



**Notice of a public meeting of  
Gambling, Licensing & Regulatory Committee**

**To:** Councillors Douglas (Chair), Crisp, Funnell (Vice-Chair), Gillies, Hayes, Hunter, Mason, Mercer, Orrell, Richardson, Looker, Reid, Taylor and Wells

**Date:** Tuesday, 11 July 2017

**Time:** 4.00 pm

**Venue:** The Snow Room - Ground Floor, West Offices (G035)

**AGENDA**

**1. Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

**2. Minutes (Pages 1 - 4)**

To approve and sign the minutes of the meeting held on 24 April 2017.

**3. Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **5:00pm on Monday 10 July 2017**. To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

## **Filming or Recording Meetings**

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at [http://www.york.gov.uk/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

- 4. Renewal of Sex Establishment Licence for The Adult Shop, 70B Gillygate, York, YO31 7EQ** (Pages 5 - 34)  
This report seeks Members' determination of an application to renew a Sex Establishment Licence for a sex shop which has been made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 Control of Sex Establishments in respect of The Adult Shop, 70B Gillygate, York, YO31 7EQ.
- 5. Animal Welfare Licensing Policy** (Pages 35 - 120)  
This report seeks Members' approval to formally consult on a proposed Licensing Policy which relates to animal welfare licensing within the authority area.
- 6. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Laura Clark

Contact Details:

- Telephone – (01904) 554538
- E-mail – [Laura.Clark@york.gov.uk](mailto:Laura.Clark@york.gov.uk)

For more information about any of the following, please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

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Meeting	Gambling, Licensing & Regulatory Committee
Date	24 April 2017
Present	Councillors Douglas (Chair), Boyce (Vice-Chair), Aspden, Crisp, D'agorne, Hayes, Hunter, D Myers, Orrell And Richardson (From 4.30pm)
Apologies	Councillors Funnell, Gillies, Mason and Mercer

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## **Part A - Matters Dealt With Under Delegated Powers**

### **29. Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda. None were declared.

### **30. Minutes**

Resolved: That the minutes of the meeting held on 13 March 2017 be approved as a correct record and signed by the Chair.

### **31. Public Participation**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme on matters within the general remit of the Committee.

Mr Steve Reynolds spoke on the matter of Private Hire Licence theory tests. He stated that it was not a legal requirement for private hire drivers to possess topographical knowledge of an area and explained that the City of York test contained 4/5 topographical questions, which he felt put applicants at a disadvantage.

### **32. Request for Amendment to Taxi Licensing Policy**

Members considered a report which sought determination of a request made by two private hire vehicle licence proprietors,

who operate executive vehicles, in relation to the specification of vehicle windows.

The Licensing Manager gave a brief background to the report and stated that City of York Council considered tinted windows to be a public safety matter. In response to Member questions she clarified that seven private hire vehicles currently held exemptions and of those seven only two vehicle licence proprietors were requesting an amendment to policy.

Members expressed their concern that if the policy were to be amended for executive vehicles it may have to be extended to all licensed vehicles and this would reflect badly on the Council in terms of public safety. It was also noted that with changes to legislation it was increasingly difficult to enforce this type of restriction due to vehicles travelling across borders, for whom CYC policy would not apply.

Members then considered the following options:

1. Approve full consultation to be carried out on amending the policy to include an exemption to standard condition 19 relating to windows for Executive Vehicles, and request that a report be brought back to Members to consider the proposed change and the results of consultation.
2. Take no action at this time, and advise Officers to consult on this matter at a time when the council are formally consulting on other matters relating to hackney carriage and private hire licensing.
3. Refuse this request outright.

Resolved: That, in accordance with Option 2, Members agree to take no action at this time and advise Officers to consult on this matter at a time when the council are formally consulting on other matters relating to hackney carriage and private hire licensing.

Reason: In order that the request relating to the windows condition forms part of a future consultation process.

## **Part B - Matters Referred to Council**

### **33. Council's Constitution - Licensing Appeals**

Members considered a report which sought support for the approval to change the Council's Constitution in relation to the current procedure with regards to appeals relating to licensing decisions.

The Licensing Manager clarified that as far as she was aware CYC were the only Council who gave appellants the chance to appeal via an internal process, in addition to the Magistrates Court. Removing this process would bring CYC in line with other authorities and legislation.

