible dog owner now as she had to take a long look at the dog's welfare before moving him in. Emma no longer feels lonely, and is a strong advocate for others to enjoy the benefits of pet ownership no matter where they live. Finally, it has helped her connect with neighbours as she gave her contact information to them in case they ever felt there was too much noise from the dog or any issues. Overall, Emma is in a better place physically and emotionally.

Mark's story

Mark moved into a Coastal apartment from a private rented shared house. He lived with a mental health condition and was convinced he could train a dog to be a companion to help him manage this. He was passionate about animals and had completed courses on how to care for them properly. When he realised that Coastal had relaxed their pet policy and it was possible for him to have a pet in an apartment he was extremely happy.

He moved in and once he was settled he got himself a puppy and had a new lease of life. He felt he had a greater purpose, having someone else to worry about other than just himself. It forced him to take better care of where he lived. His room in his old house was a bit messy, but his new flat was sparkling. It got him out of the house to walk the dog, which greatly improved his wellbeing, and it helped him get to know his neighbours as they all fell in love with the pup. All in all, being able to have a dog has significantly improved his wellbeing and outlook on life.

8. CONCLUSIONS AND RECOMMENDATIONS

There is some good news in this report. Given the profound and wide-ranging impact social landlord policies on keeping dogs and cats can have, it is pleasing to find that:

- no social landlord imposes a blanket ban on all its tenants from keeping a dog or cat
- a number of Local Authorities (24%) allow all their tenants to keep a dog and more (45%) allow them to keep a cat by default, so long as they are responsible owners
- few tenants with pets seem to be a cause of complaint from their neighbours.

There are, however, some issues.

Dogs in flats

There is a lot of uncertainty about how to deal with dogs in flats, particularly flats that do not have direct access to a private garden or their own front door. Local Authorities are split on this – some allow dogs, some vet applications, and some ban them. Housing Associations are more likely to ban them.

The evidence from this survey is that more flexible policies can work better than hard and fast rules. Policies that support responsible dog ownership in flats, are workable and are beneficial to tenants, who have the opportunity to own a dog or cat. Pet friendly policies are also beneficial to landlords who develop better relationships with their tenants and can better deal with problems such as loneliness and isolation.

Battersea takes into account a range of factors when assessing the suitability of a new home. These include the size of the flat compared to the dog, the energy levels and exercise needs of the animal, the level of training the dog has already received and their sociability with other dogs. Battersea also takes into account whether a potential owner's lifestyle and work hours will affect their ability to give a dog the exercise and attention they need.

Golden postcode

The opportunity to own a dog or cat in London depends just as much on your location and landlord, as it does on the kind of animal you want to keep and the accommodation you live in. This is unfair. There is also a good deal of inconsistency in the conditions and standards expected of dog owners. Some are very comprehensive, oriented towards supporting responsible ownership and promoting animal welfare. Others aim simply to enforce rules about anti-social behaviour.

There is a need for more consistency across London, to reduce the lottery element of pet ownership. This has been achieved in Northern Ireland, through the pet policy of the Housing Executive, and is perhaps something that might be addressed similarly by the Mayor of London.

The Northern Ireland Housing Executive

The Housing Executive is the public housing authority for the whole of Northern Ireland. A unified housing authority was created to ensure more consistency and fairness in housing policies across the province. The Housing Executive has a pet policy which applies across the province. Tenants are obliged:

- not to keep any domestic pets without the consent in writing of the District Manager (if the dwelling is a flat or maisonette)
- not to keep more than one domestic pet without the consent in writing of the District Manager (if the dwelling is not a flat or maisonette).

Ending 'no pet' clauses in tenancy agreements

There is a growing call for 'no pet' clauses to be banned from tenancy agreements. Courts in Belgium and Germany have ruled such clauses are unfair, and they are banned in France, in Canada (Ontario) and in Australia (Victoria). This does not automatically give tenants the right to a pet, but does allow them to ask permission to keep one, and ensures consent is not unreasonably withheld.

None of the policies of the social landlords we examined in London impose a blanket ban on pets. Where pets are banned, they relate to specific animals (mainly dogs) banned from specific types of accommodation (mainly flats with no private garden or entrance). It seems unlikely, therefore, that tenants in social housing would benefit greatly from a ban on 'no pet' clauses.

A ban may, however, be more relevant in the private rental sector where more landlords impose blanket bans on pets. Such clauses may be unfair under existing legislation. This has yet to be tested in the courts, however, and Competition and Markets Authority guidance is unclear on this.

