

SUBJECT:	DELEGATED AUTHORITY FOR THE MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015
REPORT OF:	Councillor Paul Kelly – Healthy Communities Portfolio Holder
RESPONSIBLE OFFICER	Anita Cacchioli, Interim Services Director of Services Martin Holt, Head of Healthy Communities
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WARD/S AFFECTED	All

1. Purpose of Report

To obtain Cabinet approval for the amendment to the Scheme of Delegation and Part E of the Constitution to include reference to the Animal Welfare Act 2006

RECOMMENDATIONS

- To include reference to the Animal Welfare Act 2006 and subordinate Regulations within the Council's Scheme of Delegation.
- To delegate to the Head of Healthy Communities authority to appointment officers for all purposes in connection with the Animal Welfare Act 2006 and subordinate legislation and to authorise officers to exercise any of the powers specified within the legislation
- To authorise the Head of Legal and Democratic Services to amend Part E of the Constitution accordingly.

2. Reasons for Recommendations

2.1 The Animal Welfare Act and subordinate Regulations confer enforcement powers on local authorities through its officers and that this is enabled through the Scheme of Delegation. To facilitate the efficient and effective enforcement of the legislation, it is recommended that the authorisation of officers is delegated to the Head of Healthy Communities.

3. Content of Report

3.1 The Microchipping of Dogs (England) Regulations 2015 came into effect on 6th April 2016. These Regulations provide for the compulsory microchipping of dogs and the recording of each dog's identity and its keeper's contact details on a prescribed database. It is a requirement that a new keeper of a dog must update the information on the database on transfer of keepership. Failure to update a database with the relevant details would result in the dog not being properly microchipped and the keeper being subject to enforcement action. Authorised officers can, by Notice, require a keeper to have their dog microchipped within a specified time period.

3.2 The approach currently being adopted is that of education and advice. Information is available on the Councils' websites and available at local veterinary practices. If a stray dog is picked up without a microchip or the details are incorrect then a Notice is sent to the keeper advising them of the legal requirements and requiring the dog to be chipped within 28 days.

3.3 The Regulations are made under the Animal Welfare Act 2006 which places responsibilities on those that keep or have control of animals (vertebrates) to ensure their welfare. The Council’s Constitution and Scheme of Delegation were not amended to include reference to the Act when it originally came into force and so the introduction of the micro chipping regulations provides an opportunity to amend the Scheme of Delegation to include reference to the powers conferred on local authorities by the Act.

4. Consultation

Not Applicable

5. Options

The Cabinet could decide not to authorise officers to exercise the Council’s powers under the Animal Welfare Act 2006 and subordinate legislation but this would not allow the effective implementation of powers under the Microchipping of Dogs (England) Regulations 2015.

6. Corporate Implications

6.1 Financial – the functions will delivered within existing budgets

6.2 Legal – The Constitution provides the framework for the authorisation of officers to effectively implement legislation and as such provides the legal basis for the local authority’s enforcement powers.

7. Links to Council Policy Objectives

The implementation of this legislation makes a positive contribution towards the Chiltern District and South Bucks Councils’ *Joint Business Plan 2015 – 2020* and *Sustainable Community Strategy 2009 – 2026*.

8. Next Steps

Subject to Cabinet approval the Scheme of Delegation and Constitution will be amended and officers authorised to exercise powers under the Microchipping of Dogs Regulations The intended approach is for keepers to be advised of their legal responsibilities. However, if they fail to microchip their dog and it is picked up as a stray, then appropriate enforcement action will be taken.

Background	None except those referred to in the report
Papers:	