



General Licensing and Registration Committee

Date Thursday 20 January 2011
Time 10.00 am
Venue Committee Room 2 - County Hall, Durham

Business

Part A

1. Declarations of Interest (if any)
2. The Minutes of the Special Meetings held on 22 November and 6 December 2010 (copies attached) (Pages 1 - 8)
3. Review of Animal Health and Welfare Licensing Protocols (copy attached) (Pages 9 - 54)
4. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
5. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Colette Longbottom

Head of Legal and Democratic Services

County Hall
Durham
12 January 2011

To: **The Members of the General Licensing and Registration Committee**

Councillors C Carr, B Arthur, J Bailey, D Barnett, J Blakey, D Bowman, D Boyes, D Brown, D Farry, P Gittins, J Gray, G Huntington, R Liddle, D A Marshall, L Marshall, P May, M Plews, J Shiell, D Stoker, O Temple, L Thomson, R Todd and A Wright

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Durham County Council

General Licensing and Registration Committee

At the **Special Meeting** of the **General Licensing and Registration Committee** held in the **Council Chamber** at **County Hall, Durham** on **Monday 22 November 2010 at 1.30pm.**

Present:

Councillor C Carr in the Chair

Members of the Committee:

Councillors B Arthur, J Bailey, J Blakey, D Brown, D Bowman, D Boyes, P Gittins, G Huntington, R Liddle, D Marshall, L Marshall, P May, M Plews, O Temple, J Shiell, D Stoker and R Todd.

Apologies for Absence

Councillors J Gray, L Thomson and A Wright

A1 Declarations of Interest

Councillor P May declared a personal interest in the item numbered 2.

A2 Comprehensive Review of the Council's Hackney Carriage and Private Hire Licensing Policy

Consideration was given to the report of the Corporate Director, Neighbourhood Services which sought approval of the revised Hackney Carriage and Private Hire Licensing Policy, a copy of which had been circulated.

Members were advised that between 1 August and 12 September 2010 the draft Hackney Carriage and Private Hire Licensing Policy was the subject of a broad consultation exercise involving the taxi trade, service users, relevant authorities and organisations, Countywide and Area Taxi Working Groups and members of the public. It was also advertised in the local and regional press and published on the Council's website.

Twelve responses had been received and these were set out in Appendix 2 of the report.

Appendix 3 detailed the proposed responses by the Licensing Authority and suggested amendments to the Policy were set out in Appendix 4.

Members considered each of the proposed amendments and made reference to the definition of executive hire and the exemption from displaying licence plates and door stickers. It was noted that the Council would not exercise its

discretion in granting the exemption for regular private hire bookings. Councillor May expressed concern that the Policy stated that transportation to special events, celebrations or nights out was deemed to be regular private hire work and therefore the plates should be displayed. He considered that this was too restrictive and that there should be some discretion granted for executive vehicles to be used for special events etc without having to display plates and door stickers. He asked that the Policy be amended to reflect this.

At this point Councillor May left the meeting.

Members discussed the issue at length and noted that it was for vehicle licence holders to apply to the Council for exemption from displaying plates and stickers on executive vehicles, providing evidence to support the application. They believed that the Policy should be amended to remove the reference within paragraph 3 of Appendix 4 of the Policy to the exemption being limited to those dealing with businesses, with the reference to companies also being removed from paragraph 3(i) of Appendix 4 of the Policy.

Councillor May returned to the meeting.

Reference was made to the time period within which the Council would not normally grant a licence for criminal convictions, as detailed in Appendix 2 of the Policy. Members asked that a full list of motoring offences be included and that a copy be provided to Members at each Area General Licensing and Registration Sub-Committee for reference purposes. It was also noted that the time period should commence from the date of conviction for all offences.

A Member referred to the dress code which drivers must comply with and the requirement to cover offensive tattoos. He stated that it would be difficult to define 'offensive'. Officers agreed that it was difficult because whether or not a tattoo design was considered offensive was subjective. It was hoped that drivers would take a responsible approach and any complaints received would be handled on an individual basis.

Members also referred to the consultation process with Durham Safeguarding Services on hackney carriage/private hire driver applications which were reported to the Area General Licensing and Registration Sub-Committees, and were advised that discussions were ongoing to improve future reporting arrangements.

Resolved:

That

1. The comments and responses as detailed in Appendices 2 and 3 be noted and the suggested revisions to the current Policy be approved.
2. Subject to the additional amendments outlined above, the final version of the revised policy as attached at Appendix 4, be agreed and recommended for adoption by full Council.

Durham County Council
General Licensing and Registration Committee

At the **Special Meeting** of the **General Licensing and Registration Committee** held in **Committee Room 2** at **County Hall, Durham** on **Monday 6 December 2010 at 2.00pm.**

Present:

Councillor C Carr in the Chair

Members of the Committee:

Councillors B Arthur, J Blakey, D Brown, D Bowman, D Boyes, P Gittins, J Gray, L Marshall, P May, M Plews, J Shiell, D Stoker, L Thomson and R Todd.

Apologies:

Apologies were received from Councillors J Bailey, G Huntington, D Marshall, O Temple and A Wright

A1 Declarations of Interest

Councillor P May declared a personal interest in item numbered 2.

A2 The Regulation of Taxis in County Durham (Public Consultation on Zoning, the Control of Hackney Carriage Numbers and Colour Policy)

Consideration was given to the report of the Corporate Director, Neighbourhood Services which advised of the outcome of the consultation exercise with stakeholders relating to the regulation of hackney carriages and private hire vehicles licensed by Durham County Council. The report also sought recommendations to Council in relation to zoning, the regulation of hackney carriage numbers and colour policy. A copy of the report had been circulated.

In addition, since the report had been prepared, correspondence had been received from Mr Biggs, Mr Fets and the National Private Hire Association, and Members were given the opportunity to read through the information prior to consideration of the business.

N Smalley, Public Safety Manager gave a detailed presentation on the outcome of the consultation process (Appendix 2), and the proposed options for the zoning and regulation of hackney carriage and private hire licensing (an options appraisal was attached at Appendix 3). A list of all interested parties were included in Appendix 4, a summary of the responses from the countywide public consultation exercise was attached at Appendix 5 and an analysis of the results of the consultation process were detailed in Appendix 6.

In discussing the proposals with regard to the regulation of taxis, a Member asked how significant the financial implications of undertaking regular assessments of demand would be in order to support the continued regulation of hackney carriage licences. Members were advised that demand surveys were costly and could potentially be in the region of £15-20k each. Such a survey would have to be undertaken every three years.

In response to a further question, it was reported that it would not be possible to introduce deregulation and remove zoning by way of a pilot scheme, nor was it possible to undertake a review after a given period of time following implementation.

At this point Mr Biggs, a member of both the Chester-le-Street Area and the County Trade Working Groups, was given the opportunity to speak. He stressed that as it would not be possible to go back to zoning and regulation if a decision was made otherwise, it was important to ensure that whatever was decided was right for the County. He considered that de-regulation would be catastrophic as there were already too many taxis. He represented Chester-le-Street and all the drivers of the Chester-le-Street Area Working Group who responded to the consultation were in favour of keeping the zones and regulation. 82.5% were in favour of the colour policy which already worked well in Chester-le-Street.

Mr Fets, a member of both the Durham City Area and County Working Groups was also given the opportunity to speak and stated that he was of the view that the results of the survey were flawed as it did not make clear what was meant by deregulation. He referred to the photographs contained in Appendix 3 advising that they were nearly four years old and showed a Saturday night over an Easter weekend. Since the photographs had been taken more licences had been issued, two nightclubs were no longer open on Friday evenings and the area was currently in economic recession. With regard to the colour policy he referred to the successful challenge by the trade when an attempt had been made to introduce such a policy in Durham City previously. Mr Fets also pointed out that local buses and DCC vehicles were not all the same colour.

With regard to the consultation, he stated that no mention had been made of any consultation with Residents Associations or Disabled Groups. He continued that there were only 8 taxi spaces available in the City during the day which he considered to be inadequate, particularly when taxis were an important part of the transport infrastructure of Durham.

To conclude he stated that he had two vehicles which at present were not used Monday to Wednesday because of the lack of business. This he believed added weight to the argument against deregulation.

Sgt Robson was permitted to address the meeting and referred to the photographs, stating that more recent images were available from June/July 2009, which displayed the same problems. The Police did not support zoning and by way of example he advised that the former Sedgefield Borough

Council area had more taxis than Durham City centre and as the City was growing with an increase in housing development, there would continue to be an increase in demand. If zoning was removed the taxis from areas such as Sedgefield would be able to operate in Durham as well, thereby helping to meet the increase in demand. He continued that there were now 5 nightclubs in Durham and in December alone there had been 60 Temporary Event Notices issued. Safety was a primary concern for the Police who had witnessed problems experienced by people trying to get home by taxi late at night. If taxis from other areas were allowed into the City centre the streets would be cleared earlier and people would get home more quickly and safely.

Members discussed the points made and the options outlined in the report. A Member commented that the length of the queues at the Claypath rank in Durham after midnight was an issue that he had witnessed himself, however he also understood the concerns expressed by local residents concerning an increase in vehicles there if zoning was removed. Whatever policy was introduced must be in the public interest.

Sgt Robson responded that there could potentially be a large increase in taxis in the first few weeks but he believed that the numbers would eventually be 'self-levelling' in accordance with demand. His view was that taxi marshals should be used to engage with taxi drivers and the public to maximise the use of vehicles both into and out of the City, thereby getting people home more quickly.

A Member commented that Durham City and Chester-le-Street were considered to be centres of night time economy and he was aware that people did have problems getting taxis from these areas at night. It was also pointed out that booking a taxi at the same time as school runs could be difficult. In terms of public safety a further Member considered that both deregulation and the implementation of a colour policy could be a positive step forward.

In response to a question concerning the reasons for the trade's objections to a colour policy, Mr Fets explained that they were because it was difficult to purchase used white vehicles and that they could not be re-sprayed if bought on hire purchase. In addition there were potential problems when a taxi was damaged and another vehicle was required to be licensed in the interim which may not already be white. R Langdon, Solicitor advised that if Members were minded to, a provision could be built into the policy to accommodate this. In response to concerns expressed by the trade that the proposed timescale for implementation of the colour requirement by April 2016 was too tight, particularly in the current economic climate, R Langdon suggested that this date could be re-examined by Licensing Officers.