In the absence of any clear guidance, a ban on 'no pet' clauses may be the best way of ensuring the rights of tenants with pets, or who want pets, are protected. It would also set a tone for a conversation between landlords and tenants about responsible pet ownership and ensure consistency and fairness across the rented sector.

8. CONCLUSIONS AND RECOMMENDATIONS

Recommendations

1. Local Authorities and Housing Associations should **implement more flexible policies** on keeping dogs and cats, with a presumption in favour of allowing a pet. Some may see this as risky and costly, so should enlist the help of a recognised animal welfare organisation like Battersea. Such a partnership would provide the expertise and confidence to implement such policies, possibly on a trial basis initially, for subsequent roll out and sharing with other Local Authorities if successful. Battersea's Pet Ready Training Programme could form a critical part of this partnership; providing knowledge and training for dog owners and peace of mind for housing providers.
2. Tenancy agreements should be supported by a **standalone document**, setting out the conditions and standards to which dog owners are expected to adhere. These should follow the blueprint provided in Annex A, which provides a model policy, to ensure consistency.
3. Housing providers should **identify and share best practice**, with the aim of moving towards a more consistent approach to keeping dogs and cats in social housing across London. The variety of policies currently in place lends itself to testing different approaches, although the issue of poor data availability will need to be addressed.
4. The **legal standing of 'no pet' clauses** in tenancy agreements should be clarified by the Competition and Markets Authority. If it remains unclear that this is an unfair contract term, such clauses should be banned as they have already been in other jurisdictions including France, Canada (Ontario) and Australia (Victoria).

APPENDIX A – DRAFT MODEL PET POLICY

REQUEST TO KEEP A PET

Title: _____ First name: _____ Last name: _____

Address: _____

Telephone: _____

Email: _____ Telephone: _____

Type of accommodation where the pet will be kept: House Flat Maisonette

If a flat or maisonette what floor is the property on: Ground 1st Floor Other
(specify) _____

Does the property have direct access to its own garden: Yes No

If yes, what is the approximate size: _____

Does the property have direct access to a shared garden or open space: Yes No

If yes (a) what is the approximate size and (b) who do you share the garden/space with: _____

Apart from you, how many other adults live at the property: _____

How many children live at the property and what are their ages: _____

Has a complaint ever been made against you or anyone else in the household regarding the behaviour of a pet:
 No Yes (if 'yes' please provide details)

How will you ensure that the pet receives adequate exercise:

(If the pet is a cat or dog) will it be under six months or older than six months:

(If the pet is a dog) how will training will be provided:

If the primary carer should go away (e.g. on holiday) what is the name and telephone number for the person who will be primarily responsible for the pet:

What other pets, if any, do you have at the property (specify species as well as number):

How will the animal be cared for during the day:

If a dog, how will you ensure it is microchipped:

If you have already got the pet

Age of pet:

Description of pet (e.g. breed/type; colour; distinguishing features):

Microchip number (if any):

(If the pet is a dog or cat)

(a) Are you the registered keeper on the database, and (b) Does it have your current address recorded:

Yes No (if 'no' please say why not)

(If the pet is a dog) What training has it received:

(If the pet is a dog) How would you describe its behaviour towards other animals (in particular other dogs or cats):

Has the pet been neutered: Yes No

(if 'no' please explain how you will prevent breeding without our prior consent)

What is the name, address and telephone number for the pet's vet:

Please attach a recent picture of the pet to this request (if it is a dog or cat)

By signing this request to keep a pet I am declaring that:

- I will be legally responsible for my pet at all times
- I will be a responsible pet owner at all times

I have read the Pets Policy and the conditions of my tenancy agreement relating to keeping pets in my property and will comply at all times.

I understand that I have responsibility for all pets that live at the property (even if I may not be the pet's primary carer) and that a separate application must be submitted for each pet (including any pets that are owned by others who live in the property).

I understand that if I breach the Pets Policy and/or the conditions of my tenancy agreement that permission to have the pet may be withdrawn in addition to any other enforcement action that the landlord may take.

Dated this day of 2018

Signed:

Name:

PETS POLICY

Owning a pet has many benefits. But with ownership comes responsibility. Permission to keep a pet is therefore subject to a number of conditions.

The relevant part of your tenancy agreement states:

[insert any relevant provisions in the tenancy agreement]

You do not need permission for:

- A registered assistance dog (with an accredited member of Assistance Dogs International or the International Guide Dog Federation) – although we would still encourage you to notify us
- A reasonable number of small caged birds (e.g. budgerigars or canaries)
- A reasonable number of small caged animals (such as hamsters, mice or gerbils)
- A reasonable number of fish contained in a tank not exceeding 33 gallons (155 litres)

If you are in doubt whether you need to apply for permission, or what we would regard as 'reasonable', please make the request and we will tell you.

