

PRIME MINISTER

DOG LICENSING

You might just like to be aware of the way in which thinking is going on this. As you will probably recall the Government issued a consultation paper in November 1984 suggesting a locally determined dog license. This proved pretty unpopular and there is now a counter revolution led by the Lord Chancellor, a prominent dog owner, in favour of complete abolition. Mr Baker who wrote an article in The Times in the mid-'70s proposing abolition is moving in that direction and is supported by the Treasury both pro and anti-dog lobbies are fairly vociferous and I doubt there is very much to be gained in political terms either way. But at least abolition would forestall the establishment of yet another local authority regulatory function and yet another bureaucracy.

Tim Flesher

4 October 1985

CC/HB

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MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH



From the Minister

The Rt Hon Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
68 Whitehall
London SW1A 2AT

9 September 1985

MBPM

In his memorandum H(85) 36, Patrick Jenkin set out Government proposals for the future of dog licensing following public response to the consultation paper issued in November 1984. I understand that discussion in H Committee has been postponed following the recent reorganisation.

I am nevertheless writing in support of the proposed course of action. Local authority discretion on registration and fees, subject to a prescribed maximum, does seem to be the best solution to the present problems.

But the level of the maximum is important, since we do not want to give local authorities who are hostile to any particular group of dog or hound owners too great a scope for discrimination. I am sure it was fear of this that led so many groups in the consultation to a continuation of the nationally administered licence. The £10 maximum which DoE has in mind is perhaps on the high side: certainly nothing higher should be contemplated. I do hope that the British Field Sports Society and the Master of Foxhounds Association have been fully consulted on all of this.

With this proviso I would support a bid for early legislation and with it the repeal of the Dog Licences Act 1959 and the relevant sections of the Local Government Act 1966 which provide powers for the Minister of Agriculture and territorial Secretaries of State to vary the existing licence fee and relevant conditions. As you know, I have never accepted that these latter powers are relevant to the responsibilities of my Department. I am of course fully in support of the proposed exemption from licensing for working sheep dogs.

I am copying this letter to the Prime Minister, members of H Committee, the Secretary of State for Trade and Industry, the Deputy Chief Whip and Sir Robert Armstrong.

MICHAEL JOPLING

FROM:

THE RT. HON. LORD HAILSHAM OF ST. MARYLEBONE, C.H., F.R.S., D.C.L.

CC/AB



HOUSE OF LORDS,
LONDON SW1A 0PW

10th September, 1985

The Right Honourable
The Viscount Whitelaw, CH MC
Lord President of the Council,
Privy Council Office,
68 Whitehall,
London,
SW1A 2AT.

My dear Willie:

Dog Licensing

I am not sure that we have got the answer to the dog licensing problem right. The case for the abolition of the licence fee is overwhelming. It loses money, and, since the only purpose of a tax is to raise it, the existing arrangements cannot be justified.

It is true of course that dogs present a variety of minor problems. They sometimes foul the pavements. They are occasionally abandoned. They are sometimes stray without their collars. Some dogs worry sheep. From time to time health faddists stress a (relatively insignificant) health hazard. They can be made the targets for anti blood sport propaganda. In his previous contributions the Secretary of State describes the pro-dog lobby as vocal and well organised. I would like to make the same allegation against the anti dog lobby.

The case against dogs is essentially one of policing - the destruction of strays whose owners cannot be traced, the prosecution of owners for dog-related offences, the enforcement of the wearing of collars, licence to farmers to shoot sheep worriers etc. Emphatically it is not a case for a tax.

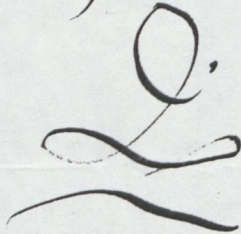
I would like to put forward a divergent point of view. Apart from farmers, shepherds, organised hunts, and shooting interest, the dog is a pet, a companion for the old, decrepit, and widowed, an educational friend for the young (especially the only child). A dog tax is essentially regressive, though Lord Chancellors might find it easy to pay the tax, the old age pensioner, or the young married family could not.