Following consideration of the report and views put forward by Members, Mr Biggs, Mr Fets and Sgt Robson it was **Resolved**:

That the following recommendations be made to full Council:-

- (i) Option A be adopted to remove the existing seven zones across the County and deregulation of existing hackney carriage licence limitations
- (ii) A colour requirement be introduced in respect of vehicles submitted for licensing as hackney carriage or private hire vehicles as follows:-
 - All newly licensed hackney carriages to be coloured all white
 - No proposed private hire vehicle to be newly licensed if any part of the exterior is white
 - The period of time within which hackney carriage and private hire vehicles must comply with the colour requirement be re-examined by Licensing Officers to ensure a suitable and economic timescale for implementation
 - This policy apply to all licensed vehicles including purpose built vehicles and minibuses, but not to any special vehicles as defined within the policy which will be exempt from any colour requirement.

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**General Licensing and Registration
Committee**

20 January 2011



**Review of Animal Health and Welfare
Licensing Protocols**

**Joint Report of Corporate Director, Neighbourhood Services and
Health Protection Manager, Environment, Health and Consumer
Protection**

Purpose of the Report

1. To review the current licensing mechanisms relating to prescribed animal welfare establishments within County Durham, and clarify the respective roles and responsibilities of both the local authority, and those partner agencies and stakeholders, who may have a contribution towards the application and renewal process.

Background

2. Enforcement responsibility, in connection with animal health and welfare issues in the UK is dealt with on a multi-agency basis, involving national bodies like DEFRA, local authorities, the RSPCA, the police authorities and the regional Animal Health services (an executive agency of DEFRA.). All of the afore-mentioned have specific roles and responsibilities in this regard, the majority of which are imposed by statute. Owners and keepers also have a personal responsibility to ensure the health, safety and welfare of their animal whilst it is in their care.
3. The Animal Welfare Act 2006 applies to all animals kept by man, for whatever purpose, including companion animals. It places a duty on all people keeping, or responsible for animals, not only to avoid cruelty but also to provide for the welfare needs of their animals.
4. A person commits an offence under the 2006 Act if they do not take such steps as are reasonable in all the circumstances to ensure that the needs of an animal for which they are responsible are met to the extent required by good practice. For the purposes of this Act, an animal's needs shall be taken to include—
 - (a) its need for a suitable environment,
 - (b) its need for a suitable diet,
 - (c) its need to be able to exhibit normal behaviour patterns,
 - (d) any need it has to be housed with, or apart from, other animals, and
 - (e) its need to be protected from pain, suffering, injury and disease.
5. For the first time, companion animal owners have a duty of care towards those animals. The responsibility rests firmly on the animal owner to make sure that they know about, and understand, their animals needs and to ensure that they are provided for. A casual

or inadequate approach to animals will not be acceptable. The legislation is also intended to provide enabling powers for secondary legislation, which in due course will hope to better regulate such activities as animal sanctuaries, livery yards, performing animals and greyhound racing.

6. There are currently 117 identified animal welfare businesses within County Durham that are licensed, as follows:
 - **36 Pet Shops**
 - **8 Dog breeders**
 - **48 Animal Boarding establishments**
 - **20 Horse Riding Establishments**
 - **2 premises housing Dangerous Wild Animals**
 - **1 Zoo**
 - **2 “Independent” Greyhound Racing Tracks**
7. This report will primarily focus on those situations where licensing occurs, and will aim to clarify how such facilities are to be inspected and licensed, and where contributions from other stakeholders or involvement of other agencies are required, to ensure that all relevant matters have been addressed through the licensing process.

Roles and Responsibilities

8. Much of the current routine regulatory work within the local authority is undertaken by the community & animal health team within Environment, Health and Consumer Protection (EHCP) with the main focus of attention on livestock issues associated with farming activities, and working closely with the regional animal health unit in that regard to prevent the incidence and spread of notifiable animal diseases.
9. Additional responsibilities are also undertaken with respect to animal welfare establishments where a licensing regime is in place, and the council have a responsibility to issue such licences, subject to them meeting the appropriate criteria contained within the specific legislation in place for each of the prescribed premises. They are also entitled to apply conditions to the licences that they consider are relevant and appropriate, to secure the welfare of those animals which are present.
10. Welfare matters identified within the licensed establishments should be dealt with by suitably authorised and competent officers of the Council.
11. The licensing process and principles followed in respect of all of the above are quite similar in approach, however pet shops, animal boarding and breeding establishments and horse riding establishments are dealt with in quite a prescriptive manner, as dictated by the respective site specific legislation.

12. Appendix 2 outlines the generic procedures to be followed in relation to the licensing of a range of animal welfare establishments and includes for the application of detailed conditions relating to specific licensed premises as contained within Appendices 3 to 9 to this report.

Dealing with Complaints

13. Complaints about any of the products or services provided, as a consequence of animal welfare business operations, are routinely dealt with by the EHCP Service. Depending upon the nature of the complaint however this may involve liaison with other animal welfare agencies particularly if the complaint concerns allegations of cruelty and/or neglect.
14. The most frequent type of complaints concern issues around ill-health of animals purchased from pet shops and breeders, and allegations of infectious/contagious diseases at boarding establishments. Issues around the pedigree status of dogs may also be referred to the service as a trade description matter. In addition the authority may deal with complaints concerning unlicensed premises that fall within the scope of the licensing authority's jurisdiction.
15. Complaints relating to the subsequent health and wellbeing of animals purchased from pet shops or breeders are often dealt with under trading standards legislation and specifically the Enterprise Act 2002. Even where offences under this legislation are successfully proven however, they cannot be taken into account when assessing the applicant's suitability, or considering a licence application. Only those convictions under specified "animal welfare" legislation are deemed to be relevant in such situations.

Monitoring and enforcement

16. In terms of regulating the activities and assessing compliance with conditions at these sites the council's involvement is quite cyclical and predictable, in that inspection visits are made either prior to granting a licence for the first time, or when a renewal is due. There is currently an absence of risk-based approach across this particular area of work, which fails to take into account those premises where the proprietors only operate at the minimum standard, and/or where there is a higher level of complaints by service users, or referrals by other animal welfare agencies or organisations. Clearly additional visits will be made to specific businesses to enable any complaints or allegations to be investigated, but once the matter has been resolved, the inspection frequency currently remains the same. Any additional visits would be, whenever practicable, made without giving the proprietor any advance notice, and may be accompanied by a nominated veterinary practitioner if considered to be relevant.
17. Although operating any animal welfare activity without appropriate licences from the local authority, is a straightforward offence, every case would be dealt with on its merits, and in accordance with the Durham County Council's Enforcement Policy, a graduated approach to achieving cooperation would be followed in order to secure compliance.
18. Borderline situations can arise, due to the complexities of some of the legislation outlined in Appendix 2, which would require further investigations and consultation, before a definitive decision can be reached eg. small zoo exemptions, numbers of dogs being used for breeding purposes, selling non-pedigree animals, etc

19. Licence applications, or renewals can be refused by a Local Authority if the relevant criteria cannot, or are not, being met, however revocation of an existing licence can only be imposed by the Courts, with the exception of Zoos and Independent Greyhound Racing Tracks, following successful proceedings against an operator for breaches of the appropriate legislation.
20. The EHCP service will continue to regulate compliance in animal welfare establishments through regular inspection and investigation of complaints, in accordance with the licensing process. In addition we would wish to promote alternative interventions to promote better outcomes for businesses and consumers. The development of voluntary welfare rating scheme would seek to improve fair trading practices amongst local traders and in doing raise standards and promote consumer confidence.

RECOMMENDATIONS & REASONS

21. To support the continued approach as outlined in the Appendix 2 and application of relevant conditions contained in Appendices 3 - 9, when dealing with licence applications from operators of prescribed animal welfare premises;
22. To support the development of a risk-based inspection programme for animal welfare premises, which takes into account, amongst other things, past compliance history, the incidence of complaints and/or referrals, and the suitability of the applicant/licence holder.
23. To support the development of a voluntary, welfare rating scheme, for appropriate businesses which will include a commitment to fair trading practices, which will advise the public, and enable them to make informed decisions about where to buy or board their animals.

Background papers;

Chartered Institute Of Environmental Health – Model Licence conditions & guidance for animal boarding establishments.

DEFRA Circular 02/2003- Zoo Licensing Act 1981.

Secretary of State's Standards of Modern Zoo Practice

The Royal College of Veterinary Surgeons – Riding Establishments Inspections

The Welfare of Racing Greyhounds Regulations 2010 - Guidance for Independent greyhound track operators (DEFRA)

Model Standards for Pet Shop Licence conditions- Local Government Association

Contact: Tel: Michael Yeadon Tel:0191 3018803

Appendix 1: Implications

Finance – cost recovery mechanisms are already accounted for in current fees & charges regime.

Staffing – duties are an existing statutory role, currently undertaken jointly between Health Protection and Public Safety staff.

Equality and Diversity - initial screening did not indicate any further assessment to be necessary.

Accommodation – N/A

Crime and Disorder – N/A

Human Rights -

Consultation – any subsequent voluntary welfare rating scheme would require input from partner agencies, and businesses

Procurement – N/A

Disability Discrimination Act – N/A

Legal Implications -

Inspection and Licensing of Animal Welfare establishments

Generic Principles

- (i) New applications will nearly always involve an inspection by a suitably qualified and experienced veterinary surgeon/practitioner as well as an authorised officer of the Council. Subsequent renewals have historically been dealt with by council officers, except in the case of riding establishments which can only be dealt with by qualified Veterinary Inspectors, who are on the current list maintained by the Royal College of Veterinary Surgeons (RCVS).
- (ii) Licences are issued for a prescribed period, usually one year, and are charged for in accordance with the amount prescribed in the Councils schedule of fees and charges, applicable at the time of the application. The costs of engaging a veterinary practitioner, to assist with the assessment, will be passed onto the applicant as part of the application/renewal process.
- (iii) Conditions are attached to each licence, with the intention of securing specified welfare objectives relevant to each premise type. The prescribed welfare objectives for each situation are detailed separately later in the report, but they are very similar in nature, and the standard conditions, where appropriate, attached to each licence type, are included in the appendices.

It will be a standard condition for all licences issued to be permanently displayed in a conspicuous position at the premises.