During debate some Members were of the opinion that removing this internal right to appeal would save officer time and money and improve efficiency. They felt that the Magistrates Court was the right forum to deal with the seriousness of the appeals being heard. Conversely, other Members highlighted that the current process was of a high quality and suggested there was merit to having an additional right of appeal.

Members then considered the following options:

1. Recommend to Full Council that the Council's Constitution is changed and a new procedure for dealing with licensing appeals is approved. In line with the requirements of relevant legislation licence applicants and licence holders can appeal a decision made by Officers to refuse/suspend/revoke to the Magistrates Court, thereby no longer providing an internal appeals process.
2. Recommend to Full Council that a change to the Council's Constitution in relation to the internal appeals process is approved. Licence applicants and licence holders can appeal a decision made by Officers to refuse/suspend/revoke to a Sub-Committee of the Gambling, Licensing and Regulatory Committee. In line with the relevant legislation licence applicants/holders will also be able to appeal Officers decisions to Magistrates Court.
3. Take no further action.

After some debate and consideration of the options, on balance, Members were minded to support Option 2 on the basis that it preserved a staged process for dealing with appeals and provided the opportunity to benefit from the knowledge and experience of Members of this Committee.

Recommended: That, in accordance with Option 2, the Committee recommend to Full Council that a change to the Council's Constitution in relation to the internal appeals process is approved on the basis of:

Licence applicants and licence holders being able to appeal a decision made by Officers to refuse/suspend/revoke to a Sub-Committee of the Gambling, Licensing and Regulatory Committee;

In line with the relevant legislation, licence applicants/holders would also be able to appeal Officers decisions to Magistrates Court.

Reason: To allow applicants/licence holders who are aggrieved by a decision made by an Officer of the Council to appeal that decision in line with the requirements of the relevant legislation.

Councillor Douglas, Chair

[The meeting started at 4.00 pm and finished at 4.40 pm].





## Gambling, Licensing & Regulatory Committee

11 July 2017

Report of the Assistant Director – Planning and Public Protection

### **Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 as amended by Policing and Crime Act 2009**

### **Renewal of Sex Establishment Licence for The Adult Shop, 70B Gillygate, York, YO31 7EQ**

#### **Summary**

1. This report seeks Members' determination of an application to renew a Sex Establishment Licence for a sex shop which has been made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 Control of Sex Establishments in respect of The Adult Shop, 70B Gillygate, York, YO31 7EQ.
2. Name of applicant: Lilacgrange Limited
3. Summary of Application: The application is to renew an existing Sex Establishment Licence which permits the premises to operate as a sex shop during the following times; Monday to Tuesday 10:00 hours to 20:00 hours and Sunday 12:00 hours to 17:00 hours. A copy of the renewal application is attached at Annex 1.
4. A sex establishment licence is valid for 12 months. The licence holder must submit an application to renew the licence to the licensing authority before the existing licence expires if they wish to continue running a sex establishment, in this case a sex shop. A copy of the licence to be renewed is attached at Annex 2.

#### **Recommendations**

5. Members are asked to determine the application for the grant of the licence in accordance with the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 as amended by Policing and Crime Act 2009.

Reason: To consider renewal of the sex establishment licence as required by the legislation.

## **Background**

6. Sex shops are defined in the legislation as any premises, vehicle or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating sex articles; or other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity; or acts of force or restraint which are associated with sexual activity.
7. These premises have operated as a sex shop since 1997. There have been no complaints received in relation to the premises since the initial licence was granted.
8. City of York Council's Licensing of Sex Establishments Licensing Policy was reviewed and a revised policy was adopted on 27 April 2017 with immediate effect. A copy of this policy can be found at [https://www.york.gov.uk/downloads/file/2964/sexual\\_entertainment\\_venues\\_-\\_policy\\_and\\_procedurepdf](https://www.york.gov.uk/downloads/file/2964/sexual_entertainment_venues_-_policy_and_procedurepdf).
9. A copy of City of York Council's Standard Conditions for Sex Shops is attached at Annex 3.

