



WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To inform and seek members approval on the enforcement of the Microchipping of Dogs Regulations 2015.

2. RECOMMENDATION

- 2.1 Council approves the enforcement proposal of the Microchipping of Dogs Regulations 2015 as detailed within this report.

- 2.2 The necessary amendments are made to the Constitution to allow the enforcement of the regulations.

3. BACKGROUND TO THE REPORT

OBLIGATION OF DOG KEEPERS

- 3.1 From 6 April 2016 the regulations make it an obligation that;

- All dogs are microchipped, if over 8 weeks old and if not a certified working dog.
- A keeper who imports a dog must ensure that the dog is microchipped within 30 days of importing the dog.
- Where a dog is transferred to a new keeper, the new keeper must, unless the previous keeper has already done so, record their full name, address and contact telephone number (if any) and any change in the dog's name with the database on which the dog's details are recorded.
- A keeper (which includes the breeder) must not transfer a dog to a new keeper until it has been microchipped.

ENFORCEMENT

- 3.2 If a dog that should be microchipped is not microchipped then a notice requiring microchipping within 21 days may be served. A keeper may appeal this notice.

- 3.3 Where the keeper of a dog has failed to comply with a notice, an authorised officer, without the consent of the keeper, may arrange for the dog to be microchipped and recover from the keeper the cost of doing so. It is an offence to obstruct an officer.

- 3.4 An authorised officer may take possession of a dog without the consent of the keeper for the purpose of checking whether it is microchipped or for the purpose of microchipping it. It is an offence to obstruct an officer.

- 3.5 The regulations can be enforced by either the Local Authority or Police.

- 3.6 There is a defence against the requirements of the regulations if a vet certifies that it is not appropriate to microchip a dog.

OFFENCES

- 3.7 It is an offence not to comply with a notice as detailed in 3.2 above.
- 3.8 It is an offence if a keeper (which includes the breeder) transfers a dog to a new keeper before it has been microchipped.
- 3.9 It is an offence to obstruct an officer.
- 3.10 An offence if prosecuted carries a fine of up to £500.

ADDITIONAL INFORMATION

- 3.11 The Regulations also detail the form of microchip and details to be held on a database.
- 3.12 The regulations are only valid for 7 years i.e. until 24 February 2022.
- 3.13 The Dog Warden can microchip dogs at a cost of £12.
- 3.14 The Council's Dog Warden Service has received the RSPCA Golden Footprint award for the fourth year running and this policy will help strengthen this recognition of effective dog services.

HBBC ENFORCEMENT PROPOSAL

- 3.14 It is not proposed to actively patrol the Borough to identify dogs that are not microchipped.
- 3.15 If it is identified that a dog is not microchipped through the duties of the Dog Warden Service e.g. seizure of stray dogs, inspection of breeding establishments, investigation of dog related complaints etc., the keeper, if known, shall be issued with a notice requiring the dog to be microchipped within 21 days.
- 3.16 If the notice detailed in 3.14 above is not complied with then prosecution of the offence shall be considered in accordance with appropriate enforcement policies.

4. FINANCIAL IMPLICATIONS [AG]

- 4.1 There is a marginal increase in net income of £115.20 as a result of the enforcement proposal. The costs and savings are summarised in the table below.

Net numbers of increase	Cost per Chipping	Total Cost	Income per chipping	Total income	Net Income
20	£4.24	£84.80	£10	£200	£115.20

5. LEGAL IMPLICATIONS [JB]

- 5.1 The legal implications are referred to in this report.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 This report relates to the corporate aim of *Creating a vibrant place to live and work – Protect the community by creating a safer place.*

A microchipped dog is a traceable dog. Therefore if a dog strays (stray dogs put the public at risk through potential attack and road traffic incidences) the dog warden is able to locate the keeper in an attempt to ensure that the dog does not stray again. If

the dog continues to stray then necessary enforcement action can be taken against regular straying.

Similarly, if a dog is involved in an attack the dog warden or police are able to trace the keeper of the dog and take necessary enforcement action.

7. CONSULTATION

7.1 None

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Legal compliance	Ensure actions in compliance with Central Government Policy	Simon Smith

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 There will be no adverse implications only positive implications in working towards corporate aims.

Relevant enforcement policies will be complied with to ensure the protection of vulnerable groups.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

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