- (iv) Appeal mechanisms are in place for applicants to pursue, where they have either been refused a licence, or where they consider that any of the conditions attached are unreasonable.
- (v) Offences are committed when:
 - a person operates any of the afore-mentioned businesses without a licence,
 - they wilfully obstruct an officer in the exercise of their duties, or
 - any condition, subject to which a licence is granted, is contravened, or not complied with.

Where a person is convicted of an offence under any of the specific welfare legislation or The Animal Welfare Act 2006, the Court by which they are convicted, may cancel any licence held by them, and may disqualify them from keeping any such establishment for animals, for such period as the court thinks fit. When considering the suitability of any prospective licence applicant, any previous convictions under relevant animal welfare legislation will influence the decision of the Council, and in many cases will prevent a licence application being approved.

- (vi) In the case of Dangerous Wild Animals, in addition to the matters outlined above, consideration must also be given to any potential impact on public safety, or nuisance,

and following the recent implementation of The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010, a licence now remains valid for a period of two years.

Furthermore Local Authorities have additional powers to seize, and dispose of, relevant animals not being kept under the terms of a licence, or where any condition of a licence is contravened, or not complied with.

In such circumstances they may seize the animal, and either retain it in the authority's possession, or destroy, or otherwise dispose of it, and shall not be liable to pay compensation to any person in respect of the exercise of this power.

A local authority which incurs any expenditure in exercising this power shall be entitled to recover the amount of the expenditure summarily as a civil debt from any person who was, at the time of the seizure, a keeper of the animal concerned. Clearly in practical terms, any decision to invoke this option would need careful consideration, and require assistance from other local or regional enforcement partners.(Animal Health / DEFRA)

- (vii) Undoubtedly the most complex, technically prescriptive, and challenging situation to deal with from a licensing perspective, relates to applications for Zoos. Understandably there is a considerable input from DEFRA's Wildlife, Registration and Licensing unit throughout the application, and assessment process, and Local Authorities are provided with a comprehensive report by a specialist veterinary inspector, to assist with the determination of the application.

An original licence shall run for four years; any subsequently renewed licence shall run for six years. An original licence may be issued to run from a future date, so the applicant can have the licence before the zoo is ready to commence, or recommence in the case of temporary closure.

There are also provisions to exempt certain 'small zoos' or a zoo exhibiting only a small number of different kinds of animals. Each case will be treated on its individual merits, and must be sanctioned by the Secretary of State, who may issue a direction to the effect that the Zoo Licensing Act shall not apply to a particular zoo. In reaching such a decision the health, safety or welfare of the animals, and visitors to the zoo, will be taken into account. In addition, any such direction must not detrimentally impact on the protection of wild fauna or the conservation of biodiversity. The Secretary of State will also want to be satisfied that there are no hazardous animals, as listed in the Secretary of State's Standards of Modern Zoo Practice.

It is for the local authority to seek such a direction, which should be supported by a letter from an independent veterinary surgeon or practitioner confirming that the collection appears to be run properly and the animals are well cared for. Once a direction is issued the local authority will have no powers, under the Act to inspect the zoo, however they are advised to review the exempt status from time to time, and if the nature of the zoo changes dramatically through expansion, or the acquisition of hazardous species, the local authority are advised to notify the Secretary of State with any information they have, which might suggest the direction is no longer appropriate. The Secretary of State has the power, after consulting the local authority and operator, to revoke any such direction, thereby requiring the zoo operator to obtain a zoo licence, or face prosecution if the zoo continues to operate without one.

There are also some additional enforcement tools available to LA's to enable them to deal with specific situations, such as;

- the issuing of a "direction" to secure compliance with conditions attached to the licence,
 - direct closure of all ,or part, of the zoo in specified circumstances, by means of a "Zoo closure direction"
- (viii) The most recent addition to the suite of animal welfare related legislation covers independent' greyhound racing tracks, which covers those tracks which are not already regulated by a body which is accredited by the United Kingdom Accreditation Service, or equivalent.

The council has the discretion to grant a licence for any period up to three years, but also has the power to suspend and/or revoke a licence if they believe that the licensing conditions are not being complied with. Suitably authorised council officers have the power to enter and inspect premises to check compliance with licensing conditions or search for evidence that an offence of operating without a licence has been committed.

Site specific issues

- (i) **Pet Shops** – are dealt with under the provisions of Pet Animals Act 1951(as amended)

The requirement to apply for a Pet Shop Licence applies to the following:

- Retailers selling pet livestock
- Wholesalers selling pet livestock
- Dealers in pet livestock
- Livestock importers and exporters
- Pet auctions and sales
- Any business offering domestic pets for gain, during the course of their activities.

The following situations do not require application for a Pet Shop licence:

- a person who only keeps or sells pedigree animals bred by him, or the offspring of an animal kept by him as a pet;
- a business selling animals as pets, in conjunction with a business of breeding pedigree animals, and the local authority are satisfied that the animals being sold were acquired with a view to being used, if suitable, for breeding or show purposes, but have subsequently been found not to be suitable or required for such use.

In determining whether to grant, or renew, a licence for the keeping of a pet shop by any person at any premises, a local authority shall in particular have regard to the arrangements in place in respect of:

- (a) suitability of the accommodation,

- (b) food and drink provision
- (c) the age at which animals are being sold
- (d) management, and control, of infectious diseases;
- (e) fire or other emergency precautions

Specific details can be found within the standard conditions applied to successful applications/renewals contained in **Appendix - 3**.

Whilst not specifically covered within the licensing objectives, all proprietors of pet shops should also be aware of The Convention on International Trade in Endangered Species (CITES), which requires them to obtain licences to import, export and re-export specified listed species. Animal Health's Wildlife Licensing and Registration Service is responsible for handling such applications and issuing licences.

- (ii) **Establishments for the breeding of dogs** - are dealt with under the Breeding of Dogs Act 1973(as amended) & The Breeding of Dogs (Licensing Records) Regulations 1999

A licence is required by any person who carries on a business of breeding dogs for sale. A breeding establishment for dogs is defined in the above mentioned legislation as; any premises (including a private dwelling) where more than two bitches are kept for the purpose of breeding for sale;

In determining whether to grant, or renew, a licence for the keeping of a breeding establishment for dogs by any person at any premises, a local authority shall in particular have regard to the arrangements in place in respect of:

- (a) suitability of accommodation, including bedding,
- (b) provision of suitable food & drink,
- (c) management and control of infectious or contagious diseases;
- (d) fire or other emergency precautions,
- (e) transportation arrangements, where applicable.

Specific details can be found within the standard conditions applied to successful applications/renewals contained in **Appendix - 4**.

Breeders who also sell dogs not bred by them are required to apply for a Pet Shop Licence.

- (iii) **Animal Boarding Establishments**- are dealt with under the Animal Boarding Establishments Act 1963

For the purposes of the relevant legislation an animal boarding establishment shall refer to the carrying on, at premises of any nature, (including a private dwelling) of a business of providing accommodation for other people's animals, where 'animal' is defined as "any dog or cat".

Exemptions:-

- (a) a person shall not be deemed to keep a boarding establishment for animals by reason only of providing accommodation for other people's animals in connection with a business, of which the provision of such accommodation is not the main activity; and
- (b) the keeping of an animal at any premises in pursuance of a requirement imposed under, or having effect by virtue of, the Animal Health Act 1981.

In determining whether to grant or renew a license for the keeping of a boarding establishment for animals, by any person at any premises, a local authority shall in particular have regard to the arrangements in place in respect of;

- (a) suitability of the accommodation, including bedding materials,
- (b) food and drink provision,
- (c) records management,
- (d) management and control, of infectious or contagious diseases;
- (e) fire or other emergency precautions

Further details can be found within the standard conditions applied to all successful applications and renewals, contained in **Appendix – 5**

- (iv) **Horse Riding Establishments**- are dealt with under the Riding Establishments Act 1964 (as amended 1970)

A "riding establishment", for the purposes of the legislation is defined as, the carrying on of a business of keeping horses, for either or both of the following purposes;

- their being let out on hire for riding, or
- the purpose of their being used in providing, in return for payment, instruction in riding,

The following situations are exempt from the licensing requirements;

- premises where the horses employed for the purposes of the business are occupied by, or under the management of ,the Secretary of State for Defence; or
- solely for police purposes; or
- by the Zoological Society of London; or

- universities providing courses of study and examinations leading to a veterinary degree to which relates an order made under section 3 of the Veterinary Surgeons Act 1966.

In determining whether to grant or renew a licence for the keeping of a riding establishment by any person at any premises, a local authority shall in particular have regard to the following:

- (a) the suitability, in terms of qualifications and experience, of the applicant,
- (b) the health and fitness of the horses, and the condition of their feet and shoes,
- (c) suitability of the accommodation, including bedding material
- (d) horses maintained at grass, have adequate pasture, shelter and water
- (e) provision of suitable food & drink,
- (f) that horses are exercised, groomed and rested, and visited at suitable intervals;
- (g) management and control of infectious or contagious diseases,
- (h) the suitability of fire, or other emergency, precautions
- (i) that adequate accommodation will be provided for forage, bedding, stable equipment and saddlery;

Specific details can be found within the standard conditions applied to all successful applications and renewals, contained in **Appendix - 6**

- (v) **Dangerous Wild Animals**- are dealt with under the Dangerous Wild Animals Act 1976

The Act regulates the keeping of such animals by means of a local authority enforced licensing regime. Licences are required for any animal that appears on the current schedule to the Act, as prescribed by the Dangerous Wild Animals Act 1976 (Modification [No.2] Order 2007).

The provisions of this Act shall not apply to any dangerous wild animals kept in:—

- a zoo within the meaning of the Zoo Licensing Act 1981 for which a licence is in force(or is not for the time being required) under that Act;
- a circus;
- premises licensed as a pet shop under the Pet Animals Act 1951;
- a place which is a designated establishment within the meaning of the Animals(Scientific Procedures) Act 1986.