## **Consultation**

10. Consultation was carried out by the applicant and the Licensing Authority in accordance with paragraph 10 of Schedule 3 of the 1982 Act relating to the process which the applicant must follow for the application for renewal to be considered valid.
11. There were no objections received to the application.
12. A map showing the location of the premises is attached at Annex 4.

## **Relevant Legislation – Grounds for Refusal**

13. When considering the renewal application, the Authority does not have an unfettered discretion as to whether to refuse an application or grant a renewal. The grounds on which an application could be refused are set out in paragraph 12 to Schedule 3 of the 1982 Act.

### **Mandatory grounds for the refusal of an application**

14. The mandatory grounds for the refusal of an application for a sex establishment licence are that the applicant:
- a) is under the age of 18;
  - b) is for the time being disqualified from holding a sex establishment licence;
  - c) is not a body corporate, and is not in resident or has been resident in an EEA state for six months immediately preceding the date of the application;
  - d) is a body corporate which is not incorporated in an EEA state;
  - e) has in the period of twelve months preceding the date of application been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the reversal has been reversed on appeal.
15. There are no mandatory grounds for refusing this application.

### **Discretionary grounds for the refusal of an application**

16. Discretionary grounds for the refusal of an application for a sex establishment licence are that:
- a) the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or any other reason;
  - b) if the licence were to be granted, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
  - c) the number of sex establishments, or sex establishment of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
  - d) the grant would be inappropriate, having regard –
    - to the character of the relevant locality;
    - to the use to which any premises in the vicinity are put;

- to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
17. When considering the suitability of the applicant to hold a licence the council will take into account such matters it considers to be relevant.
  18. Guidance on relevant locality can be found at Annex 5, paragraphs 3.32 to 3.38.
  19. Within the licensing policy the council has determined a limit on the number of sexual entertainment venues permitted within the Authority area, however, this limit does not apply to sex shops. These applications must be dealt with on a case by case basis.

## Options

20. By virtue of paragraphs 10, 12 and 13 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended), the Committee have the following options available to them in making their decision:
21. Option 1: Grant a renewal of the licence as requested.
22. Option 2: Renew the licence with modified/additional conditions imposed by the licensing committee.
23. Option 3: Refuse the application for renewal on one of the mandatory grounds or on one or more of the discretionary grounds within paragraph 12 to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

## Analysis

24. The following could be the result of any decision made by this Committee:
25. Option 1: This decision cannot be appealed at Magistrates Court by an objector to the application. Objectors could judicially review the decision.
26. Option 2: This decision could be appealed at Magistrates Court by the licence applicant.
27. Option 3: With the exception of a decision to refuse an application on a ground specified in paragraph 12(3) (c) or (d) of Schedule 3 to the 1982

Act, the licence applicant may appeal against the decision made to the Magistrates' Court.

## Council Plan

28. The approved City of York Council Policy will support the Council's Plan for a prosperous city for all and a council that listens to residents.

## Implications

29. The implications arising directly from this report are:

- **Financial** - N/A
- **Human Resources (HR)** – N/A
- **Equalities** – N/A
- **Legal** – The Council has the ability to control the licensing of sexual entertainment venues having adopted Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

Paragraph 8 of Schedule 3 to the 1982 Act provides that where it determines to grant sex establishment licence, the Council is empowered to impose such conditions or restrictions as it deems appropriate.

Paragraph 12 of Schedule 3 to the 1982 Act sets out a number of mandatory grounds for refusal of sex establishment licence and also discretionary grounds for refusal of a sex establishment licence.

In considering this application the Committee should have regard to:

- Schedule 3 to the 1982 Act, as amended by Policing and Crime Act 2009 (Annex 5).
- The City of York Council Licensing of Sex Establishment Licensing Policy which can be found at [https://www.york.gov.uk/downloads/file/2964/sexual\\_entertainment\\_venues\\_-\\_policy\\_and\\_procedurepdf](https://www.york.gov.uk/downloads/file/2964/sexual_entertainment_venues_-_policy_and_procedurepdf).
- The Home Office – Sexual Entertainment Licence – Guidance for England and Wales which states that “Objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12” [of Schedule 3 to the 1982 Act].

