

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO HEALTH & HOUSING COMMITTEE

Agenda Item No. 9

meeting date: THURSDAY, 23 MARCH 2017  
title: MICROCHIPPING OF DOGS  
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE  
principal author: HEATHER COAR – HEAD OF ENVIRONMENTAL HEALTH SERVICES

## 1 PURPOSE

- 1.1 To inform Members of the powers conferred by the 'Microchipping of Dogs (England) Regulations 2015', made under Section 12 and to seek authority to authorise officers to enforce the Regulations.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Objectives – To help make people's lives safer and healthier.
  - Corporate Priorities – To enable the delivery of effective and efficient service.
  - Other Considerations – None.

## 2 BACKGROUND

- 2.1 The Microchipping of Dogs (England) Regulations 2015 (2015 Regulations) came into force on 24 February 2015.
- 2.2 From 6 April 2016 pursuant to Regulation 3 of the 2015 Regulations every keeper of a dog must ensure that their dog is microchipped and the dog be registered with an authorised/compliant pet microchip database, such as Petlog.
- 2.3 Regulation 5 of the 2015 Regulations set out the details which are to be included in the database which include:
- full name and address of the keeper;
  - breeds licence number where applicable;
  - contact details for the keeper; and
  - name/sex/breed/colour/DOB/microchip number of the dog.
- 2.4 Regulation 6 sets out the conditions to be met by a database operator.
- 2.5 Regulation 8 imposes a requirement to register the details of any new keeper upon transfer of the dog.
- 2.6 Regulation 9 specifies who may implant the microchip.
- 2.7 Regulation 11(2) provides that "A local authority in whose area a dog is kept may authorise in writing any person ("an Authorised Person") to act for the purpose of enforcing these Regulations in this area".

2.8 Regulation 12 sets out the Council's enforcement powers with regard to the Regulations via its Authorised Persons.

### 3 ISSUES

3.1 In order to assist dog owners and promote the Council's role in enjoying the 2015 Regulations, the Council is running a series of free dog microchipping events this summer, where owners can have their dog chipped free of charge. The events will be open from 11am until 3pm and are being held on:

Thursday, 23 March – Clitheroe Market, the Bullring

Wednesday, 19 April – St Mary's, Sabden

Wednesday, 24 May – Gisburn

Wednesday, 14 June – Mellor Brook Community Centre

3.2 The offer is on the day of the event. No appointment will be needed.

3.3 In order to enforce the 2015 regulations the Council must authorise in writing persons to act on its behalf. Committee is asked therefore to delegate power to the Chief Executive and Head of Environmental Health Services to undertake the requirements of the Act.

### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – None. Any income resulting from fines or non-compliance is expected to be minimal.
- Technical, Environmental and Legal – The establishment is a formal legal process.
- Political – The recommendations in this report are an extension of principles already agreed by this Committee.
- Reputation – The enforcement of the Regulations demonstrates that the Council is responding to the concerns of local residents.
- Equality & Diversity – None identified.

### 5 RECOMMENDED THAT COMMITTEE

5.1 Authorise the Chief Executive and Head of Environmental Health Services to undertake the requirements of the Act.

HEATHER COAR  
HEAD OF ENVIRONMENTAL SERVICES

MARSHAL SCOTT  
CHIEF EXECUTIVE

### BACKGROUND PAPERS

The Microchipping of Dogs (England) Regulations 2015 (SI 2015 No. 108)  
Animal Welfare Act 2006  
Clean Neighbourhoods and Environment Act 2005

For further information please ask for Heather Coar extension 4466.

REF: HC/CMS/H&H/23 March 17



## 21 DAY NOTICE SERVED UNDER REGULATION 12(a) MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015

Notice No: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

### Alleged Offender:

I, \_\_\_\_\_, an authorised officer of Ribble Valley Borough Council have reasonable grounds for believing that you are the keeper of the dog described below:

### DETAILS OF DOG IN QUESTION

Name:		DoB:	
Breed:		Microchip no:	
Colour:		Database:	
Sex:			

On \_\_\_\_\_ at \_\_\_\_\_ hrs this dog was scanned for a compliant microchip and found to contravene the Microchipping of Dogs (England) Regulations 2015 due to:

- **No ISO compliant microchip being found in the dog.**
- **The details currently recorded on the relevant microchip database being inaccurate.**

Within 21 days of this notice you are therefore required to:

- **Have an ISO compliant microchip implanted in the dog and register all relevant details with the relevant microchip database operator (see note ii overleaf).**
- **Contact your microchip database operator (stated above) to update your/your pet's details (see note ii overleaf).**

You are required to take these measures by **date 21 days after notice served.**

Certain exemptions exist under the above Regulations. For details of these see note iv overleaf. It is your responsibility to provide the evidence to the authorised officer showing that your dog meets the relevant exemption criteria before the expiration of this notice.

