

The Rt Hon Steve Barclay
Secretary of State for Environment, Food and Rural Affairs
Nobel House, 17 Smith Square
London
SW1P 3JR

Cc Rt Hon Chris Philp MP, Policing Minister, Home Office

14 February 2024

Dear Secretary of State,

XL Bully Ban

I am writing to raise the LGA's concerns regarding the XL Bully Ban.

Councils have hitherto relied on police Dog Legislation Officers (DLOs) to type suspected XL Bully dogs. Indeed the [guidance](#) your department has issued around the ban tells councils that:

For the purposes of enforcement of Section 1 of the Dangerous Dogs Act 1991, Dog Legislation Officers are responsible for identifying XL Bully breed types. Further expert advice and guidance must be sought at an early stage from a Dog Legislation Officer should police or local authority officers suspect that a dog may be an XL Bully breed type.

Although councils are responsible for stray dogs, DLOs have previously typed dogs for councils that have suspected a dog in their kennels is a banned breed. Because of this, most councils do not have any staff who are employed to type XL Bullies, or other banned breeds.

Demand for typing is now increasing significantly as a result of the XL Bully ban. However, we are aware that a number of police forces across the country are no longer sending out DLOs to type XL Bullies for 'third parties' (including councils), and that recently the National Police Chiefs Council (NPCC) has written to all police forces advising them to adopt this approach. For councils, this is deeply concerning.

If all police forces follow the NPCC's advice, councils are going to experience a significant increase in stray dog collection pressures, whilst experiencing the withdrawal of existing means of typing suspected banned breeds.

LGA officers have been contacted by councils from across the country who are extremely concerned about the NPCC letter. If DLOs are not available to type XL Bullies, many councils will run out of kennel space due to the significant increase in strays they are collecting. With no means of typing dogs, councils will also face a significant increase in costs for kennelling

stray XL Bullies, which is not currently being considered in new burdens calculations. Council Dog Wardens whose job descriptions do not currently include typing dogs may not be willing to do so for ethical reasons, and where they are, their jobs may need re-grading, which will take time and resources.

The removal of police identification service at such notice has not provided councils with any opportunity to react or put in place contingency measures. Councils urgently need this decision to be reconsidered, or at least reinstated in the short term to ensure we do not run out of kennel space, while a longer term solution is sought.

We have raised the conflict between the DEFRA guidance and the police's withdrawal of DLOs with officials, however we do not believe that simply re-writing guidance will solve the problem. It is not realistic to expect that councils can suddenly start doing something they have previously relied on the police to do, while at the same time demand for that activity appears to be significantly increasing.

As ever, if the LGA can ever be of any assistance to the work of your Department please do not hesitate to get in touch. My colleague Charles Loft would be very happy to help: charles.loft@local.gov.uk

Yours sincerely,

Heather

Cllr Heather Kidd
Chair, Local Government Association's Safer and Stronger Communities Board