

The Highland Council

Transport, Environmental and Community Services Committee 6 February 2014

Agenda Item	15
Report No	TEC 13/14

Scottish Government Consultation: Promoting responsible dog ownership in Scotland: microchipping and other measures

Report by Environmental Health Manager

Summary

This report invites Members to approve the Council's response to the Scottish Government's consultation on "Promoting responsible dog ownership in Scotland: microchipping and other measures"

1. Background

- 1.1 Following interest from relevant organisations and the public, the Scottish Government have issued this consultation on the possible introduction of compulsory microchipping for dogs in Scotland and other measures to encourage responsible dog ownership with the aim of improving the safety of the public from dangerous and out of control dogs. The other measures covered are dog licensing and dog muzzling. The consultation also asks for comments on control of dog fouling. The consultation closes on 31 March 2014.
- 1.2 In England and Wales a compulsory microchipping scheme for dogs was announced in February 2013 and will come into force in April 2016.

2. Consultation response

- 2.1 A proposed response is provided in **Appendix 1**, and comments are summarised below.
- 2.2 Compulsory microchipping scheme for dogs

Overall, the response is in favour of the introduction of compulsory microchipping for dogs. This would assist with identification of stray dogs and in the identification of illegal dog breeders. The response expresses the need for any database to be easily accessible and searchable to allow enforcement agencies to carry out investigations. It is noted that there will be cost implications for dog owners but these are considered minimal in relation to the overall costs of dog ownership. It is suggested that any scheme be brought in over a 1 year period.

2.3 Dog Licensing

At question 20, the response notes that there are both advantages and disadvantages to a licensing scheme and these must be carefully considered to establish if a licensing scheme offers significant advantages over the proposed compulsory microchipping scheme. On balance the Council would welcome a licensing scheme if it was shown to provide clear revenue towards dog control services.

2.4 Muzzling of dogs

At question 21, the response does not support the muzzling of all dogs while in public. This should only be used selectively under a Dog Control Notice.

2.5 Dog Fouling

At question 22, the response notes that the Council investigates dog fouling complaints, carries out education/promotional events on dog fouling issues and carries out targeted enforcement exercises. The current powers are sufficient but the introduction of micro-chipping and/or licensing will assist with investigations and promoting responsible dog ownership.

4. **Implications**

- 4.1 There are resource implications arising as a direct result of this report. It is noted that there will be cost implications for dog owners but these are considered minimal in relation to the overall costs of dog ownership. For the Council, a compulsory microchipping scheme may bring benefits in that will allow quicker tracing of dog owners. But this will need to be balanced against the costs of enforcement which will vary depending on the Government's confirmed approach. A targeted, proportional approach would have minimal cost implications.
- 4.2 There are no risk, legal, equality or climate change/Carbon Clever implications arising as a direct result of this report.

5. **Recommendation**

- 5.1 Members are invited to approve the Council's response to the Scottish Government's consultation on "Promoting responsible dog ownership in Scotland: microchipping and other measures" as set out in **Appendix 1**.

Designation: Environmental Health Manager

Date: 27 January 2014

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Background Papers:

The Scottish Government Consultation Document 'Promoting responsible dog ownership in Scotland: microchipping and other measures'

<http://www.scotland.gov.uk/Publications/2013/12/6115>

Promoting responsible dog ownership in Scotland: microchipping and other measures

CONSULTATION QUESTIONNAIRE

Sector

Which of the following best describes you? (Please tick whichever option applies)

- A local authority ☒

Current situation in Scotland

1. Are all, some or none of the dogs/puppies in your care already/routinely microchipped? Please explain. (Please tick whichever option applies)

All ☐ Some ☐ None ☒ Don't know ☐ N/A ☐

Comments:

The Council does not microchip dogs within its care. Dogs uplifted by the Council are taken to a variety of premises only two of which are operated by the Council.

2. Do you offer a microchipping service to the general public? If you do, what geographical range do you cover, how many dogs did you chip in Scotland in 2012 and how much do you charge? Please explain your answers.

Yes ☐ No ☒ N/A ☐ (Please tick whichever option applies)

Number:

23

Fee:

£10/chip

Comments:

Microchipping is not offered as a routine service. It is only at events to promote responsible dog ownership the Council that microchipping will be offered.

3. If you run a rescue/rehoming centre, do you ensure that all, some or none of the dogs are microchipped prior to rehoming? How many dogs did you

microchip/arrange to be microchipped in 2012? How many dogs came to you in 2012 that were already microchipped? Please explain your answers.

All ☐ Some ☐ None ☐ N/A ☒

(Please tick whichever option applies)

Potential benefits of compulsory microchipping

4. Do you consider that compulsory microchipping would help to make dog owners more responsible? Please explain and provide any evidence that you may have.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

It is difficult to say if it will make a significant difference to the behaviour of owners but on balance it will make most owners consider their behaviour if the dog is easily identifiable.

