



Department
for Environment
Food & Rural Affairs

www.defra.gov.uk

Promoting more responsible dog ownership

Summary of responses to consultation in Wales only on the proposal to increase the application fee for dogs to be placed on the Index of Exempted Dogs and the way forward

February 2013

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This document/publication is also available on our website at:

www.defra.gov.uk/consult/2012/10/26/exempted-dogs-fees-wales/

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Introduction

Defra sought views from Wales on a proposed increase in the fee for placing a dog on the Index of Exempted Dogs.

The proposal had already been consulted upon in England as part of a package of measures aimed at tackling irresponsible ownership of dogs. However the Index of Exempted Dogs applies to Wales as well as England so it was necessary to consult in Wales too.

This document therefore provides a summary of the responses to Defra's public consultation exercise on promoting more responsible dog ownership, applicable to Wales only, which ran from 26 October to 21 December. It analyses the 8 responses received. These must be taken together with the consultation responses to range of dog measures, including the fee increase, in England.

Background

This was set out in the consultation document, which can be found at:

www.defra.gov.uk/consult/2012/10/26/exempted-dogs-fees-wales/

The consultation sought views on two proposals:

1. An increase in the application fee for dogs to be placed on the Index of Exempted Dogs
2. A review of that fee every three years.

Headlines

Eight responses were received, six from organisations and two from individuals.

Two of the organisations supported the proposal (British Veterinary Association and Blue Cross) whilst four opposed (Farmers Union of Wales, Dogs Trust, Kennel Club and RSPCA). Both individuals opposed the fee increase.

All six organisations agreed with the proposal to review the fee every three years but the two individuals did not express a view.

List of organisations that responded

Blue Cross

British Veterinary Association

Dogs Trust

Farmers Union of Wales

Kennel Club

RSPCA Cymru

In addition, responses were received from two individuals.

All responses to individual questions

The following summary provides:

- i. Number of responses to each question for and against;
- ii. Headline responses; and
- iii. Quotes from all the responses

Question 1: Do you agree that in the circumstances described the application fee be increased to £77 plus VAT? Why?

Yes - 25% No – 75% 8 responses

Yes

- Level appears to be reasonable
- Should cover costs of scheme

No

- Discourage people from putting dogs on the Index
- Too costly for some
- Too much on top of other costs associated with dogs being placed on the Index
- Penalise responsible owners while those owning banned types illegally are unlikely to see exemption

Yes

“The level appears to be reasonable. Blue Cross understands that the fee is a necessary administrative charge. However we would not wish to see the fee increase to a point that it became unaffordable for owners, resulting in the unnecessary destruction of healthy sociable dogs.” **Blue Cross**

“We agree in principle that the fee should reflect the costs of the scheme and also note that the cost is not onerous compared to the costs of dog ownership. However care must be exercised so that individuals are not deterred from placing dogs on the Index of Exempted Dogs.” **British Veterinary Association (Welsh Branch)**

No

“...concerned a substantial increase in fees will inevitably penalise conscientious dog owners as those who own proscribed breeds illegally will continue to avoid registration and are highly unlikely to seek an exemption.. The step increase from “0 to 77 [both plus VAT] was considered to be too high in one go and consideration should be made to so as not to discourage people from going through the process.” **Farmers Union of Wales**

“A breakdown of costs...seem to highlight costs that seem unfairly and unnecessarily placed on owners i.e. processing, checking and resolving queries on the accuracy of

Court orders and notifying police/local authority/Court whether application is successful/unsuccessful". "The costs should be excluded from the equation or at least significantly reduced to fairly reflect legitimate burdens. ". **RSPCA Cymru**

"We are opposed to any considerable increase in the fee as it would be a disincentive to owners...to come forward to have their pets made lawful through registration. It may also mean that owners who do go through the Court process may find that they have their pets put to sleep as they are unable to afford to comply with the procedure". **DOGS TRUST**

"the Kennel Club understands the motives behind increasing the fee..to ensure that the Index is not disproportionately funded by the taxpayer..and.. does fundamentally not agree with the existence of the IED." The Kennel Club believes that the other costs associated with complying with the Contingent Destruction Order, for example neutering, tattooing, insurance etc already place a significant financial expectation on the dog owner. **KENNEL CLUB**

"It disproportionately impacts innocent responsible dog owners who have already been financially impacted by going through to legal process to have their dog be on the Index" .." will target responsible dog owners who happen to live in Wales with generally lower incomes..." "Obviously raising fees will adversely affect the aged, the disabled, many women, as these groups already have a lower income than other groups. "The effective method of curtailing the costs associated with all aspects of the BSL [Breed specific legislation] is to repeal those sections of the legislation that refer to breed or type specificity, and to target responsible ownership and above all, education". **Individual respondent**

"This will mean more and more beloved pets will be put to sleep..." The proposed fee increase just makes it harder for decent owners to afford to exempt their dogs". **Individual respondent**

Q2: Do you think reviewing the fee after 3 years is reasonable?

Yes – 100% No – 0% 6 responses

".. it is reasonable to review the fee after three years" **British Veterinary Association (Welsh Branch)**

"If the £77 fee is adopted it is important to ensure that it is reviewed on a regular basis to ensure that there will not be such a steep increase in future." **Farmers Union of Wales**

The way forward

A fee increase is never going to be popular, but the fee has not been increased since 1997 hence the large difference. Also, as the Consultation Document pointed out, this is not full cost recovery as Government rules dictate that only the costs of enforcing the Index can be recouped and not the cost of monitoring it. The Government is therefore continuing to contribute to the cost of administering the Index of Exempted Dogs. The Treasury have signed off the proposed fee and the approach adopted in the calculations is consistent with Treasury guidelines on fees and charges. The proposal to increase the fee will not adversely affect any particular group because it will apply across Great Britain and it applies to anyone who has a banned type of dog. We have not seen any evidence that suggests the elderly, ethnic minorities, women or other groups predominantly own banned types of dog.

The risk of some owners of banned types of dog not coming forward as a result of the increase is recognised, particularly those who may have limited income and have inadvertently bought a dog that turns out to be a banned type. The key is education. The Government will seek to work with dog interests to educate owners further both in the law and to help avoid buying a banned type of dog so that owners are not placed in this position. Responsible owners should always choose their dogs care and follow sensible, freely available advice to avoid problems. Assistance with the costs of neutering/spaying and microchipping are also available from dog charities for those on benefits.

Defra is now working with Welsh and Scottish Governments to introduce the revised fee in Great Britain. This will be done through a fees order under secondary legislation. The fee increase in Wales will be introduced through regulations applying jointly to England and Wales. To this end it is worth noting that the consultation in England produced a majority of 53% (14,818 responses) agreeing with the increase in the application fee from £20 + VAT to £77 + VAT.