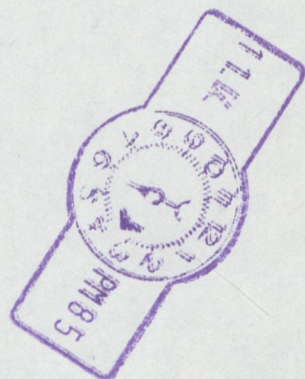
There is also an electoral point. The time is now ripe for us not to make fresh enemies unnecessarily. Beware of offending the dog owner, actual or potential. He has a vote and is more likely to use it on this issue than the anti dog lobby.

/...

I am copying this letter to the Prime Minister, members of H
Committee, the Secretary of State for Trade and Industry, the
Chief Whip and Sir Robert Armstrong.

Yrs.

A handwritten signature in black ink, consisting of a large, stylized capital letter 'L' with a flourish extending to the right, and a smaller capital letter 'Q' positioned above the main body of the 'L'.





MBPM

Treasury Chambers, Parliament Street, SW1P 3AG

Rt Hon Kenneth Baker MP
 Secretary of State for the Environment
 Department of the Environment
 2 Marsham Street
 London
 SW1P 3EB

18 September 1985

Dear Kenneth,

DOG LICENSING

I have seen a copy of Quintin Hailsham's letter of 11 September.

I agree with him that the case for abolition is strong. It offers a certain saving of over £3m per year, and, unlike the other options canvassed by Patrick Jenkin, it avoids the risk of unnecessary expenditure by local authorities. I believe too that local determination will cause us a great deal of political difficulty and I understand that it was the least favoured option among those who commented on the consultation paper.

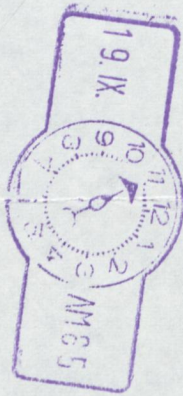
I understand that you are now reconsidering the issues before we discuss them collectively. I hope we can reach a decision soon: as you know there has been a considerable public reaction to and interest aroused by the consultation paper and the status quo is ridiculous.

I am copying this letter to the Prime Minister, members of H Committee, the Secretary of State for Trade and Industry, the Chief Whip and Sir Robert Armstrong.

Yours,

JOHN MacGREGOR

Parliament Pr 14
Legislative



8/24

MR. BOOTH

DOG LICENSING

I recall a recent H paper on this at which the letter of 11 September from the Lord Chancellor to the Lord President reminded me of.

I think it would be helpful after the H discussion to have a note on the outcome, and also on the upshot of the discussion on Widdicombe.

Perhaps you would be good enough to provide me with something which I might put to the Prime Minister with the minutes of the meeting?

(MARK ADDISON)

11 September 1985



CC473
2 MARSHAM STREET
LONDON SW1P 3EB

01-212 3434

My ref: T/PSO/17036/85
Your ref: B/PSO/17083/85
B/PSO/17301/85

3 October 1985

Dear Willie,

DOG LICENSING

I have seen copies of Michael Jopling's letter to you of 9 September and Quintin Hailsham's of 11 September; John MacGregor also wrote to me on 18 September.

I am grateful to colleagues for expressing their views. It is quite clear that no resolution of the present unsatisfactory situation is going to please everyone. I am, however, not immediately convinced that the course proposed in the memorandum already circulated is the right one, and I am therefore reviewing the options with a view to bringing the matter to H Committee as soon as possible. I shall, of course, take account of the comments of those colleagues who have written. I am particularly mindful of the desirability, to which John MacGregor points, of an early decision. I can also reassure Michael Jopling that the bodies he mentions were indeed included in our consultation exercise.

I am copying this letter to the Prime Minister, Members of H Committee, the Secretary of State for Trade and Industry, the Minister of Agriculture, Fisheries and Food, the Chief Whip and Sir Robert Armstrong.