A licence will not be granted unless the application —

- (a) specifies the species (whether one or more) of animal, and the number of

animals of each species, proposed to be kept under the authority of the licence;

(b) specifies the premises where any animal concerned will normally be held;

(c) is made to the local authority in whose area those premises are situated;

(d) is made by a person who is neither under the age of 18 nor disqualified from keeping any dangerous wild animal; and

In the case of a new application, a decision shall not be made unless a report by a suitably authorised, and competent, veterinary surgeon or veterinary practitioner has been received and considered. Where the 'main activity' of the premises concerned is residential, and there is considered to be an associated work activity, the Health & Safety Executive will be notified of the application, in their capacity as enforcing authority for the Health & Safety at Work Act 1974.

A licence will only be granted when the Council are satisfied that;

(a) it is not contrary to the public interest on the grounds of safety, nuisance or otherwise to grant the licence;

(b) the applicant for the licence is a suitable person to hold a licence under this Act;

(c) any animal concerned will be subject to the following arrangements being in place in respect of;

(1) suitability of the accommodation, including its security and size,

(2) food and drink provision,

(3) records management,

(4) management and control, of infectious diseases;

(5) fire or other emergency precautions

Specific details can be found within the standard conditions applied to all successful applications and renewals, contained in **Appendix – 7**.

(vi) **Zoos**- Zoo Licensing Act 1981(As amended)

Zoos are places where wild animals are kept for exhibition to the public, and to which the public has access – with or without charge, seven days or more a year. Zoos range from large city zoos and safari parks to reptile houses, aquaria and bird of prey centres. Any zoo displaying wild animals that are not normally domesticated in Great Britain could be subject to licensing and inspection under the Act.

The definition does not extend to such species kept in circus or a pet shop.

Furthermore a collection consisting entirely of animals that are normally domesticated in Great Britain is not a zoo within the meaning of the Act.

An application for a zoo licence will not be entertained by the council unless, at least two months before making it, the applicant has given notice in writing to the local authority of their intention to make the application, has published notice of that intention in one local newspaper circulating in the locality and one newspaper with a national circulation and has exhibited a copy of that notice at the site.

Any such notice must identify the situation of the zoo for which the application is to be made; and the notice to the local authority must specify ;

- the type and numbers of animals to be kept for exhibition on the premises, and the arrangements for their accommodation, maintenance and well being;
- the approximate numbers and categories of staff employed or to be employed in the zoo;
- the approximate number of visitors, and motor vehicles, for which accommodation is or is to be provided;
- the approximate number and position of the means of access provided or to be provided, to the premises.
- how the conservation measures are being, or will be, implemented at the zoo.

Before granting or refusing a licence, the local authority shall consider the appointed inspectors' report, and consult the applicant about the conditions they propose would be attached to the licence, if one were granted, and make arrangements for an inspection to be carried out.

A local authority shall refuse to grant a licence if they are satisfied that;

- (a) the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order,
- (b) conservation measures will not be implemented in a satisfactory manner, at the zoo.
- (c) the standards of accommodation, staffing or management are inadequate for the proper care and well-being of the animals, or any of them or otherwise for the proper conduct of the zoo.
- (d) the applicant, or any person employed as a keeper in the zoo, has been convicted of an offence under this Act, or any other relevant legislation involving the ill-treatment of animals.
- (e) any planning permission required, for the establishment or continuance of the zoo during the period for which the licence would be in force, has not been granted.

In any of the above mentioned circumstances the applicant will be sent a written statement of the grounds of their refusal.

In circumstances where a licence is granted by the local authority it will be sent to the applicant by post and the licence, or a copy, shall be displayed at each public entrance to the zoo.

There is a prescribed inspection regime for operational Zoos involving four types of inspection: “licence”, “periodical”, “special”, and “informal”.

Periodical inspections and certain licence inspections involve Secretary of State Inspectors. Special, informal and certain licence inspections are conducted by people whom the local authority consider competent for the purpose of the inspection. Local authorities must consult the Secretary of State for the names of inspectors to carry out the periodical inspections and licence inspections before the grant, refusal or renewal of a licence.

Specific details can be found within the standard conditions applied to successful applications/renewals contained in **Appendix - 8**.

(vii) **Independent Greyhound Racing Tracks** – Welfare of Racing Greyhounds Regulations 2010

When deciding on the length of the licensing period consideration is given to a number of factors including:

- current track standards and history of compliance, in connection with the track for which the licence is being sought, or any other track which the applicant may operate. For the first licence application, this may include consideration of whether the track is already employing a veterinarian or already keeping the appropriate records. For subsequent renewals, this is likely to include consideration of the track’s history of compliance during the previous licensing period;
- the existence of good management systems (e.g. whether there is a contract in place with a veterinary practice that would provide appropriate locum cover);
- confidence in management; and
- the structure of the premises (i.e. the kennel block, or the room or mobile facility provided for the veterinarian).

The local authority may require that the track owner submit evidence to support their application. This may include written procedures and plans, copies of the contract with a veterinary practice and details of contingency arrangements.

Specific details can be found within the standard conditions applied to successful applications/renewals contained in **Appendix - 9**.

Appendix 3 - Standard conditions for Pet shops

Accommodation

Animals must at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness and not exposed to draughts. All accommodation must be kept in good repair.

If animals are displayed outdoors, they must have protection appropriate to their species.

Housing must be constructed of non-porous materials or be appropriately treated.

In order to control the spread of disease and to prevent injury, animals must not be kept in housing in such a way that they can be disturbed by other animals or by the public.

All livestock for sale must be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.

Accommodation must be cleaned as often as necessary to maintain good hygiene standards.

Where accommodation is on a tiered system, water, food or other droppings must not be allowed to enter the lower housing.

All accessories provided in the accommodation must be suitable for the species.

Note: When designing accommodation, consideration should be given to using systems which would allow removal of the animals in case of emergency. This provision would not usually apply to aquariums and ponds.

Exercise facilities

Suitable and sufficient facilities must be available where appropriate.

Note: For puppies, where required, a covered exercise area of at least 2.46 sq m (26 sq ft) should be provided. Exercise areas should have a minimum height of 1.8m (6ft) to facilitate adequate access by staff for cleaning.

Register of animals

A livestock purchase register must be maintained for all livestock. A sales register must be maintained for: puppies; kittens; psittacines; species contained in the Schedule to the Dangerous Wild Animals Act 1976 (as modified).

Note: This can be by cross-referenced to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact of purchaser. The name, address and telephone number of the purchaser should be obtained.

Stocking numbers and densities

The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as stated in the stocking density lists detailed in the schedules to these licence conditions. No animal other than those specified in the licence may be stocked without prior written approval from the licensing authority. These stocking densities are provided for guidance and recommendation only.

Health, disease and acclimatisation

All stock for sale must be in good health and free from obvious parasitic infestation as far as can be reasonably determined without veterinary inspection.

Any sick or injured animal must receive appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision.

Note: "Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

Facilities must be provided to isolate sick animals.

Note: For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with the manufacturer's recommendations.

All animals must receive appropriate inoculation where required for the species, as advised by a veterinary surgeon. Veterinary advice must be sought whenever necessary.

Any animal with an obvious, significant abnormality which would materially affect its quality of life must not be offered for sale. When in doubt, veterinary advice should be sought.

All animals must be allowed a suitable acclimatisation period before sale.

All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from, any infectious or contagious disease, or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

Individual litters of puppies and kittens must be kept separate from other litters.

All necessary precautions must be taken to prevent harborage, or in the introduction to the premises of rodents, insects and other pests.

Food and drink

Animals must be supplied with adequate amounts of food and drink, appropriate to their needs and at suitable intervals.

All food must be suitable for the species concerned.

Food and drink receptacles must be constructed and positioned in order to minimise faecal contamination, and spillage.

A suitable and sufficient number of receptacles must be provided and cleaned at regular intervals.

Food storage

All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers.

The containers and equipment used for feeding must be kept in a clean and sound condition.

Observation

All livestock must be attended to at regular intervals, at least once daily, appropriate to the species. It is recommended that a system of recording observation is maintained.

Excreta and soiled bedding

All excreta and soiled bedding must be kept in a hygienic manner and stored in impervious containers with close-fitting lids - away from direct sunlight.

Excreta and soiled bedding must be removed from the premises on a regular basis, at least weekly disposed of to the satisfaction of the appropriate local authority and in accordance with current regulations and good waste management practice.

All containers must be kept in a clean condition.

Transportation

When receiving stock, the licensee must make every effort to ensure that it is transported in a suitable manner. It is recommended to record the registration number of vehicles transporting livestock.

Any livestock received or consigned shall be transported according to the regulations laid down in current legislation, such as the Welfare of Animals (Transport) Order 1997.

Note: For air transportation, the IATA live animals regulations must be followed, as a minimum legal standard.

Transportation containers

Livestock must be transported or handed to purchasers in suitable containers.

Sale of livestock

No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.

In the case of non-mammals, they must be capable of feeding themselves.

Dangerous wild animals

When dangerous wild animals are kept, the cages must be of a secure construction, appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system.

The local authority should be notified in the event that the pet shop wishes to offer for sale, for the first time, any animal on the Schedule to the Dangerous Wild Animals Act. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation or care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal and inform the issuing authority of the details of the purchase.

Pet care advice

Pet care leaflets or other similar written instructions must be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets.

Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.

Appropriate reference materials must always be available for use by staff.

Staff training and livestock knowledge

No animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.

In respect of new applications (not renewals) at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification, or must be in the course of training and obtain the qualification within two years of the licence being granted.

The licensee must formulate a written training policy for all permanent staff and will be required to demonstrate that systematic training is carried out.

Fire and other emergency precautions

Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock.

Note: The general maxim of "people first" is good advice.

Entrances and exits must be clear of obstructions at all times.

Suitable fire fighting equipment must be provided, maintained, regularly serviced and sited as advised by the local Fire Protection/Prevention Officer and in consultation with the local authority.

The licensee, or a designated keyholder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.

Note: A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

A list of keyholders must be lodged with the local police and with the local authority.

In the interests of animal welfare, the following notice must be displayed at the front of the shop: "In case of an emergency, dial 999". The number of the local police station should also be displayed.

When pet shops are sited within other premises, the licensee or keyholders must have access at all times to the premises containing the livestock.

All electrical installations and appliances must be maintained in a safe condition.

Note: It is strongly recommended that smoke and residual current detectors or other similar devices are installed.

Schedule 1: Stocking densities - cage birds

No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with properly placed perches and feeding and watering points to prevent that plumage being fouled or otherwise damaged.

Note: This refers to the provisions of the Wildlife and Countryside Act 1981, which should not be contravened, particularly Section 8 of that Act.