5. Do you consider that compulsory microchipping for dogs would help to deter dog theft? Please explain and provide any evidence that you may have.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

We believe it would deter dog theft provided the microchips are not easy to remove.

6. Do you consider that compulsory microchipping for dogs would help to tackle the issue of puppy farming? Please explain and provide any evidence that you may have.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

By improving traceability a compulsory scheme can help to distinguish licensed breeders from illegal operators. The database must allow searches to identify origin of dogs.

7. Do you consider that compulsory microchipping for dogs would help to address other dog welfare issues, such as abuse/mistreatment? Please explain and provide any evidence that you may have.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

Similar to question 4, we believe that it is difficult to say if it will make a significant difference but, on balance, in the long term we believe it will encourage more responsible ownership. The need to update the microchipping database would hopefully make anyone considering dog ownership to consider all aspects of owning a dog. This early consideration of the needs of the dog will hopefully reduce levels of abuse and mistreatment.

To be effective there must be significant promotion and appropriate enforcement to ensure a high level of compliance with the scheme.

8. Do you consider that compulsory microchipping for dogs would help to prevent dog attacks on people/animals, including on assistance dogs? Please explain and provide any evidence that you may have.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

Similar to question 8, we believe that it is difficult to say if it will make a significant difference but, on balance, the greater traceability of dogs should allow easier identification of stray dogs involved with attacks. In the long term this should assist in reducing the numbers of attacks.

Potential challenges of compulsory microchipping

9. In the long term, the compulsory microchipping of dogs may require all owners to pay to microchip their dogs and to update their details on the commercial database that their dog is registered on. Do you think this would be an unfair burden on any particular sectors? Please explain.

Yes ☐ No ☒ Don't Know ☐

(Please tick whichever option applies)

Rehoming/sanctuary charities ☐

Individuals in receipt of benefits ☐

Other

Comments:

We don't believe compulsory microchipping would be an unfair burden on any sectors. No-one should consider keeping a dog unless they are competent in its care and have adequate funds to ensure its welfare needs can be fully met. These requirements are given legal backing through the Animal Health and Welfare (Scotland) Act 2006. The costs associated with microchipping are minimal when compared to the general annual costs of looking after a dog.

10. When a microchipped animal changes ownership, the registration details on the database must be updated for microchipping to be effective. If microchipping was to be made compulsory, with whom should this responsibility lie: The seller, the buyer, or both? Please explain why and how you consider that the requirement could be enforced?

Seller ☐ Buyer ☐ Both ☒ Don't Know ☐ (Please tick whichever option applies)

Comments:

Double notification is an effective method for ensuring the database is updated. It would also allow identification of those that have forgotten or are unwilling to notify which would allow enforcement agencies to issue reminders or take forward further sanctions. Similar requirements are in place and working effectively for livestock movements. By contrast, we are aware that there are concerns over the single notification system for horse passports

11. Are you aware of any difficulties due to different microchip companies using different technical specifications regarding scanners etc.? Please explain.

Yes ☐ No ☒ Don't Know ☐ (Please tick whichever option applies)

Comments:

We are not aware of any issues but the scheme should specify that all participants use equipment meeting a common standard. Ideally this should be the same standard as used for the livestock schemes.

12. Do you think that any regulation being introduced on microchipping should set minimum standards for commercial databases? Why, and if so what should they be?

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

It is a fundamental requirement that enforcement agencies have a simple, quick, web-based method of searching for information on microchipped dogs. It is difficult to see how this can be done through a number of commercial databases. A central database should be provided and the standard should specify that all commercial databases must upload the appropriate data to the central website at a regular, defined frequency.

Centralised databases are working very effectively for schemes for cattle, pigs and sheep. In our opinion, the horse passport scheme which uses a number of commercial databases is difficult to use and does not readily assist enforcement.

13. Presently, the dog owner, the microchip implanter, and some animal welfare organisations are able to access current database records, but only enforcement authorities are able to see previous records. Do you think this should remain the same? Please explain.

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

There may be a need to restrict access to meet data protection requirements.

14. Do you believe that compulsory microchipping would be easy or difficult to enforce effectively? Why? Can you suggest what approach to enforcement would be most appropriate?

Easy ☐ Difficult ☒ Don't Know ☐

(Please tick whichever option applies)

Comments:

Councils uplift dogs which are roaming in the community and would be in a position to scan these. Random stopping and scanning would take significant resources and not an efficient use of council's already very limited resources. A more effective approach would be targeted surveys/promotional events linked with promoting responsible dog ownership and addressing dog fouling.

It would be useful if vets could notify Councils of dogs presented to them that are unchipped and the owners were unwilling to get the dogs chipped.