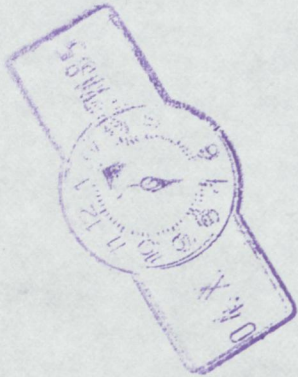
Handwritten signature: Kenneth Baker
Handwritten initials: KB

KENNETH BAKER

The Rt Hon Viscount Whitelaw CH MC

C O N F I D E N T I A L

PARLIAMENT
LEGISLATIVE PROG.
PT 14





10 DOWNING STREET

John Seamer Esq
British Veterinary Association
7 Mansfield Street
LONDON
W1

25 March 1986

Dear John

I enclose a short minute, which sketches out the idea we have discussed. I must emphasise, of course, that this is not Government policy, but if you still approve of the idea then perhaps we could have another short meeting if you would find this helpful.

With best wishes.

Yours sincerely

H.B.

HARTLEY BOOTH

Char. file
bc = Mrs. A. P. ...
Mr. Mellor, ...

FIRST DRAFT PROPOSAL

CANINE INSTITUTION

(The name is changeable as are most other features of the proposal set out below.)

Object

To form a corporation, institute or body that would exist for the welfare of dogs and those with the interests of dogs at heart, which would carry out the functions of licensing dogs, fixing the amount of such a licence, collecting the licence money and spending it for the welfare of dogs, in particular, for such dog wardens as the institution or body might decide were appropriate. The institution would hold any register of dogs it thought suitable.

Suggested shape of the institution

There should perhaps be a council or directors drawn from the British Veterinary Association, the RSPCA, environmental health officers and such other groups or persons thought appropriate. These council members or directors should decide what fee or licence was suitable and what welfare facilities should be provided with the licence money obtained, and should appoint an executive arm of the body to oversee the collection of the fees.

Legal status of the institution

The institution would need legal powers to charge and enforce a dog licensing régime. It might be a company incorporated and limited by statute.

Fee collection or licence collection

Veterinarians throughout the country with practice clinics should be empowered to issue dog licences and to receive such remuneration as the council decides appropriate for this work.

Enforcement

The institution should be empowered to bring private prosecutions against dog owners failing to have a dog licence. Alternatively, there could be provision for civil proceedings brought to enforce non-payment of licence fees. It might be useful if the institution was able to insist that when dog owners brought their pets to the surgery that they should produce a dog licence, and that environmental health officers should have the power to request the production of a dog licence. Dog wardens would clearly have a rôle to play in enforcement. If it was envisaged that there would be any appreciable number of additional court cases arising out of non-payment of dog licence, the Home Office, which is responsible for Magistrate Courts, may be predicted to require some compensatory payment from the institution periodically.

This compensation could, of course, be built in to the formula used by the council of the institution to fix the licence fee.

Links with Government

There should be no formal links with Government, except such charge for the court system that might be thought appropriate. Environmental health officers would continue to be local authority-based.

PRIME MINISTER

DOG LICENSING

BF 11

HB will be submitting a note
tomorrow. It draws on Hedy,
had the by advised that
state go as abolition are de only
political
options.

Ken Baker is inviting colleagues to approve his proposal to transfer dog licensing to local authorities and allow them to increase the fee to pay for a new army of dog-wardens.

This proposal would increase regulation, taxation and bureaucracy without dealing with the problem of stray, foul, dangerous or sheep-worrying dogs. It would also be highly unpopular: only 13% of the 1400 replies to the consultation paper on dog licensing favoured devolving licensing to local authorities, while among the 32% in favour of outright abolition of the license were two replies bearing 47,000 signatures between them.

Whatever the pressure-groups may say, the vast majority of dog-owners would favour abolition of the licence. Besides, there is no clear connection between the licensing of dogs and the better behaviour of dogs or owners: if anything, a higher fee would be still more of a disincentive to get a licence than the present 37p fee, which costs about £2.50 to collect.

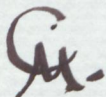
It would be unfair, as well as unpopular, to increase the licence: the responsible majority of dog-owners would be paying a punitive price for the misbehaviour of the irresponsible few.