For perching birds, a sufficient number of perches (as appropriate) must be provided at such a height that the bird can rest its head without its head touching the top and its tail the bottom of the cage.

A quality padded net should be used when catching birds in an aviary.

Minimum floor areas apply to young stock. For adult stock offered for sale, the dimensions should be doubled. For advice on the age of stock, it is advisable to contact the veterinary surgeon.

Schedule 2: Stocking densities - juvenile small mammals - Guinea pigs

1-4 animals	1,350 sq cm
5 animals	1,570 sq cm
6 animals	1,800 sq cm
7 animals	2,020 sq cm
8 animals	2,250 sq cm
9 animals	2,470 sq cm
10 animals	2,700 sq cm
Minimum cage height	30 cm
Minimum cage depth	30 cm

Mice, hamsters, gerbils

1-4 animals	450 sq cm
5 animals	525 sq cm
6 animals	600 sq cm
7 animals	675 sq cm
8 animals	750 sq cm
9 animals	825 sq cm
10 animals	900 sq cm
Minimum cage height	25 cm
Minimum cage depth	25 cm

Puppies up to age of 12 weeks maximum

1-4 animals	10,000 sq cm
5 animals	12,500 sq cm
6 animals	15,000 sq cm
7 animals	17,500 sq cm

8 animals	20,000 sq cm		
9 animals	22,500 sq cm		
10 animals	25,000 sq cm		
Minimum cage height	Double shoulder minimum 50 cm	height	at
Minimum cage depth	0.9 m		

Rabbits up to 2kg, kittens, ferrets, chinchillas, chipmunks

1-4 animals	2,250 sq cm
5 animals	2,625 sq cm
6 animals	3,000 sq cm
7 animals	3,375 sq cm
8 animals	3,750 sq cm
9 animals	4,125 sq cm
10 animals	4,500 sq cm
Minimum cage height	40 cm
Minimum cage depth	30 cm

Rats

1-4 animals	675 sq cm
5 animals	785 sq cm
6 animals	900 sq cm
7 animals	1,010 sq cm
8 animals	1,125 sq cm
9 animals	1,235 sq cm
10 animals	1,350 sq cm
Minimum cage height	30 cm
Minimum cage depth	30 cm

The range of behavioural opportunities for many of the animals listed will be increased by enriching the environment with accessories. Raised shelving should be taken into consideration when assessing the total floor area.

Temporary (up to six days) re-housing of adult rabbits in smaller cages than specified above should be considered as acceptable. The above recommended stocking densities are insufficient for the housing of marmosets. Marmosets must be housed in cages sufficiently large enough to allow for natural movement, such as climbing and swinging.

Schedule 3: Stocking densities - ornamental fish

It is virtually impossible to determine the quantity of fish to be kept in a tank purely on a weight/volume ratio.

The variation in system design, husbandry techniques and types of fish involved would render any such method too simple to be useful or too complicated to be practical.

The maintenance of water quality standards is essential and is a simple but effective way to determine stocking densities. Water quality testing should be carried out at least once a week in centralised systems and 10% of individual tanks should likewise be tested. Unsatisfactory test results must be recorded in a register, together with the corrective action taken. Further tests must be carried out when visual inspection of the tanks indicates the need.

Water Quality Criteria (1mg/litre - 1ppm)

Cold water

Dissolved oxygen*	-min	6mg/litre
Free ammonia*	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tap water

Tropical fish

Dissolved oxygen*	-min	6mg/litre
Free ammonia*	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tap water

Tropical marine species

Dissolved oxygen*	-min	5.5mg/litre
Free ammonia*	-max	0.01mg/litre
Nitrite	-max	0.125mg/litre
Nitrate	-max	40mg/litre. This is an absolute figure: it does not relate to ambient tap water
pH (tropical marine only)*	-min	8.1

* These parameters should be checked first. Only if a problem exists with these tests is it necessary to check nitrite and nitrate levels.

Further advice and guidance on water quality criteria can be obtained from the [Ornamental Aquatic Trade Association](#).

Schedule 4: Stocking densities - other species

Other species should be housed in accommodation appropriate to size, age and type of species and to avoid overcrowding. This should be sufficient space for free and natural movement which should not be restricted by either the size of the accommodation or the number of animals in that holding. Correct temperature for the species must be maintained.

The advice and approval of the licensing authority should be sought wherever there is doubt about a species being sold.

Appendix- 4 Standard conditions for Dog Breeding Establishments

Accommodation

Dogs must at all times, be kept in accommodation suitable as respects its construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness.

Where wood has been used in an existing construction it must be smooth and treated to render it impervious. Wood should not be used on exposed surfaces of walls, floors, partitions, door frames or doors in the dog kennelling area. There must be no projections liable to cause injury.

All exterior wood should be properly treated against wood rot, e.g. tanalised. Only non-toxic products should be used.

All internal surfaces used in the construction of walls, floors, partitions, doors and door frames are to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.

Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

The construction should be such that the security of the dog is ensured.

Fencing material should be secure and safe.

Walls & Partitions

Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned. Where concrete or other building blocks or bricks are used, they should be sealed so as to be smooth and impervious, and resealed as necessary.

Junctions between vertical and horizontal sections should be coved. If impractical in existing premises, all joints should be sealed.

It is suggested that partition walls between kennels and individual exercise areas should be of solid construction to a minimum height of 1.2 m (4ft.).

Floors

Floors of all buildings, individual exercise areas and kennels should be of smooth, impervious materials, capable of being easily cleaned. It is recommended that new kennels should incorporate a damp proof membrane.

All floors of kennels and individual exercise areas should be constructed and maintained in such a condition as to prevent pooling of liquids.

In new constructions, it is recommended that floors should be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.

Communal exercise areas should also be suitably drained to prevent pooling of liquids

Ceilings

Ceilings must be capable of being easily cleaned and disinfected

Doors

Kennel doors should be strong enough to resist impact and scratching and should be capable of being effectively secured.

Where metal bars and frames are used, they should be of suitable gauge with spacing adequate to prevent dogs escaping or becoming entrapped. Where metal edging is used, this should not present a risk of injury to the dog. When designing kennel doors regard should be had to the health and safety of the person working in the kennel, for example, large dogs may push against the door which may give rise to difficulties in securing the door and even to accidents to the person on the opposite side of the door when it opens outwards. A door which opens inwards may also reduce the possibility of escape.

Door openings should be constructed such that the passage of water/waste is not impeded, or allowed to accumulate due to inaccessibility.

Windows

Windows should not pose a security risk and ideally should be escape proof for the protection of the dog as well as the public. Dogs should not be aided to escape. When windows are so situated that they pose a security risk, it is recommended that welded mesh or reinforced glass, polycarbonate or other impact-resistant material is used.

Drainage

The establishment must be connected to mains drainage or an approved sewerage disposal system.

Lighting

During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light. Adequate supplementary lighting must be provided throughout the establishment.

Ventilation

Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

Permitted Numbers

The maximum number of dogs to be kept at any one time is stated on the licence and must not be exceeded without the written consent of the Council.

Kennel size, layout & exercise facilities

Kennels should be provided with an adequate size of sleeping area. Bedding should be suitable to allow dogs to be comfortable. Bedding must be capable of being easily cleaned and sanitized and sited away from draughts. All bedding material in use should be clean, parasite free and dry.

Adequate exercise areas must be provided for all kennels.

Kennels should have a minimum height of 1.8 m (6 ft) to allow adequate access by kennel staff for cleaning.

Kennels and exercise areas should open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

Exercise areas should not be used as sleeping areas.

Temperature in kennels

Heating facilities must be available in the kennel and used according to the requirements of the individual dog. There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 10C (50F) and a maximum temperature of 26C (79F).

Cleanliness

All kennels, corridors, common areas, kitchens and so on must be kept clean and free from accumulations of dirt and dust so that disease control is maintained and the dogs are comfortable.

Each occupied kennel must be cleaned daily. All excreta and soiled material must be removed from all areas used by the dogs at least daily and as necessary.

All sleeping areas and bedding must be kept clean and dry.

Regular disinfection should be demonstrated by keeping records of disinfecting regimes.

Facilities must be provided for the proper reception, storage and disposal of waste. Particular care should be taken to segregate waste arising from the treatment and handling of dogs with infectious diseases.

Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment. Such pests should be adequately dealt with without delay to eradicate the infestation.

Supervision

A fit and proper person should always be present to exercise supervision and deal with emergencies. Dogs must be checked regularly throughout the day.

Food & Water

Dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised and visited at suitable intervals.

All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed daily.

Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition and cleansed or disposed of after each meal.

Kitchen Facilities

Exclusive facilities, hygienically constructed and maintained, should be provided for the storage and preparation of food for the dogs.

Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided.

A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels. A separate hand basin with hot and cold running water should be provided for staff.

Containers for storing foods should be provided and should be constructed and maintained to guard against insects and other pests.

Disease control, vaccination & worming

All reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases.

All dogs should be vaccinated against Canine Distemper, Infectious Canine Hepatitis (Canine Adenovirus), Leptospirosis (*Leptospira canicola* and *Leptospira icterohaemorrhagiae*) and Canine Parvovirus. It may be necessary to vaccinate against other diseases and veterinary advice should be sought. Adequate precautions should be taken to prevent and control the spread of infectious and contagious diseases and parasites among dogs, and zoonoses among dogs, staff and visitors. Records should be kept of all vaccination and worming regimes.

Advice from a veterinary surgeon must be sought where a dog shows signs of disease, injury or illness. A competent person must ensure this advice is followed.

First Aid

A fully stocked first-aid kit suitable for use on dogs and puppies should be available and accessible on the premises. The first-aid kit for use on dogs and puppies must be kept fully stocked at all times. The veterinary surgeon should be consulted concerning its contents and a competent member of staff should be in charge of its maintenance.

Isolation Facilities

Isolation facilities should be provided.

Isolation facilities must be in compliance with the other license conditions but must be physically isolated from the main kennels at a distance of at least 5 m (15ft).

Adequate facilities to prevent the spread of infectious disease between isolation and other kennels must be provided.

Hands must be washed after leaving the isolation facilities before handling other dogs and visiting kennels.

