

**Healthy Communities PAG  
Cabinet**

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<b>SUBJECT:</b>	DELEGATED AUTHORITY FOR THE MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015
<b>REPORT OF:</b>	<i>Community, Health and Housing – Councillor Graham Harris Healthy Communities – Councillor Paul Kelly</i>
<b>RESPONSIBLE OFFICER</b>	<i>Anita Cacchioli, Interim Director of Services Martin Holt, Head of Healthy Communities</i>
<b>REPORT AUTHOR</b>	<i>Ian Snudden, 01494 732057, isnudden@chiltern.gov.uk</i>
<b>WARD/S AFFECTED</b>	<i>All</i>

### **1. Purpose of Report**

To obtain Members' approval for the amendment to the Scheme of Delegation and Constitution to include the Animal Welfare Act 2006

### **RECOMMENDATION**

- To include the Animal Welfare Act 2006 and subordinate Regulations within the Scheme of Delegation.
- To delegate to the Head of Healthy Communities the appointment of officers for all purposes in connection with these enactments and to give the authority to officers to exercise any of the powers specified within the enactments
- To amend the Constitution.

### **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 Constitution and 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. Report**

3.1 The Microchipping of Dogs (England) Regulations 2015 came into effect on 6<sup>th</sup> 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. At the time this Act was enacted, the Constitution and Scheme of Delegation were not amended and so the introduction of the microchipping regulations provides an opportunity to amend the Scheme of Delegation to include the powers conferred on local authorities by the Act.

**4. Consultation**

Not Applicable

**5. Options**

Not Applicable

**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 Step**

The approach that is being adopted 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.

<b>Background Papers:</b>	It is a legal requirement that we make available any background papers relied on to prepare the report and should be listed at the end of the report (copies of Part 1 background papers for executive decisions must be provided to Democratic Services )
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