

Report to LICENSING COMMITTEE

Animal Welfare Licensing Policy

Portfolio Holder:

Cllr A. Shah – Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People & Place

Report Author: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

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Reason for Report

The reason for the report is to inform Members of the recent changes to Animal Welfare legislation, namely “Animal Welfare (Licensing of Activities involving Animals) Regulations 2018” which were implemented on 1st October 2018.

Recommendations

That Members consider the proposed Animal Welfare Licensing Policy which incorporates the new regulations and make any suggestions for further alterations to it prior to it being placed before December Council.

Animal Welfare Licensing Policy

1 Background

1.1 The Council is responsible for the regulation and licensing of a variety of animal-related businesses and activities. The licence types currently issued by the Council are:

- Animal boarding establishment licences
- Dog breeding establishment licences
- Pet shop licences
- Riding establishment licences
- Dangerous Wild Animal Licences*
- Zoo Licences*

1.2 There are many different pieces of legislation controlling the welfare of animals, many of which have been superseded by the introduction and implementation of the new regulations. The Council must also take into account the Animal Welfare Act 2006, as this is the primary piece of legislation controlling the welfare of animals in England and Wales and established set welfare standards that must be maintained by all people who are responsible for animals under the above activities.
(*Dangerous Wild Animal and Zoo licences are unaffected by the new legislation).

1.3 Although there is no statutory requirement for local authorities to set policies in relation to animal welfare licensing, the Council consider it best practice to do so to ensure transparency, accountability, consistency and the promotion of good standards in licensing.

2 Current Position

2.1 In 2017, the Government consulted on Draft Regulations relating to ‘The Animal Welfare (Licensing of Activities Involving Animals) Regulations’. These Regulations came into effect on 1st October 2018. There have been numerous licensing systems in the past that local authorities have used to regulate businesses which deal with animals, or animal activities, many of which have been in place for over 50 years. This has led to outdated regulations meaning some businesses require several licences, and others such as home boarding and dog day care businesses were not always covered.

2.2 The new system, which includes a new set of national mandatory conditions set by Parliament, introduces a more rigorous and robust scheme which will, in most cases, involve a more thorough and mid-term inspection during the licence period. These Regulations introduce a new structure for local authorities to use for the different areas of licensed activities as listed below:

- Selling animals as pets
- Providing or arranging for the provision of boarding cats or dogs
- Hiring out horses
- Breeding dogs
- Keeping or training animals for exhibition

2.3 A key part of these new licences will be a new “star rating” system (out of five) for licensed activities involving animals. This rates relevant businesses, on welfare and other grounds, and helps consumers choose the best provider as well as enabling local authorities to

better regulate the poor rated through increased inspections. It is also anticipated that the rating system will prove motivation to providers to improve their rating.

2.4 The Licensing department informed all current licence holders of the New Animal Licensing Regulations in writing shortly after the implementation date. All current licences, with the exception of dog breeding licences, will expire on 31st December 2018 and all applicants have been advised that they must apply for a new licence within 14 days upon receipt of the letter. Due to this being a new licensing regime, all licences will be deemed to be 'new' regardless of whether a licence has been held previously.

2.5 Members are asked to consider the attached proposed policy prior to moving forward for approval at December 2018 Council.

3 **Recommendations**

3.1 Members are asked to note the report and feedback any comments on its content.

4 **Preferred Option**

4.1 N/A

5 **Consultation**

5.1 None

6 **Financial Implications**

6.1 Not applicable

7 **Legal Services Comments**

7.1 Licences issued by the Council must be in accordance with the relevant conditions specified in Schedules 2 to 7 of the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018. (A Evans)

8. **Co-operative Agenda**

8.1 None

9 **Human Resources Comments**

9.1 None

10 **Risk Assessments**

10.1 Not applicable

11 **IT Implications**

11.1 None

12 **Property Implications**

12.1 None

13 **Procurement Implications**

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- 13.1 None
 - 14 **Environmental and Health & Safety Implications**
 - 14.1 None
 - 15 **Equality, community cohesion and crime implications**
 - 15.1 None
 - 16 **Equality Impact Assessment Completed?**
 - 16.1 No
 - 17 **Key Decision**
 - 17.1 No
 - 18 **Key Decision Reference**
 - 18.1 Not applicable
 - 19 **Background Papers**
 - 19.1 None
 - 20 **Appendices**
 - 20.1 Appendix 1 – Animal Welfare Licensing Policy (draft)
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