

Document Name	Management of XL Bullies Policy
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Approved by	Portfolio Holder, Housing
Responsible Business Manager	Business Manager Housing Services

# Newark and Sherwood District Council

## Management of XL Bullies Policy 2023

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### Linked Documents:

[NSDC Tenancy Agreement](#)

[NSDC Allocations Scheme](#)

[Complaints and Feedback Policy](#)

## **1 Purpose**

- 1.1 The purpose of this policy is to set out how Newark and Sherwood District Council will manage the keeping of the dog breed XL Bully already in the Council's housing.
- 1.2 This Policy should be read alongside the Tenancy Agreement as failure to comply with the requirements set out within will result in a breach of tenancy and could lead to the instigation of legal enforcement action.

## **2. Policy Statement**

- 2.1 This policy applies to existing tenants only; the Council will not give permission to new tenants moving into a Newark and Sherwood District Council property to keep an XL Bully.
- 2.2 This policy allows for the keeping of XL Bullies in Council housing subject to a number of conditions being met.
- 2.2 This policy aims to encourage responsible dog ownership by tenants on our communities and to minimise issues and concerns surrounding XL Bullies.
- 2.3 This policy recognises that new legislation has been imposed on existing owners and that over time ownership will be phased out due to this legislation (as set out below)

## **3. Government Legislation**

- 3.1 Owners wishing to keep their XL Bully in line with the new legislation must have by 31 January 2024 a Certificate of Exemption. The Certificate of Exemption has strict requirements, including:
  - i. Third party public liability insurance held by the owner, which must include clauses related to banned dogs – evidence of suitable insurance must be provided on application.
  - ii. The dog must be neutered and evidence of this from a certified vet must be provided on application (Dogs under one year when the ban comes in must be neutered by the end of the year, older dogs must be neutered by the end of June 2024.)
  - iii. The dog must be microchipped with suitable evidence and microchip number must be provided.
  - iv. Kept on a lead and muzzled at all times when in public.
  - v. Kept in a secure place so it cannot escape.
  - vi. Ownership by someone over the age of 16.
  - vii. Payment of the application fee of £92.50
- 3.2 It is also illegal from of 31 January 2024 to:
  - i. Sell an XL Bully

- ii. Abandon an XL Bully or let it stray.
- iii. Give away an XL Bully
- iv. Breed from an XL Bully

#### **4. NSDC Tenancy Agreement**

- 4.1 The tenancy agreement clearly sets out the Council's stance on the keeping of dog breeds banned under the Dangerous Dogs Act 1991:

**11d** You must not keep the following animals:

- Livestock
- Venomous or harmful insects, spiders, snakes, or lizards
- **Any dog the Dangerous Dogs Act 1991 applies to.**
- Any animal the Dangerous Wild Animals Act 1976 applies to.
- Any dangerous animal.
- Any animal which causes a health and safety risk in the area.
- Any animal that is not bred to be a domestic pet.

However, the Council will allow tenants who owned an XL Bully prior to the 31 January 2024 to keep their dog/s providing:

- They ask for the Council's permission
- Full compliance with the Government requirements as set out at Section 3. above, and the provision of evidence i.e., the Certificate of Exemption and Third-Party Liability Insurance Certificate
- That the Council upholds no complaints relating to the dog ownership, or related behaviour that would be a breach of tenancy (excluding the explicit condition relating to ownership of a banned breed)
- That any permission will be withdrawn if there is an incident involving an XL bully – and appropriate action for breach of tenancy will commence as with an incident with any other animal.

- 4.2 Failure to comply with the requirements as set out in this policy will result in a breach of the tenancy agreement and may instigate legal enforcement action. This legal action could result in the loss of the tenant's home, and impact on their ability to secure alternative accommodation with other social housing providers.

#### **5 Making a complaint or providing feedback.**

- 5.1 The Council welcome feedback to improve services. If a tenant would like to provide feedback on this service or is not satisfied with how the Council has applied with any aspect of this policy, please refer to the Council's Complaints and

Feedback Policy on how to make a complaint.

## 6 Approval, Consultation and Review

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