Permission to have a pet is specific to the property not to the person. This means that any time you move you will need to re-apply for permission – this would apply even in the case of a mutual exchange or a transfer.

Permission will not be unreasonably withheld, delayed or withdrawn. Each request will be treated on its own merits having regard to various matters, which of course will vary according to the species, such as:

- the type and size of home you live in
- the size of garden (if any)
- species, size and number of pets
- your history of keeping a pet
- how you will ensure that the pet receives sufficient exercise
- the pet's age and level of training
- how the pet interacts with other animals
- microchipping of dogs, which is a legal requirement

Permission will not be granted (or if already granted it shall be withdrawn) if you are disqualified from having custody of an animal.

Permission is unlikely to be granted for:

- more than two dogs or
- more than two cats, or
- more than one dog and one cat

Permission is unlikely to be granted for exotic pets (such as reptiles or spiders).

Permission will not be granted if the pet:

- is a dog that is of a type that is prohibited by Section 1 of the Dangerous Dogs Act 1991 (such as a Pit Bull Terrier type dog) unless the dog has been exempted from the prohibition by a Court Order and the terms of the exemption are being fully complied with, or
- requires a licence (or even if it is licensed) under the Dangerous Wild Animals Act 1976 (as amended), or
- is a farm animal – for example chickens, sheep, goats, pigs, cattle or horses.

Where permission has been refused or withdrawn we will notify you of the reason(s). It is your responsibility to arrange for the rehoming of the animal. If the pet is a dog and it dies, you will need to apply for permission again if you want to keep another dog.

Withdrawing consent

In addition to any other enforcement action we may take, permission may be withdrawn at any time if any of the terms of this Pets Policy and/or the conditions of the tenancy agreement are not complied with. Enforcement action will be reasonable and proportionate. Action we may take includes:

- We may be able to offer you education and support. In particular, due to an arrangement we have with Battersea Dogs & Cats Home, we may enrol you on their Pet Ready Training Programme
- Recommending mediation or arbitration services.
- An injunction to make you take specified steps (which may include removing the pet).
- Involving other organisations such as the RSPCA, the Police or the Environmental Health Department.
- Request that you comply with a revised Pets Policy with additional conditions.
- Serving a Notice of Seeking Possession which may lead to possession proceedings for breach of tenancy agreement, which may result in you losing your home. This is usually only used as a last resort where other reasonable measures have not worked.

CONDITIONS

Microchipping

If the pet is a dog, permission will not be granted unless it has been microchipped. You must provide us with written confirmation that this has been done and the identification number. You must ensure that your details (name, address and phone number) are kept up to date on the microchip database, and that you continue to update the record if there are any changes. If the pet is a cat, we recommend that it is also microchipped.

It may be possible to have your pet microchipped for free. For example if it is a dog, then you will be able to have it done free of charge at any of the three centres operated by Battersea.

Collar and tag

If your pet is a dog, it should wear a collar and must wear a tag with your name and address clearly inscribed, when outside your property.

Neutering

If your pet is a dog it must be neutered, at your expense, if we believe that you persistently allow it to stray or if it is recommended by:

- (a) a veterinary surgeon, or
- (b) an animal behaviourist, or
- (c) a trainer.

Breeding

The pet shall not be used for breeding purposes without first obtaining our written permission. Permission will not be granted unless you can prove to our reasonable satisfaction that:

- (a) It would not be detrimental to the health of the pet, and
- (b) It is not for the purpose of making a profit, and
- (c) You will be able to find suitable homes for the offspring.

Permission is required before each proposed mating.

Businesses

You must not run a business from your home without our prior written permission and seeking the appropriate licence. This may include:

- breeding dogs for sale
- selling animals as pets
- dog day care
- home boarding for dogs.

Control

Your pet must be kept under proper control, especially when in public and communal areas

In particular your pet must not injure anyone or make them fear injury. If your pet is a dog, when it is outside of your home but is in a communal area it must be kept on a short, fixed lead.

You must have regard to postal workers or others who may post items through the letter box – please make sure that they can do this safely.

When away from the property you must ensure that you comply with any Public Spaces Protection Orders (as well as any byelaws) that may be in force.

Nuisance

The pet must not cause a nuisance or annoyance to neighbours, visitors or their animals.