After the above date has passed, should evidence be found that you have **failed** to comply with this notice (unless you have provided evidence of exemptions as above) then an authorised officer has the power to take possession of your dog without your consent. This may be for the purpose of checking whether the dog has been microchipped, or to arrange for the dog to be microchipped. You will be liable for any costs incurred and may also be subject to legal action.

**IT IS AN OFFENCE PUNISHABLE ON SUMMARY CONVICTION BY A FINE NOT EXCEEDING LEVEL 2 ON THE STANDARD SCALE (CURRENTLY £500) TO FAIL TO COMPLY WITH THIS NOTICE OR TO OBSTRUCT AN AUTHORISED OFFICER EXERCISING A POWER MENTIONED ABOVE**

Should you have any questions about this matter you should contact Ribble Valley Borough Council on 01200 425111, quoting the notice number at the top of this page.

Signature of authorised officer: \_\_\_\_\_

Dog Warden Service

**Please read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek legal advice.**

## Microchipping of Dogs (England) Regulations 2015

### NOTES

- i. In the opinion of the authorised officer you are not complying with the provision of the above legislation. The measures needed to comply are described in the notice overleaf.
- ii. Details that are to be recorded on the database by the database operator are as follows:
  - a. The full name and address of the keeper;
  - b. Where applicable, the fact that the keeper is also the breeder;
  - c. If the keeper is the breeder and is licensed by the local authority under the Breeding of Dogs Act 1973;
    - i. The breeders license number; and
    - ii. The name of the local authority by which they are licensed;
  - d. The original name or identification number given to the dog;
  - e. The contact telephone number (if any) for the keeper;
  - f. The name given to the dog by the keeper; if that is different to the details recorded pursuant to sub-paragraph d);
  - g. The sex of the dog;
  - h. The breed of the dog, or a description if it is a cross-breed;
  - i. The colour of the dog;
  - j. The most accurate estimate of the dog's date of birth which the keeper is capable of giving; and
  - k. The unique number of the microchip implanted in the dog.
- iii. Exemptions: the conditions of this notice shall not apply under the following conditions:
  - a. A veterinary surgeon has certified on a form approved by the Secretary of State that due to the condition of the dog (reasons declared, justified and time period of exemption stated) in their opinion, the dog is not fit to receive a microchip due to the animals health.
  - b. The dog has been certified as a working dog by a veterinary surgeon for the purposes of Section 6 (3) of the Animal Welfare Act 2006.
- iv. If the dog has been imported into the UK within the last 30 days or if the dog is less than 8 weeks old you must provide evidence of that to the Authorised Officer. The regulations must still be complied with, however, the time period will be extended until dog has been in the UK for 30 days or that the dog is 8 weeks old.
- v. If you feel you meet the terms of the exemptions you must provide evidence from a veterinary surgeon on a form approved by the Secretary of State to confirm this.
- vi. You are responsible for ensuring that the dog is microchipped or that you provide the above information before the expiry of the date on the notice.

### RIGHT OF APPEAL

- A. If you, the keeper, disagree with all or part of this notice, you can appeal against the notice to the First-tier Tribunal.

Further information can be found here:  
[www.justice.gov.uk/tribunals/the-general-regulatory-chamber/making-an-appeal](http://www.justice.gov.uk/tribunals/the-general-regulatory-chamber/making-an-appeal).
- B. You have 28 days from the date the notice was sent to you in which to send an appeal to the First-tier Tribunal. It should be sent to First-tier Tribunal at:

General Regulatory Chamber, PO Box 9300, Leicester, LE1 8DJ  
Fax: 0870 7394114  
Email: [grc@htmcts.gsi.gov.uk](mailto:grc@htmcts.gsi.gov.uk)
- C. If you decide to appeal, then the period from when you have lodged your appeal until the appeal has been decided will not count in the computation of the time period specified in the notice for carrying out the microchipping. If the notice is affirmed by the First-tier Tribunal you will be advised of the time period within which you must carry out the microchipping.
- D. In dealing with the appeal, the First-tier Tribunal may affirm the notice (with or without modifications) or cancel the notice.
- E. You should notify the officer serving the notice if an appeal is lodged.