For enforcement purposes, in most cases we believe it would be appropriate for individuals to be permitted a short period to get any unchipped dogs chipped (e.g. 14 days) and for the owner to provide evidence to the Council that it has been done. Failure to comply would result in a fixed penalty notice.

15. Do you have any concerns that microchipping could cause health problems in dogs? Please explain.

Yes ☐ No ☒ Don't Know ☐

(Please tick whichever option applies)

Comments:

We are not aware of any significant issues.

Business impact

16. Do you believe that compulsory microchipping would have a positive or negative financial or other impact on owners, enforcement agencies, animal welfare organisations/rehoming charities, dog breeders, pet shops, microchip database companies? Please Explain.

Positive ☐ Negative ☐ Don't Know ☒

Comments:

Those that doubt the need for compulsory microchipping will regard it as having an negative impact. Enforcement agencies and those who can see the benefits would perceive it as positive.

Compulsory microchipping in Scotland

17. Do you believe that all dogs in Scotland should be microchipped? Why?

Yes ☒ No ☐ Don't Know ☐

(Please tick whichever option applies)

Comments:

We believe this will be an overall positive step for the welfare of dogs and to promote responsible dog ownership. However, to be credible an easily accessible, database must be provided and straightforward, proportional enforcement options available. The methods of updating the database must be simple to ensure it as accurate as possible.

18. Do you consider that any sectors of dog ownership (for example rehoming/sanctuary charities, police, armed services, security services, guide/helper dogs, vermin control, sheep dogs, or other sectors) merit exemption from any requirement to microchip? Why?

Yes ☐ No ☒ Don't know ☐

(Please tick whichever option applies)

Comments:

To keep the scheme as simple as possible no exemptions should be offered. Both the practical undertaking and the cost are relatively modest.

19. Which of the suggested options for introducing any requirement for compulsory microchipping do you believe would work best? Do you have an alternative option to suggest? Please explain.

1. Status Quo ☐

2. All puppies born after a specific date should be microchipped ☒

3. All dogs microchipped on transfer of ownership ☒

4. Two-phase approach over 2 years ☐

5. Microchipping of all dogs within one year of legislation coming into effect. ☒

6. Other ☐

Comments:

This would bring all dogs (except irresponsible owners) into the system quickly and uniformly.

Other possible measures to promote responsible dog ownership

20. Do you think a system of dog licensing could help encourage responsible dog ownership and help make our communities safer from dangerous and out of control dogs? Do you have views on how such a dog licensing scheme might operate?

Comments:

The Council recognises that there are both advantages and disadvantages to a licensing scheme and these must be carefully considered to establish if a licensing scheme offers significant advantages over the proposed compulsory microchipping scheme.

If a compulsory licensing system was in operation it would achieve many of the same benefits as a compulsory microchipping scheme. The potential disadvantages are that it becomes overly bureaucratic, the revenue is just covering the running costs, difficulties with enforcement and that overall it does not improve responsible dog ownership.

If introduced then the fee should cover the running costs for the licensing system but also provide revenue to fund enforcement and promotional work on responsible dog ownership including both safety, owner training and dog fouling issues. Fees should be set at national level and a central online system developed that allows each Council to manage the applications for their area.

On balance the Council would welcome a licensing scheme if it was shown to provide clear revenue towards dog control services.

21. Do you think muzzling of dogs while in public should be introduced?

Comments:

No – muzzling should be used selectively under a Dog Control Notice.

22. The Dog Fouling (Scotland) Act 2003, gives local authorities the powers to deal with dog mess

Are you aware that local authorities have these powers?

Yes ☒ No ☐ Don't know ☐ (Please tick whichever option applies)

Do you think they are being used effectively in your area?

Yes ☒ No ☐ Don't know ☐ (Please tick whichever option applies)

Is there more you think can be done to address this issue effectively?

Yes ☐ No ☐ Don't know ☒ (Please tick whichever option applies)

Comments:

The Council investigates dog fouling complaints, carries out education/promotional events on dog fouling issues and carries out targeted enforcement exercises.

More can always be done but there has to be a judgement made on the overall benefits against the costs of running a service.

The current powers are sufficient but the introduction of micro-chipping and/or licensing will assist with investigations and promoting responsible dog ownership.

23. Do you have any other comments on the possible introduction of compulsory microchipping for dogs in Scotland?

No

24. Do you have any other comments on the promotion of responsible dog ownership in Scotland to help improve the safety our communities from dangerous and out of control dogs?

Further thought should be given to sharing best practice on ways to promote education on responsible dog ownership and availability of dog training/socialisation classes.

25. Do you consider that the consultation paper explained the key issues sufficiently for you to properly consider your responses?

Yes

26. Do you consider that you had sufficient time to respond to the consultation?

Yes

27. Do you have any other comments on the way this consultation has been conducted?

No