Emergency Precautions

All appropriate steps will be taken for the protection of the dogs in case of fire or other emergency; BDA 1973 S. 1 (4) (d) There should be an emergency evacuation plan and fire warning procedure in place. This should be posted where staff may become familiar with it. This procedure should include instructions dealing with where dogs are to be evacuated.

Fire fighting equipment and detectors should be properly maintained.

All electrical installations and appliances should be maintained in a safe condition. There should be a residual current circuit breaker system on each block of kennels.

Heating appliances should not be sited in a location or manner where they may present a risk of fire, or risk to dogs. Precautions should be taken to prevent any accumulation of material which may present a risk of fire.

There should be adequate means of raising an alarm in the event of a fire or other emergency.

Transport

That all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

Health & Welfare of the breeding bitch

Breeding bitches must not be mated if they are less than one year old.

A breeding bitch must not give birth to more than six litters of puppies.

Breeding bitches must not give birth to more than one litter of puppies in a period of twelve months.

Accurate records in respect of each breeding bitch fully detailing their breeding records must be kept at the premises and made available for inspection there by any officer of the local authority, or veterinary

surgeon or veterinary practitioner, authorised by the local authority to inspect the premises.

The Breeding of Dogs (Licensing Records) Regulations 1999 prescribe the form of records to be kept.

A record must be kept by every licensed dog breeder for each breeding bitch providing the name of the bitch, date of birth, address where she is kept, breed, description, and date of mating and details of sire. Licensed dog breeders must also keep a record of any litters, including the sex of the puppies, date of birth, weight description and total number in the litter. The record must also show the details of sale, namely the date of sale, name and address of who was supplied and the status of the purchaser (i.e., private owner or pet shop).

Appendix 5 - Standard conditions for Animal Boarding Establishments (DOGS)

General Construction

The establishment must, at all times, be laid out and operated in accordance with an approved plan, to be attached to the licence. Before carrying out any alterations, plans must be submitted to and approved by the licensing officer of the local authority.

Where woods has been used in existing construction it must be smooth and treated to render it impervious Wood should not be used in exposed construction of walls, floors, partitions, door frames or doors in the dog kennelling area. There must be no projections liable to cause injury.

Fencing materials must be secure and safe.

Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

The construction must be such that the security of the dog is ensured.

All exterior wood must be properly treated against wood rot. Only products which are not toxic to dogs may be used.

All internal surfaces used in the construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.

Walls and partitions

Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleansed. Where concrete or other building blocks or bricks are used in such walls, they must be sealed so as to be smooth and impervious and resealed as necessary.

Junctions between vertical and horizontal sections should be coved. If impractical in existing premises, all joints must be sealed.

Partition walls between kennels must be of solid construction to a minimum height of 1.2m (4ft).

In new construction, in exercise runs the lower section of partitions in adjoining runs must be of solid construction.

Floors

Floors of all building, individual exercise areas and kennels, must be of smooth, impervious materials, capable of being easily cleansed and in new kennels must incorporate a damp proof membrane.

All floors of kennels and individual exercise areas must be constructed and maintained in such a condition as to prevent ponding of liquids.

In new construction, floors must be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.

Communal exercise areas must be suitably drained.

Ceilings

Ceilings must be capable of being easily cleansed and disinfected.

Doors

Kennel doors must be strong enough to resist impact and scratching and must be fitted to be capable of being effectively secured.

Where metal bars and frames are used, they must be of suitable gauge (approximately 10-14) with spacing adequate to prevent dogs escaping or becoming entrapped. Where metal edging is used, this must not present a risk of injury to the dog.

Door openings must be constructed such that the passage of water/waste is not impeded, or allowed to gather due to inaccessibility.

Windows

All windows which pose a security risk must be escape proof at all times.

Drainage

The establishment must be connected to mains drainage or an approved, localised sewage disposal system.

Lighting

During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this must be natural light. Adequate supplementary lighting must be provided throughout the establishment.

Ventilation

Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the bedding area.

Maintenance

Maintenance and repair of the whole establishment must be carried out regularly.

Number of dogs permitted

Number of dogs to be kept at any one time must not exceed number stated on licence.

Each dog must be provided with a separate kennel except that dogs from the same household may share a kennel of adequate size with the written consent of the dog's owner.

Holding kennels may be provided for temporarily kennelling a dog for not more than 24 hours. Holding kennels, if provided, must comply with conditions as required for main kennels. Holding kennels must be a minimum area of 2.3 sq m (25 sq ft).

No animals other than dogs are to be boarded within the licensed facilities without the written approval of the local authority.

Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs.

Kennel size, layout and exercise facilities

For new kennels each kennel must be provided with a sleeping area of at least 1.9 sq m (20 sq ft).

Suitable bedding equipment must be provided which allows the dog to be comfortable and which is capable of being easily and adequately cleaned and sanitised. Such equipment must be sited out of draughts. All bedding material must be maintained in a clean, parasite free and dry condition.

For new kennels each kennel must be provided with an exercise area of at least 2.46 sq m (26 sq ft) for dogs up to 24 inches high at the shoulder, or 36 sq ft for larger dogs, which is separate from the bedding area and exclusive to that kennel, for free use by the dog at all times except at night.

Kennels must have a minimum height of 1.8m (6ft) to facilitate adequate access by kennel staff for cleaning.

Kennels and exercise areas must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

Exercise areas must not be used as bedding area.

Training

A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

Temperature in kennels

Heating facilities must be available in the kennel and used according to the requirements of the individual dog.

There must be some part of the dog's sleeping areas where the dog is able to enjoy a temperature of at least 10°C (50°F).

In isolation kennels, there should be a means of maintaining the temperature at a level suitable for the conditions of the dog and dependent on veterinary advice.

Cleanliness

All kennels, corridors, common areas, kitchens, etc. must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.

Each occupied kennel must be cleansed daily. All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary.

All bedding areas must be kept clean and dry.

Each kennel must be thoroughly cleansed and disinfected and dried upon vacation. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.

Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final disposal route for all such waste must be incineration.

Measures must be taken to minimise the risks from rodents, insects and other pests within the establishment.

Food and water supplies

All dogs must be adequately supplied with suitable food. Wholesome water must be available at all times and changed daily.

Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition.

Eating vessels must be cleansed after each meal.

Drinking vessels must be cleansed at least once a day.

Kitchen facilities

Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.

Where fresh and cooked meats are stored, refrigeration facilities must be provided, and potential food contamination must be avoided.

A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold water must also be provided for staff use.

Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

Disease control and vaccination

Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.

Proof must be provided that dogs boarded or resident have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagiae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers' instructions. A record that this proof has been supplied must be kept on site throughout the period that the dog is boarded.

Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.

A well stocked first aid kit suitable for use on dogs must be available and accessible on site.

A suitable range of muzzles of varying sizes and a suitable dog catching device, must be kept on site.

Isolation

Isolation facilities must be provided. In existing facilities these isolation facilities must be in compliance with the other boarding requirements but must be separate and physically isolated from the main kennels. This must be approximately 5m (15ft).

Adequate facilities to prevent the spread of infectious disease between the isolation and other kennels, must be provided. Hands must be washed after leaving the isolation facilities before visiting the other kennels.

Register

A register must be kept of all dogs boarded. The information kept must include the following:

- date of arrival
- name of dog,
- any identification system such as microchip, number or tattoo.

- description, breed, age and gender of dog
- name, address and telephone number of owner or keeper
- name, address and telephone number of contact person whilst boarded
- name, address and telephone number of dog's veterinary surgeon
- anticipated and actual date of departure and
- health, welfare and nutrition requirements

The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an authorised officer easy access to such information. Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

Identification of kennels

Each kennel must be clearly marked (e.g. numbered), and a system in place which ensures that relevant information about the dog in that kennel is readily available.

Supervision

A fit and proper person must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.

Dogs must be visited at regular intervals, as necessary for their health, safety and welfare.

Fire precautions

Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.

A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions where dogs are to be evacuated to in the event of a fire or other emergency.

Fire fighting equipment must be provided in accordance with advice given by the Fire Prevention Officer.

All electrical installations must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.

Precautions must be taken to prevent any accumulation with may present a risk of fire.

There must be adequate means of raising an alarm in the event of fire or other emergency.

Standard conditions for Animal Boarding Establishments (CATS)

Licence display

A copy of the licence and its conditions must be suitable displayed to the public in a prominent position in, on or about the boarding establishment.

General Construction

The establishment must, at all time, be laid out and operated in accordance with an approved plan. Before carrying out any alterations, plans must be submitted to and approved by the licensing officer of the local authority.

All new units must be built on a concrete base with a damp proof membrane to Building Regulation standards. This should have a minimum fall of 1 in 80.

All exterior wood must be smooth and properly treated against wood rot. Only products which are not toxic to cats may be used.

All internal surfaces used in the construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.

Sleeping areas of units must be insulated so as to prevent extremes of temperature.

Fencing material must be secure and safe.

The construction must be such that the security of the cat is ensured.

All areas to which cats have free access must be roofed.

Walls

The walls with which cats may come into contact must be of smooth impervious materials, capable of being easily cleansed. Where concrete or other building blocks or bricks are used, they must be sealed so as to be smooth and impervious, and resealed as necessary.

Junctions between vertical and horizontal sections should be coved. If impractical in existing premises, these joints must be sealed.

Full length sneeze barriers must be provided where the gap between units is less than 625mm (2ft).

Floors and concrete bases

The concrete base and floors of all buildings and units must be of smooth, impervious materials, capable of being easily cleansed. In new catteries, this must incorporate a damp proof membrane.

Floors of all units and individual exercise areas must be constructed and maintained in such a condition as to prevent ponding of liquids.

Ceilings and roofing

Ceilings must be capable of being easily cleansed and disinfected.

All exercise areas and the safety passage should be covered with mesh and impermeable material, a proportion of which must be translucent.

Doors

Doors must be strong enough to resist impact and scratching and must be fitted to be capable of being effectively secured.

Where metal edging is used, this must not present a risk of injury to the cat.

Adequate constructional precautions must be taken to prevent and control the spread of infectious disease particularly by droplet infection.

Windows

All windows which pose a security risk must be escape proof at all times.

Drainage

Kitchens must be connected to mains drainage or an approved, localised sewage disposal system.

Lighting

During daylight hours light must be provided to exercise and sleeping areas to that all parts are clearly visible. Where practicable this must be natural light.

Adequate supplementary lighting must be provided throughout the establishment.