The best solution would be:

1. to abolish the dog licence altogether, which would be a) popular; b) deregulatory and c) cash-saving;
2. if and only if the Government felt the anti-dog lobbies needed

to be appeased, to legislate requiring all dogs to bear a collar-tag showing the name and address of their owners, allowing the authorities to dispose humanely of any dogs not bearing tags, and imposing heavy fines on owners who fail to control their dogs. Then there would be no need for a costly and unpopular army of dog-wardens.

We recommend that you should write to Kenneth Baker inviting him to work up a proposal for legislation on the lines of 2 above and to include it in the abolition option for consideration by H.



CHRISTOPHER MONCKTON

8 April, 1986. ✓

PRIME MINISTER

DOG LICENSING

(H(86)15 4.4.86)

H Committee on Monday are taking the attached paper by the Secretary of State for the Environment on dog licensing. The paper canvasses the three options of abolition, increasing the licence fee, or providing local authorities with discretion. The Secretary of State comes down in favour of the latter.

However sympathetic one is to the need for many owners to control their dogs better, the practical problems, either of a significant increase in the licence fee or of providing local authorities with the power to take decisions which the Government shirk, would be very great. The Lord President is being advised that the only practical political options are either to retain the status quo and live with the flak from the PAC etc., or to abolish the licence.

The Policy Unit have in mind passing responsibility for licensing to a separate and independent body, who would have powers to determine the level of the licence, to collect it (and of enforcement); and who would operate, presumably through the local authorities, dog wardens, etc, with the resources available. But this would involve in effect giving a quango the power to raise a tax on dog owners, and many of the practical difficulties which the other options suffer from would beset this idea too.

TF

ME.A

10 April, 1986.

JD81

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is to put for local
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MR ADDISON

10 April 1986

DOGS

Christopher Monckton briefed in my absence on this subject, with which I have been dealing for more than a year. There is a matter about which you should be aware. There is another way forward on dog licensing which Christopher omitted. It is a proposal that has been briefly discussed with Treasury, DoE and Home Office officials, and the British Veterinary Association. I attach the latest correspondence.

In a nutshell, our proposal is a variant of "let the local authorities do it" and amounts to privatisation of the existing system. The health aspects of licensing are so important say the Veterinarians, the RSPCA and the Environmental Health Officers that some control is needed.

If the Prime Minister wishes to write as Christopher suggests, she might wish to see the alternative proposal with which we have been dealing.



HARTLEY BOOTH

PRIME MINISTER

H COMMITTEE: DOG LICENCES

H Committee on Monday agreed that the Environment Secretary's proposal for local discretion was not the right way forward. They agreed instead that the licence and the fee should be abolished. The Environment Secretary and the Chief Secretary are to consider ways of making financial arrangements to support dog control measures, which would help mitigate the inevitable opposition to abolition. Consideration is also being given to effecting the legislative change by means of a Private Members Bill.

I attach the minutes and a note from Hartley Booth in case you wish to look at them.

Mark Addison

Mark Addison
16 April 1986

JALAPS

MR ADDISON

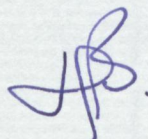
16 April 1986

DOGS

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Kenneth Baker, in the lead at H, failed to attract the Committee to his policy bone - the local authority option. Instead, after a noisy hour in which some teeth were bared, the Lord President expressed the overwhelming view of the Committee - that the licence fee should be abolished. The proposal that the (37p) fee, introduced in (1797) to pay for the War with France, should be increased in line with inflation since that date, was immediately buried. It was agreed, however, that "control of dangerous dogs" should be part of Government policy, and it is therefore H Committee's view that the 170+ dog wardens deployed by local authorities at the current cost of £900,000, should be given a chance to appease the fears of the dog-harrassed.

Conclusion

Chewing up the dog licence will save £3.5 million. Taking away the cost of dog wardens from this sum still leaves a PSBR benefit of £2.5 million, which we support with a scarcely audible 'woof'.



HARTLEY BOOTH