Examples of nuisance behaviour would include:

- roaming and unattended pets
- fouling in communal areas that is not removed immediately
- noise (such as a dog barking so that it is intrusive and irritating to others in the locality)
- unpleasant odour.

Fouling

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 other outside areas and disposed of safely and hygienically.

Damage

You should take every reasonable precaution to prevent damage to your property or communal areas. We would expect instances of damage to property or communal areas to be rare.

- If it does happen, in addition to any other enforcement action we may take, you will be responsible for paying for the repair
- You must not allow your property to become unhygienic.

Balconies

Balconies are not an appropriate place for pets. If you have a balcony, the pet must not be kept there, whether or not you are present.

Welfare

You have a duty of care towards your pet. This means that you must take such steps as are reasonable in the circumstances to ensure that the needs of the pet are met to the extent required by good practice. This includes the following:

- (a) the need for a suitable environment
- (b) the need for a suitable diet
- (c) the need to be able to exhibit normal behaviour patterns
- (d) any need to be housed with, or apart from, other animals
- (e) the need to be protected from suffering, injury and disease.

You must ensure that your pet has routine healthcare, which includes the control of fleas & worms and vaccinations (where appropriate).

If your pet is a dog, it must not be left on its own for a lengthy period. As a guide, this would be 4–6 hours.

If you go away, specific arrangements must be made to provide the pet with satisfactory care.

If we suspect that you have caused unnecessary suffering to your pet or have failed to take such steps as are reasonable in all the circumstances to ensure that the needs of the pet are met to the extent required by good practice, we may report this suspicion to the RSPCA or to the Police (in addition to any other action we may take ourselves).

Containment

It is your responsibility to ensure that the pet does not escape from the property. If you have a garden, you must inspect the boundary at regular intervals and carry out such repairs as may be required from time to time.

Abandonment

You must not abandon the pet. If you do, in addition to other action we may take against you, we may report you to the RSPCA and we shall assume that you no longer want the pet back. Any cost we incur due to your abandonment of the pet will be recharged to you.

Insurance

If your pet is a dog we encourage you to have third party liability insurance that covers you for claims for:

- injuries to people
- damage to property
- harm to other animals.

Changes to this Pets Policy

We reserve the right to amend this Pets Policy at any time.

APPENDIX B

PET READY TRAINING PROGRAMME

To support our partner Local Authorities and Housing Associations, we will be offering tenants the opportunity to gain vital responsible ownership skills to help them to provide the best home environment for their pets.

Our experts have already achieved great success with our courses – raising awareness of what it means to be a responsible owner, and equipping them with the knowledge and skills to support their pets' health, welfare, training and wellbeing.

Our short courses are designed for tenants applying to have a pet, as well as support existing tenants who have pets.

Be Dog Ready (2x 2hour sessions)

This course aims to prepare tenants for owning a dog and ensures a happy healthy environment for them, their dog and their community. It will cover a range of topics including: where best to get a dog from, a dog's welfare needs, dog law and owner responsibilities, and developing practical training skills.

Be Cat Ready (1x 2hour session)

This course aims to prepare tenants for owning a cat and ensures a happy healthy environment for them, their cat and their community. It will cover a range of topics including: where best to get a cat from, a cat's welfare needs and an owner's responsibilities, giving an insight into cat behaviour and how to alleviate any concerns or issues.

Behavioural Support Course (1x 2hour session)

This course aims to provide additional advice and training for owners who are experiencing behavioural concerns with their pet. Owners may request this support, or it may be as a result of a complaint or concern raised by the local authority, housing association or other residents. This course is tailored to address the specific issues being expressed, helping the owner to manage and resolve those behaviours.

Dog Support Service

In addition to our courses, we are also offering ongoing support for dog owners within our partner's properties. Our Dog Support Service is a free helpline, giving owners access to bespoke behavioural and training advice to resolve any issues they are experiencing with their dog. Owners are referred to the service for a specific complaint, by their Housing Officer or Dog Warden.

BATTERSEA DOGS & CATS HOME

4 BATTERSEA PARK ROAD
LONDON SW8 4AA

BATTERSEA OLD WINDSOR

PRIEST HILL, OLD WINDSOR
BERKSHIRE SL4 2JN

BATTERSEA BRANDS HATCH

CROWHURST LANE, ASH
KENT TN15 7HH

0800 001 4444

BARRY WEBB

B.WEBB@BATTERSEA.ORG.UK

BATTERSEA.ORG.UK

Patron HRH The Duchess of Cornwall, GCVO
President HRH Prince Michael of Kent, GCVO