In addition when making their decision Members must give consideration to the rights the applicant has under the European Convention on Human Rights. Article 1 (entitles every person to peaceful enjoyment of their possessions) and Article 10 (freedom of expression) are particular rights that may be relevant. Members should consider whether interference with these rights is necessary and proportionate for the prevention of crime or disorder, for the protection of health or morals or for the protection of the rights and freedoms of others or, in the case of Article 1, whether interference can be justified in the general interest.

Members of the Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application on its own merit.

- **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
- **Information Technology (IT)** – N/A
- **Property** – N/A
- **Other** – none

### **Risk Management**

30. All Members are aware that any decision which is unreasonable or unlawful could be open to legal challenge resulting in loss of reputation and potential financial penalty.
31. The report details the options available to the panel in determining the application and recommends that a decision be reached. Provided the decision complies with the proper grounds for considering the application as set out within this report, there are no known risks involved with this recommendation.

**Contact Details**

<b>Author:</b> Lesley Cooke Licensing Manager Tel: (01904) 551515	<b>Chief Officer Responsible for the report:</b> Michael Slater Assistant Director Planning & Public Protection Tel: (01904) 551300		
	<b>Report Approved</b>	√	<b>Date</b> 28 June 2017

<b>Wards Affected:</b> Guildhall
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**Annexes**

- Annex 1 - Copy of application for renewal
- Annex 2 - Copy of existing licence to be renewed
- Annex 3 - Standard Conditions for Sex Shop
- Annex 4 - Map showing location of premises
- Annex 5 - Legislation Extracts – Renewal Applications

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CITY OF YORK COUNCIL  
Licensing Services, Hazel Court EcoDepot, James Street, York, YO10 3DS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED  
SCHEDULE 3 - CONTROL OF SEX ESTABLISHMENTS  
Application for the Grant / Renewal / Transfer of a Sex Establishment Licence

TYPE OF VENUE

- Sexual Entertainment Venue
- Sex Shop
- Sex Cinema

TYPE OF APPLICATION

- Grant
- Renewal
- Transfer

**APPLICANT DETAILS**

1. Is the applicant:

- An individual (please answer questions 2, 5 to 9)
- A company or other corporate body (please answer questions 3, 5 to 9)
- A partnership or other unincorporated body (please answer questions 4, 5 to 9)

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2. Full name of applicant (individual):

Former or previous names: /

Home address: /

Post town: / Post code: /

Telephone numbers: /

Date of birth: /

Email address: /

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3. Name of applicant (company name): LILACGRANGE LTD

Address of registered or principal office: 70B GILLYGATE

Post town: YORK Post code: YO31 7EQ

Registration number: 05842814

Email address: /

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4. Name and address of applicant: /

Names and address of applicant's partners (please use additional sheet): /

5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names and addresses:

ANTHONY BARTLETT-MOORE (DIRECTOR)

- 6. a. Has the applicant ever been known by any other name? ~~YES~~ / NO
- b. Has the applicant ever been convicted of a criminal offence? ~~YES~~ / NO
- c. Has the applicant ever been refused a sex establishment licence? ~~YES~~ / NO
- d. Has the applicant ever had a sex establishment licence revoked? ~~YES~~ / NO
- e. Has the applicant ever been served with a winding up petition? ~~YES~~ / NO

If the answer to any of these questions is yes, please provide details:

7. Applicants' trading address or head office (other than the premises)

THE PREMISES ARE THE TRADING ADDRESS AND  
HEAD OFFICE  
(705 GULLYGATE YORK YO31 7EQ)

8. Will the business for which this licence is sought be carried on for the benefit of a person other than the applicant? ~~YES~~ / NO

If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding (use separate sheet if necessary).

9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

NO

## PREMISES DETAILS

10. Please state the name the business will be known as:

THE ADULT SHOP

11. Is the premises a  Building  Vehicle  Vessel  Stall

12. Where is it proposed to use the vehicle, vessel or stall?

N/A.

