

Corporate Policy and Strategy Committee

10.00am, Tuesday, 25 March 2014

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

Item number 7.5

Report number

Wards All

Links

Coalition pledges [P13](#) and [P14](#)

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Single Outcome Agreement [SOA4](#)

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Executive summary

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

Summary

The Scottish Government (SG) is currently conducting a consultation on the possible introduction of compulsory microchipping of dogs in Scotland. The aim of this measure would be to encourage responsible dog ownership and improve the safety of the public from dangerous and out of control dogs. The closing date for this consultation is 31 March 2014.

Recommendations

It is recommended that the Committee:

- 1) Notes the contents of this report;
- 2) Agree the Council's response to the consultation questionnaire 'Promoting responsible dog ownership in Scotland: microchipping and other measures'; and
- 3) Agree to have Council representation at the proposed Scottish Government summit on dangerous dogs.

Measures of success

The SG have not at this stage indicated how the success of microchipping would be recorded. On a local level this could be monitored in the measurement of service requests to the Council regarding stray or out of control dogs. This will evolve from the results of the consultation.

Financial impact

The SG have not indicated if, or how, funding for the introduction of compulsory microchipping will be established. If the Council was required to enforce these measures there would be cost implications but these cannot be quantified at this time. There may be a cost involved for equipment, scanners, database licence, etc in order to enforce any introduced measures.

Equalities impact

People on low incomes may face challenges in meeting the cost of the compulsory microchipping of their dog(s) or funding any additional measures proposed.

Sustainability impact

There are no sustainability impacts arising from this report.

Consultation and engagement

The proposed consultation response from the Council, attached to this report, has been developed with a view to the safety of the whole community. The SG consultation paper is open to all interested parties and is available from their website, <http://www.scotland.gov.uk/Consultations/Current?rowId=1712>

The consultation responses have been collated from across the Council. Community Safety has Authorised Officers enabling enforcement powers to be carried out under the Control of Dogs (Scotland) Act 2010 and also has management of the Dog Warden Service. Housing and Regeneration manage the Multi-Storey Working Group (MSWG) and contributed specifically with consideration to the management of dogs in multi-storey blocks. The MSWG was set up under instruction from the Health, Social Care & Housing Committee and has representation from cross party Councillors, relevant management and the Edinburgh Tenants Federation.

Background reading / external references

The Scottish Government Consultation Document, Promoting responsible dog ownership in Scotland: microchipping and other measures. 27 December 2013 to 31 March 2014

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

1. Background

- 1.1 The Scottish Government (SG) has received a high volume of correspondence from organisations affected by dog issues and from interested individuals in favour of compulsory microchipping for dogs.
- 1.2 Although the SG has indicated that it is favourable towards the introduction of microchipping, it now seeks opinions via their consultation paper on the subject, which is open 27 December 2013 to 31 March 2014.

2. Main report

- 2.1 In May 2013, officials from the SG met with the Dogs Trust to discuss dog related issues. At this meeting it was agreed that the SG would consult on the possible introduction of compulsory microchipping of dogs in Scotland.
- 2.2 The consultation questionnaire has 27 questions on the subject of responsible dog ownership and the proposed Council response to the questions is attached to this report as Appendix 1.
- 2.3 The main responses from the Council on this consultation include:
 - Council agrees with compulsory microchipping to help make dog owners more responsible.
 - Council agrees that all dogs in Scotland should be microchipped.
 - Council would like all dogs to be microchipped in a two-phase approach over two years from legislation coming in to effect. This would enable Council officers to scan and report any owners to the appropriate authority within a reasonable timeframe.
- 2.4 The First Minister has announced that a summit will be held in early 2014 on dangerous dogs. This will bring together the SG, local authorities, COSLA, Police Scotland, prosecutors, victim groups and other key interests to discuss preventative measures aimed at improving public safety and the prevention of dog attacks.

3. Recommendations

- 3.1 It is recommended that the Committee:
- 1) Notes the contents of this report;
 - 2) Agree the Council's response to the consultation questionnaire 'Promoting responsible dog ownership in Scotland: microchipping and other measures'; and
 - 3) Agree to have Council representation at the proposed Scottish Government summit on dangerous dogs.

Mark Turley

Director of Services for Communities

Links

Coalition pledges	P13 - Enforce tenancy agreements (council and private landlord) with a view to ensuring tenants and landlords fulfil their good conduct responsibilities P14 - Strengthen Council housing allocation policy to give recognition to good tenants and to encourage responsible tenant behaviour and responsibilities
Council outcomes	CO21- Residents, visitors and businesses feel that Edinburgh is a safe city
Single Outcome Agreement	SOA4 - Edinburgh's communities are safer and have improved physical and social fabric
Appendices	Appendix 1- Consultation Questionnaire: Promoting responsible dog ownership in Scotland: microchipping and other measures

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 dog owner
- A dog breeder
- An animal welfare organisation/rescue
- A local authority
- Other

Comments:

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:

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:

Fee:

Comments:

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)

Number microchipped in 2012:

Number arriving microchipped in 2012:

Comments:

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:

When investigating incidents under the Control of Dogs (Scotland) Act, situations have been encountered where dog ownership is disputed or in question, so compulsory microchipping would settle such disputes quickly.

Compulsory microchipping would also help with identification of dogs providing a clear link between the owner and the dog in the event of any investigations or subsequent enforcement action.

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:

A micro-chipped dog would be easier to trace and therefore deter theft of dogs.