Ventilation

Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

Maintenance

Maintenance and repair of the whole establishment must be carried out regularly.

Number of cats permitted

The number of cats to be kept at any one time must not exceed number stated on licence.

Each cat must be provided with a separate unit except that cats from the same household may share a unit if adequate size with the written consent of the cats' owner.

Holding units may be provided for temporarily boarding a cat for not more than 24 hours. Existing holding units must have a minimum floor area of 9 sq ft. In new construction the floor area must be a minimum of 12 sq ft. Holding units must have a minimum height of 0.9m (3ft).

No animals other than cats are to be boarded within the licensed facilities without the written approval of the local authority.

Where stray cats are accepted by the cattery they must be kept in a separate area away from boarded cats.

Unit size, layout and exercise facilities

In new construction, each unit must have a sleeping area and an adjoining exercise area, which is exclusive to that unit.

In new construction, each unit must be provided with a sleeping area of at least 0.85 sq m (9 sq ft) for one cat, 1.5 sq m (16 sq ft) for two cats, 1.85 sq m (20 sq ft) for up to four cats. Units may be designated as suitable for a specific number of cats, greater than four, at the discretion of the licensing authority.

Units must have a minimum internal height of 1.8m (6ft).

The height of the sleeping area must be at least 0.91m (3ft) in existing and 1.22m (4ft) in new build.

Suitable bedding must be provided which allows the cat to be comfortable and which is capable of being easily and adequately cleaned and disinfected. Such equipment must be sited out of draughts. Bedding material should be checked daily and must be maintained in a clean, parasite-free and dry condition.

In new construction, each unit must be provided with an exercise area of at least 1.7 sq m (18 sq ft) for a single cat, 2.23 sq m (24 sq ft) for two cats, 2.78 sq m (30 sq ft) for up to four cats.

Units must open onto secure corridors or other secure areas so that cats are not able to escape from the premises.

Exercise areas must not be used as sleeping areas.

There must be direct and voluntary access to the exercise area.

Training

A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

Temperature in units

Heating facilities must be available in the unit and used according to the requirements of the individual cat.

There must be some part of the sleeping area where the cat is able to enjoy a temperature of at least 10°C (50°F).

In isolation units, there should be a means of maintaining the temperature at a level suitable for the conditions of the cat and dependent on veterinary advice.

Cleanliness

All units, corridors, common areas, kitchens, etc. must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and cat comfort.

Each occupied unit must be cleansed daily. All excreta and soiled material must be removed from all areas used by cats at least daily and more often if necessary.

All bedding areas must be kept clean and dry.

Suitable sited litter trays, which are easy to clean and impermeable, must be provided. These must be emptied and cleansed at least once a day and as necessary at any time during the day if found to be unduly soiled. A suitable material for litter must be provided.

Each unit must be thoroughly cleansed, disinfected and dried upon vacation. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.

Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of cats with infectious diseases. The final disposal route for all such waste must be incineration.

Measures must be taken to minimise the risks from rodents, insects and other pests within the establishment.

Food and water supplies

All cats must be adequately supplied with suitable food. At least two meals a day must be offered at approximately eight hours apart. Wholesome water must be available at all times and changed daily.

Eating and drinking vessels must be capable of being easily cleansed and disinfected and must be maintained in a clean condition.

Eating vessels must be cleansed or disposed of after each meal.

Drinking vessels must be cleansed or disposed of at least once a day.

Kitchen facilities

Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the cats.

Where fresh and cooked meats are stored, refrigeration facilities must be provided, and food contamination must be avoided.

A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold water must also be provided for staff use.

Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

Disease control and vaccination

Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst cats, staff and visitors.

Proof must be provided that cats boarded or resident have current vaccinations against Infectious Feline Enteritis, feline respiratory disease and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers' instructions. A record that this proof has been supplied must be kept on site throughout the period that the cat is boarded.

Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any cat is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.

A well stocked first aid kit suitable for use on cats must be available and accessible on site.

Isolation

Isolation facilities must be provided. In existing catteries these isolation facilities must be in compliance with the other boarding requirements but must be separate and physically isolated from the main units. This must be a minimum of 3m (10ft).

Adequate facilities to prevent the spread of infectious disease between the isolation unit and other units, must be provided.

Hands must be washed after leaving the isolation facilities before visiting the other units.

Register

A register must be kept of all cats boarded. The information kept must include the following:

- date of arrival
- name of cat and any identification system such as microchip, number or tattoo
- description, breed, age and gender of cat

- name, address and telephone number of owner or keeper.
- name, address and telephone number of contact person whilst boarded.
- name, address and telephone number of cat's veterinary surgeon.
- anticipated and actual date of departure and.
- health, welfare and nutrition requirements

The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an authorised officer easy access to such information. Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

Identification of units

Each unit must be clearly marked (e.g. numbered), and a system in place which ensures that relevant information about the cat in that unit is readily available.

Supervision

A fit and proper person must always be present to exercise supervision and deal with emergencies whenever cats are boarded at the premises.

Cats must be visited at regular intervals, as necessary for their health, safety and welfare.

Fire precautions

Appropriate steps must be taken for the protection of the cats in case of fire or other emergencies.

A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions where cats are to be evacuated to in the event of a fire or other emergency.

Fire fighting equipment must be provided in accordance with advice given by the Fire Prevention Officer.

All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker system on each block of units.

Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to cats.

Precautions must be taken to prevent any accumulation which may present a risk of fire.

There must be adequate means of raising an alarm in the event of fire or other emergency.

Appendix- 6 Standard conditions for Riding Establishments

Horses must be maintained in good health and in all respects physically fit. In the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse must be suitable for the purpose for which it is kept.

No horse aged three years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used, in return for payment, for instruction in or demonstrating riding.

Any riding equipment supplied for a horse let out on hire must be free from visible defect which is likely to cause suffering to the horse or accident to the rider.

The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.

A horse found, on inspection of the premises by an authorised officer, to be in need of veterinary attention must not be returned to work until the holder of the licence has obtained, at his own expense and has lodged with the local authority, a veterinary certificate that the horse is fit for work.

No horse may be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless, in the case of a horse let out for hire for riding, the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.

In the case of horses maintained at grass, there must be available for them, at all times during which they are so maintained, adequate pasture and shelter and water and supplementary feeds must be provided as and when required.

Horses must be adequately supplied with suitable food, drink and, except in the case of horses maintained at grass, so long as they are so maintained, bedding material and must be adequately exercised, groomed and rested and visited at suitable intervals.

All reasonable precautions must be taken to prevent and control the spread among horses of infectious or contagious diseases and veterinary first aid equipment and medicines must be provided and maintained in the premises.

The construction of the riding establishment must be substantial, adequate to contain the animals, and provided with warmth and shelter in clean and hygienic conditions. There must be convenient and safe access to stalls and boxes. Stalls must be large enough to allow the animal to lie down and get up without risk of injury. Boxes must be large enough to allow the animal to turn round.

Yards must provide enough space for every animal kept there.

Lighting must be adequate to render the use of artificial light unnecessary in daylight.

Ventilation must provide fresh air without draughts.

Drainage must be adequate to carry away liquid voided by the horses and keep the standing dry.

There must be provision for storage and disposal of manure and spoiled straw.

Adequate accommodation must be provided for forage bedding, stable equipment and saddlery.

The licence holder must ensure that appropriate steps will be taken for the protection and extrication of horses in case of fire and, in particular, that the name, address and telephone number of the licence holder or some other responsible person are kept displayed in a prominent position at the outside of the premises and that instructions as to the action to be taken in the event of fire, with particular regard to the extrication of horses, are kept displayed in a prominent position on the outside of the premises.

The carrying on of the business of the establishment must at no time be left in the charge of any person under 16 years of age.

The licence holder must hold a current insurance policy which insures him against liability for any injury sustained by those who hire a horse from him for riding and those who use a horse in the course of receiving from him, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid.

A register must be kept by the licence holder of all horses in his possession aged three years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times.

Appendix - 7 Standard conditions to be attached to Dangerous Wild Animal Licence

Whilst any animal is being kept under the authority of the Dangerous Wild Animal licence:

- the animal shall be kept by no person other than the person or persons specified on the licence
- the animal shall normally be held at such premises as specified on the licence and
- the animal shall not be moved from the premises (except in the circumstances specified on the licence).

The person to whom the Licence is granted should hold a current insurance policy which insures him / her and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal, the terms of the policy being satisfactory in the opinion of the Authority.

The species and number of animals of each species, which may be kept under the authority of the licence, shall be restricted to those specified in the schedule stated on the licence.

The person to whom the licence is granted shall at all reasonable times make available a copy of the licence to any officer of the Authority.

The person to whom the licence is granted shall ensure that all reasonable precautions are taken to:

- protect public safety, and
- ensure that no nuisance is caused to the public.

While any animal is being kept under the authority of the licence:

- it shall be held in accommodation which ensures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, drainage and cleanliness and is suitable for the number of animals proposed to be held in the accommodation
- it shall be supplied with adequate and suitable food, drink and bedding material and be visited at suitable interval
- appropriate steps will be taken to ensure the protection and extrication of animals in case of fire or other emergency. The name, address and telephone number of the licence holder or some other responsible person must be displayed in a prominent position outside the premises, instructions as to the action to be taken in the event of an emergency must be prominently displayed on the outside of the premises, where appropriate, suitable equipment for handling the animal must be available at all times
- all reasonable precautions must be taken to prevent and control the spread among animals of infectious or contagious diseases. Veterinary first aid equipment and medicines shall be provided and maintained on the premises and
- while at the premises where it will normally be held, accommodation shall be such that each animal may take adequate exercise.

There must be adequate provision for storage of food, bedding and equipment.

There must be provision for the disposal of manure and spoiled bedding, etc.

Animals must be maintained in good state of health.

It is against the law for anyone to have in their possession a dangerous wild animal that is not licensed to them under the terms of the Dangerous Wild Animals Act 1976.

