



# Pet Policy



# **Pet Policy Document**

## **Introduction**

The resident Directors of City Quay Management Company Ltd are justifiably proud of the estate and work hard to ensure that the best interests of everyone who lives here are kept at the forefront of our decisions and vision for our future direction at City Quay. The keeping of pets can be a very contentious issue and there are some people who have a genuine fear of animals. We need to try and manage this situation carefully and sensitively. Unfortunately a situation was allowed to develop, prior to residents taking control of the Management Company, where some residents kept pets on site without the required permission. Many have complained recently that there are far too many pets on site.

Trinity Estates issued a letter to all Occupiers on 12th February 2007 at the request of the then City Quay Residents Association in respect of the increase in pets and the consequent increase in fouling in the communal grounds. Four years later CQMC issued a Good Neighbour Policy Document published in January 2011 where we made it clear that under the lease all owners must apply for permission if they wished to keep a pet on site. Because of the irresponsible behaviour of a minority of pet owners there has recently been a significant increase in the fouling of the grounds and serious deterioration of the grassed areas in some parts of the estate. We cannot allow this to continue. The Pet Policy Document will firstly make clear that the Lease which everyone has agreed to abide by contains elements that we have a right to expect will be adhered to at all times by all people on site.

## **Purpose**

This policy document sets out some guidelines to help residents deal with the vexed question of domestic animals on site. It is also designed to set out criteria against which the Directors will assess whether an owner will be granted or refused permission for a pet. Our concern is with protecting the interests of all owners and residents in terms of minimising the potential sources of nuisance and maintaining the cleanliness and general amenity of the estate. This will both protect and enhance the value of leaseholders' investment in their apartment. The document also will clearly state what expectations there are around the keeping of pets once permission has been granted. Much of this policy is taken from the previous arrangements put in place under Trinity Estates and re-published here for the benefit of everyone. Firstly the policy will make clear your responsibilities under the lease. Ensuring compliance is the responsibility of CQMC Directors and of everyone living here.

## **Duties and Responsibilities: Residents**

- Every leaseholder and tenant is bound by the Lease, which contains Covenants that are laid down for the harmonious co-existence of all who live on the estate. Those that refer to forms of behaviour are found in Schedule 8 Parts 1 & 2.
- Part 2 #11 states: No dog, bird, cat or other animal or reptile shall be kept in the Demised Premises except with the prior written consent of the Manager which consent may be revoked at the discretion of the Manager where it is reasonable to do so.
- Not all residents are eligible for the approval of keeping a pet on site, but only those who are Owner Occupiers or Leaseholders. It is their responsibility to uphold the lease within the property that they own.
- Those residents who are tenants must seek permission from their landlord who will in turn have to request permission from the Management Company.
- In general consent will only be given for a medium or large dog in a ground floor apartment and for one small dog to be kept in all other apartments. (See below).
- Once permission is granted it will be dependent on compliance with each of the following conditions:
  - The dog is kept on a lead at all times when around the development.
  - The dog is not exercised\* in the communal grounds but away from the development.
  - The dog is not to cause a nuisance to other residents, including excessive barking.
  - The dog is not permitted to foul the communal grounds. Any accident which occurs must be cleaned up by the owner.
  - The dog is not permitted to urinate on the grassed areas.
  - The dog is carried through communal carpeted areas in wet weather.

*\*Exercise means to allow the dog to run after an object thrown by its owner. This important and necessary practice should not be undertaken on site.*

Many residents regularly ask what they should do when they are faced with non-compliance with the lease. The following ideas are a suggestion only and are designed to help people navigate this often stressful and difficult area.

- Speak directly but courteously to the dog owner reminding them that City Quay has a policy on pets that they should adhere to.

- If they are abusive to or dismissive of a resident's concern then they should be reported to the Site Manager or to any Director of the Company.
- A neighbour driven to distraction by a dog barking should first talk to the owner, but if it continues they should contact Environmental Health and use the on-line complaint form. Owners can be served with a Statutory Notice under the Environmental Protection Act 1990, which gives the owner 21 days to stop the dog barking. If, after this the dog continues to annoy residents, owners could face prosecution and, if convicted, a fine of up to £5,000 — and further fines of up to £500 for each day on which the offence continues. The dog may then be taken away.
- If a resident suspects that a pet is being kept without permission then they should communicate with the Management Company via e-mail detailing the apartment where the animal is being kept and the Managing Agent will take further steps (see below).

### **Duties and Responsibilities: Managing Agent**

- City Quay Management (2001) Company Ltd takes very seriously our responsibility to uphold the lease and make sure that all residents enjoy their time at City Quay. It is in all our interests to promote peaceful co-existence and enhance community spirit among neighbours at City Quay. Our first responsibility is to the lease and to see that it is upheld and to this end we have instructed our Managing Agent to pursue vigorously all breaches of the lease including through the courts should that be necessary.
- The Managing Agent will keep a record of all permissions given by the Management Company to specific Owners requesting permission for the keeping of a pet.
- Only Leaseholders/Owners will be eligible for this permission.
- All tenants, and therefore Lettings Agents, will need to apply for permission directly to the Owner/Landlord who will in turn have to apply to the Management Company on behalf of their tenant and so repeat the request each time a tenant requires permission. No permission is granted to an apartment but only to a particular person and their pet.
- In general the Management Company will only give consent for a medium or large dog (e.g. Labrador, Border Collie, Beagle etc.) to be kept in a ground floor apartment with its own private entrance or patio doors. It is not considered appropriate for such dogs to be kept in an upstairs apartment.
- The Management Company will not grant permission for any dog listed on the Government's DEFRA website.

- Section 1 of the Dangerous Dogs Act 1991 prohibits four types of dog: the Pit Bull Terrier; the Japanese Tosa; the Dogo Argentino; the Fila Brasileiro. It is important to note that, in the UK, dangerous dogs are classified by “type”, not by breed label. This means that whether a dog is considered dangerous, and therefore prohibited, will depend on a judgment about its physical characteristics, and whether they match the description of a prohibited ‘type’. This assessment of the physical characteristics is made by a court.
- If a request is made to check if a pet is being kept with permission or if a complaint is made by a resident about a pet, the Managing Agent will communicate with the Owner of the apartment to ascertain if they have the required permission.
- The Management Company reserves the right to negate permission or decline permission for those dogs caught fouling the grounds or dogs not on a lead around City Quay.
- Although each case must be judged on the particular circumstances, generally consent will be given for the keeping of all other common domestic pets.
- The Managing Agent and the Management Company will issue the Pet Policy to all residents and leaseholders and see that it is published on the website (see below) and revised on a regular basis.

## References

### **Environmental Health:**

<https://liverpool.gov.uk/pests-pollution-and-food-hygiene/pollution/noise-complaints/>

### **DEFRA:**

<http://www.defra.gov.uk/wildlife-pets/pets/dangerous/>

### **Blue Cross:**

<http://www.bluecross.org.uk/82822/blue-cross-guide-to-the-dangerous-dogs-act.html>

### **City Quay website:**

<http://www.engageliverpool.com/neighbourhoods/waterfront/city-quay>

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**Wren Properties Ltd:** 0161 835 9990

<http://www.wrenproperties.co.uk/>

**Out-of-Hours Service:** Adiuvo 0151 556 4928

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City Quay

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### **Parking Ticketing Ltd**

Web: <http://www.parkingticketing.co.uk/>

Tel no: 0845 689 4545

### **City Quay Website**

<http://www.engageliverpool.com/neighbourhoods/waterfront/city-quay>

### **Police**

Tel no: 0151 709 6010 or 101 or 999