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:

The microchipping of all pups should be enforced. Further education for potential purchasers should also be available in order to stop people buying from rogue breeders. This should be part of the registration system by microchipping along with the pedigree type and/or details of the proposed dog licence.

The breeder or parent information should be required as part of the microchipping. A database which contains only current owner information for example would not show the history of the dog or the breeder.

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:

Compulsory microchipping could help to identify owners who abuse/abandon their dogs. There would also be an onus on owners to keep their pets healthy given they could easily be identified and tracked to that owner.

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:

Microchipping alone is unlikely to directly reduce such attacks, however by promoting more responsible dog ownership in general and increased accountability the number of attacks may decrease.

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:

This is part of the responsibilities of dog ownership, something the majority of responsible owners already do.

Re-homing/sanctuary charity's should be exempt from including their details on the ownership database, similar to a car trader not registering ownership of a car they will trade. However in such cases the charity or sanctuary should still be required to register the new owners' details for any dogs re-homed.

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:

Limiting the responsibility of updating details will result in gaps in the database as one party may blame the other. Therefore a requirement that the seller provides the new owners details when the ownership is transferred in addition to a further requirement that the owner is responsible for checking and maintaining the details would allow accurate information to be kept and used for appropriate purposes.

Enforcement could be difficult depending on the resulting legislation. The relevant information for updating details would need to be widely available and easily accessible for all, ideally at little or no cost to update.

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:

Different scanners read different microchips, essentially there are competing systems in the marketplace. This causes issues when a dog appears to have no microchip on one scanner, but it may then show up on another system. This makes it difficult to establish definitively if a dog has been microchipped.

We suggest there is a standard established, so any microchip reader should be able to read a microchip of the legal standard.

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:

Minimum standards should be set in order to control the relevant information recorded. A commercial company is likely to favour a reduced dataset for cost reasons reducing the effectiveness of an appropriate database of owner information.

A minimum standard would enable easy access to the required information.

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:

Information stored on a public database could be used for other undesirable purposes if it was made more widely available, i.e. housebreaking - which households have a dog, or dog related services contacting owners to sell their products.

14. Do you believe that compulsory microchipping will 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:

Given the uncertain volume of dogs in Scotland which would require microchipping there may be delays in updating databases which may make enforcement difficult for an initial period of time.

All new born dogs should be chipped and any dog that is collected from the street when straying should be chipped at the owners cost, all breeders should ensure that their pups are registered and chipped and hopefully if a licence system is imposed all documents will strengthen responsible dog ownership.

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:

Information from the Dogs Trust (largest dog welfare charity in the UK) state that, *“Microchipping just feels like a small pinch or mild sting – akin to a minor injection. The dog does not feel the chip at all after it has been inserted.”* Given this information, we have no concerns that microchipping will cause health problems.

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:

There would be both positive and negative impacts.

Positive

- Enforcement agencies (not yet decided by the Scottish Government but likely to be Local Authority or Police Scotland) will resolve ownership quicker potentially reducing officer time and financial costs relating to the Dog Warden Service/Edinburgh Dog and Cat Home (EDCH) boarding.

Negative

- There will be a financial cost involved for owners, animal welfare organisations and charities that previously would not microchip their dogs.
- Dog breeders and pet shops can include their financial costs in their overall pricing.
- Enforcement agencies will incur a financial initial set-up cost and have further on-going financial costs i.e. staff training, replacing equipment etc. Enforcement agencies will also have to bear the cost of any unrecoverable costs for microchipping such as an owner's inability/unwillingness to pay or if the owner cannot be established. Financial provision would require to be made of these costs.

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

Yes No Don't Know

(Please tick whichever option applies)

Comments:

Yes, to promote responsible ownership and traceability relating to dog incidents. The dog owner should bear the cost of microchipping. However, as stated in the above question, enforcement agencies may have to bear the cost of any unrecoverable costs for microchipping, such as an owner's inability/unwillingness to pay or if the owner cannot be established.

18. Do you consider that any sectors of dog ownership (for example rehoming/sanctuary charities, police, armed services, security services, guide/helper 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:

Every dog should be microchipped and each sector should be responsible for their dogs.

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.

(Please tick whichever option applies)

- 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:

Other possible measures to promote responsible dog ownership

20. What other measures do you think might help promote responsible dog ownership?

Comments:

New transferable dog licence system.

All breeders should be registered.

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

Comments:

It is proposed that the Scottish Government conduct research on whether dogs should be required to be muzzled when exercised in public areas whilst off leash.

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 Edinburgh Peoples Survey indicates that dog fouling continues to be an issue for Edinburgh. The council will continue to educate dog owners on dog fouling and tackle this issue through increasing enforcement.

The Scottish Government should consider increasing the amount payable for fixed penalty notices under the Dog fouling (Scotland) Act 2003. This would be in line with the recent increase of fixed penalty notices as of 1 April 2014 for littering (£50 to £80) and flytipping (£50 to £200).

Any other comments

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

Microchipping dogs is a positive move towards responsible ownership.

We would like this introduced as a new comprehensive dog registration licence system would aid investigation into allegations of dog behaviour under the Control of Dogs (Scotland) Act 2010.

24. Do you have any other comments on the promotion of responsible dog ownership in Scotland?

The Dangerous Dog Act should also be revised. This is a police power but many incidents are not taken forward by the Edinburgh Procurator Fiscal due to some cases being a 'first offence'.

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

Yes. The consultation paper fully explained the key issues.

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

No. More time should have been made available to fully respond to the consultation.

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

No other comments.