Appendix – 8 - Zoos

Mandatory conditions requiring conservation measures to be implemented at a zoo;

The zoo must:

- promote public education and awareness about biodiversity conservation. In particular, provide information about the species of wild animals kept in the zoo and their natural habitats.
- accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.
- prevent escapes and put in place measures to be taken in the event of any escape or unauthorised release of animals.
- introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the zoo.
- keep up-to-date records of the animals, including numbers of different animals, acquisitions, births, death, disposals and escapes, causes of deaths and the health of the animals.
- Participate in at least one of the following:

Research which benefits the conservation of wild animals

Training in relevant conservation skills

Exchanging information about the conservation of wild animals

Breeding of wild animals in captivity

Repopulating an area with wild animals, or re-introducing wild animals

Information to show how it has complied with this condition must be retained and supplied to the local authority upon request.

Standard discretionary conditions for zoo licences

Discretionary conditions must not conflict with the mandatory conditions giving effect to the conservation measures in section 1A of the Act. But these conditions can complement them if the local authority believes they are necessary to ensure the proper conduct of the zoo.

Insurance

Within one month of the date of the licence and one month of the date of renewal of the policy, where applicable, a copy of the zoo's current public liability insurance policy, and of subsequent renewals thereof, to be sent to the licensing authority.

Stock list

A copy of the zoo's annual stock list, as defined in the **Secretary of State's Standards of Modern Zoo Practice**, to be forwarded to the licensing authority by 1 April of the year following that to which it relates.

Dangerous animals

The licensing authority to be notified in writing at least one month in advance of the proposed addition of any animal listed in the Schedule, to the Dangerous Wild Animals Act 1976, as currently amended, which is

From a taxonomic order not previously kept in the zoo.

Temporary removal of animals from the zoo

The licensee/s to notify the licensing authority before the temporary removal from the zoo (other than for veterinary attention or inter-zoo movements) of any animal listed in the Schedule, to the Dangerous Wild Animals Act 1976 as currently amended. Such notification to be given as early as possible, and in any case, not later than 12 hours before removal, unless the zoo operator and licensing authority, mutually agree a shorter period. When giving notification, details of the destination and method of transportation of the animal and of the arrangements for its well being, as well as for the safety of the public whilst it is away from the zoo, to be provided.

Escapes

Within one month of the date of the licence a copy of the written procedures in respect of animal escapes to be sent to the licensing authority. Any subsequent amendment made to such procedures to be sent to the licensing authority within 1 month of being made.

In the event of any non-domestic zoo animals escaping from the confines of the zoo, notification shall be made to the licensing authority as soon as possible, and in any case, not later than 24 hours following the escape.

Note1

These conditions are attached to the licence without prejudice to the application, where relevant, of the Secretary of State's standards of modern zoo practice specified in accordance with the powers conferred under Section 9 of the Zoo Licensing Act.

Note 2

The grant of this licence does not imply that the requirements of any other legislation have been met.

Appendix 9 Standard Conditions attached to Independent Greyhound Racing Tracks

Condition 1: Attendance of a veterinary surgeon

1.(1) A veterinary surgeon **must be in attendance** throughout the duration of a race, trial or sales trial and before a race, trial or sales trial in order to undertake the inspections required under sub-paragraph (2).

(2) Before any race, trial or sales trial—

(a) an attending veterinary surgeon must inspect every greyhound intended to run in that race, trial or sales trial; **and**

(b) the operator must remove from a race, trial or sales trial any greyhound which the attending veterinary surgeon has ruled **unfit to run**.

(3) An operator must ensure that a **register of attendance** of veterinary surgeons is kept at the track, recording—

(a) the date of the race, trial, or sales trial; and

(b) the name, Royal College of Veterinary Surgeons membership number and signature of the attending veterinary surgeon.

(4) The attending veterinary surgeon must attest in the register that, before each race, trial or sales trial, they **inspected every greyhound which took part**.

(5) The information referred to in sub-paragraphs (3) and (4) must be kept for at least 3 years from the date of the race, trial or sales trial.

Condition 2: Facilities for the attending veterinary surgeon

2. (1) The attending veterinary surgeon must have access to—

(a) either a room, or a mobile facility which—

(i) is clean and has walls and floors with an impervious and easily cleanable surface;

(ii) is lockable;

(iii) is well lit;

(iv) has heating and ventilation;

(v) has hot and cold running water;

(vi) has an examination table suitable for examining greyhounds;

(vii) has a lockable cupboard suitable for the storage of veterinary medicines;

(viii) has a fridge suitable for the storage of veterinary medicines; and

(ix) is located close enough to the area where a race or trial or sales trial is being undertaken to allow quick access in the case of an emergency;

(b) a freezer, suitable for the storage of a greyhound carcase; and

(c) a kennel, which complies with the operator's requirements in relation to kennels and which is within reasonable proximity to the room or mobile facility used for emergency veterinary cases.

(2) The facilities described in sub-paragraph (1) must be for the sole use of the attending veterinary surgeon—

- (a) at all times, in the case of a room; or
- (b) whenever the veterinary surgeon's attendance is required under condition 1, in the case of a mobile facility, freezer and kennel.

Condition 3: Kennels

3.(1) On, and after 6th April 2013 kennels must be provided for at least 20% of the total number of greyhounds which are present at the track at any one time for the purpose of taking part in a race or trial.

(2) Each kennel must—

- (a) if installed after the date on which these Regulations come into force, be a minimum 136cm long, 87cm wide and 110cm high internally;
- (b) be occupied by no more one than one greyhound;
- (c) have walls and floors with a cleanable surface;
- (d) be cleaned between use by individual dogs;
- (e) have a comfortable area for a greyhound to lie;
- (f) be adequately lit to allow the safe examination and handling of a greyhound;
- (g) allow a greyhound to be observed when inside;
- (h) be constructed so as to minimise any risk of injury to a greyhound;
- (i) have a regular flow of clean air, whether by natural or artificial means, to allow sufficient ventilation for a greyhound;
- (j) have an ambient temperature suitable for dogs just raced; and
- (k) be disinfected and dried between days on which races, trials or sales trials take place.

Condition 4: Identification of greyhounds taking part in races or trials

4. (1) An operator may only permit a greyhound to enter a race or a trial if it has been checked to ensure that—

- (a) if the greyhound was born on or after the date on which these Regulations come into force, it is **identified with an earmark** in accordance with this paragraph; and
- (b) it is identified with a **microchip** in accordance with this paragraph.

(2) The earmark referred to in sub-paragraph (1) (a) must—

- (a) be a tattoo of a unique number located on the inside of the ear pinnae; and
- (b) be registered on a database which the operator reasonably believes meets the requirements set out in Part 2 of this Schedule.

(3) The microchip referred to in sub-paragraph (1) (b) must—

- (a) have a unique number;
- (b) comply with either ISO standard 11784:1996 or Annex A to ISO standard 11785:1996 of the International Standards Organisation's standards for microchips (a); and

(c) be registered on a database in relation to which the operator reasonably believes the requirements set out in Part 2 of this Schedule are met.

Condition 5: Record of greyhounds taking part in races or trials

5. (1) An operator must ensure that the following details are recorded in relation to all greyhounds entering a race or a trial at the track—

- (a) the name and address of the owner;

- (b) the name and address of the trainer;
- (c) number on the tattoo if any and microchip; and
- (d) the database on which the greyhound's details are recorded.

(2) Unless the greyhound is entered for a race or trial by a person carrying photographic identity issued to owners or trainers and their employees by a body meeting the conditions set out in regulation 3(2), the operator must require owners to produce;

(a) a photographic means of identification as proof of their name and address each time a greyhound belonging to them is entered in a race or trial at that track for the first time under their ownership, and a copy of the means of identification for the operator's records, and

(b) proof that they are registered as owner of that greyhound on a database which the operator reasonably believes meets the requirements set out in Part 2 of this Schedule, and must require trainers to produce a photographic means of identification as proof of their name and address each time a greyhound which is currently trained by them is entered in a race or trial

at that track for the first time, and a copy of the means of identification for the operator's records.

(3) The details referred to in sub-paragraph (1) must be kept by the operator for at least 10 years from the date of the race.

(4) The copies of means of identification referred to in sub-paragraph (2) must be kept for at least the duration of the operator's licence.

Condition 6: Injury records in relation to races, trials and sales trials

6.(1) When a greyhound is **injured when participating in a race**, trial or sales trial the attending veterinary surgeon must make a record which the operator must keep at the track, setting out—

- (a) the nature of the injury sustained;
- (b) either the microchip number or tattoo number of the greyhound if the greyhound is micro-chipped or tattooed;
- (c) details of any treatment administered to the greyhound;
- (d) the distance of the race, trial or sales trial in which the injury occurred; and
- (e) the date of the injury.

(2) The information referred to in sub-paragraph (1) must be kept for at least 10 years from the date of the injury.

Contents of database

7.—(1) The database must contain the following information in relation to each greyhound registered—

- (a) the name and address of the owner, or owners where there is joint ownership;
- (b) a contact telephone number for each owner;
- (c) the name of the greyhound;
- (d) the microchip or tattoo number;
- (e) a record that the breed of dog is greyhound;
- (f) the sex of the greyhound;

- (g) the year of birth of the greyhound; and
- (h) a reference to any other greyhounds registered under the owner's name on the database.

(2) The database operator must record or update this information within 5 working days of receipt of the information.

(3) For the purposes of paragraphs 7 and 9, "working day" means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which in England is a bank holiday under the Banking and Financial Dealings Act 1971(a).

Accuracy

8. The database operator must have in place a checking system to ensure that any information inputted is accurate.

Access to information

9. (1) The database operator must use their best endeavours to ensure that they—
(a) answer all telephone calls received in normal working hours on all working days;
(b) provide the information in paragraph 7 free of charge to authorised third parties during all normal working hours where requested; and
(c) where the database operator charges for responding to a telephone call, charge a reasonable rate for the call.

(2) For the purposes of sub-paragraph (1) (a) and (b) "normal working hours" means the hours between 9am and 5pm.

(3) For the purposes of sub-paragraph (1) (b), "authorised third parties" means—
(a) any constable;
(b) any representative of the Secretary of State; or
(c) any representative of the local authority.

Provision of information for owners registered on database

10. The following must be provided by a database operator to an owner who has a greyhound registered on the database—

(a) full and up-to-date telephone, address and e-mail contact details of the database;

(b) information on the procedure the owner should follow if their greyhound goes missing.

Contingency provisions

11. The database operator must—

(a) have adequate computer software and hardware to store the information in the database;

(b) maintain a secure electronic backup of all of the information stored in the database; and

(c) make provisions for the transfer of the information contained in the database to another database operator if the database ceases to operate.