13. Does the company propose to only operate on the internet?  
(f yes answer Q14 to 19 only)

NO

14. Premises address

70B GILLYGATE

Post town

YORK

Post code

YO31 7EQ

Telephone number at premises

01904 613638

15. Which part of the premises is to be used as a sex establishment?

GROUND FLOOR SHOP (AS EXISTING)

16. Is the applicant  owner  lessee  sub-lessee  other

17. If the applicant rents the property state:

a. Name and address of landlord:

b. Name and address of the superior landlord:

c. Total annual rental:

d. Length of unexpired term:

e. Notice required to terminate tenancy:

18. Please provide details of the building management company (if appropriate):

NONE

19. State the current use of the premises:

SEX SHOP

20. Has planning permission, or a certificate of lawful use, been obtained for the use of the proposed premises? ~~YES~~ / NO

21. Can members of the public access the premises:  
 a. Directly from the street? YES / ~~NO~~  
 b. From other premises? ~~YES~~ / NO  
 c. Not at all? (internet sales only) ~~YES~~ / NO

22. Are the premises currently being used as a sex establishment? YES  
 Please provide details of the business currently operating the business:  
 THE ADULT SHOP  
 LILAC GRANGE LTD  
 70B GILLYGATE  
 YORK YO31 7EQ

**OPERATING SCHEDULE**

23. Opening hours: (If internet sales only please tick here  and continue to Q 26)

Monday	Tuesday	Wednesday	Thursday	Friday
10.00 - 20.00	10.00 - 20.00	10.00 - 20.00	10.00 - 20.00	10.00 - 20.00
Saturday	Sunday			
10.00 - 20.00	12.00 - 17.00	ALL AS EXISTING		

Any non-standard timings:

24. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Please provide details.

NO

a. Please provide details of any lender, mortgage or others providing finance:

NONE

b. Please provide details of any merchandising agreements:

NONE

**PREMISES MANAGEMENT**

25. Please state the name of the person who will be in day to day control of the premises (the manager).

ANTHONY BARTLETT-MOORE

a. Will the manager be based at the premises YES / ~~NO~~  
 b. Will the management of the premises be the manager's sole occupation ~~YES~~ / NO

26. Who will be in control of the premises in the manager's absence (relief manager)?

PHILLIP BENTON

a. Will the relief manager be based at the premises in the absence of the manager? YES / ~~NO~~

If you have ticked no to any of the above please provide details.

**EXTERNAL APPEARANCE AND ADVERTISING - DO NOT COMPLETE FOR RENEWAL APPLICATION**

27. Please describe the proposed exterior signage and advertising. Please include nature, content and size of each sign and any images to be used:

Please note that a drawing of the front elevation is required to be submitted with this application.

28. Please describe how the interior of the premises is obscured to passersby:

29. Please describe any proposed window displays:

30. Please describe how the business is to be advertised, ie business cards, billboard advertising, personal solicitation, advertising on motor vehicles, radio or television advertising:

*RENEWAL*

**APPLICATIONS FOR SEXUAL ENTERTAINMENT VENUES ONLY**

31. Is the proposal for full nudity? YES / NO

32. Describe the nature of the entertainment eg lap-dancing, pole dancing, stage strip tease:

33. State measures to ensure employees age and right to work in the UK:

34. Describe training and welfare policies:

Please enclose a copy of the welfare policy for performers (or equivalent document).

35. Please set out any further information you wish the authority to take into account.

*NOT SEXUAL ENTERTAINMENT VENUES*

36. Is there any information on this form you do not wish to be seen by members of the public?  
If so state which information and the reasons why you do not wish it to be seen.

NO

**CHECKLIST & ENCLOSURES**

Enclosures

- I have made or enclosed payment of the fee
- I have enclosed three sets of plans of the premises
- I have enclosed a drawing of the street elevation of the premises
- In the case of an application to transfer the licence, include the completed Consent to Transfer form


**DECLARATION**

I declare that I have served notice of this application on North Yorkshire Police.

I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice and the standard declaration is enclosed.

I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.

A copy of the relevant press edition will be forwarded to the City of York Council Licensing Section.

I understand that if I do not comply with the above requirements my application will be rejected.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to an unlimited fine.

**SIGNATURES**

Signature of applicant or applicant's solicitor or other duly authorised agent, If signing on behalf of the applicant please state in what capacity. /

Signature .....	Signature .....
Name (print) <u>ANTHONY BARTLETT-MOORE</u>	Name (print) .....
Date <u>28th APRIL 2017</u>	Date .....
Capacity <u>DIRECTOR</u>	Capacity .....

Contact name (where not previously given) and address for correspondence associated with this application:

Post town \_\_\_\_\_ Post code \_\_\_\_\_

Telephone number (if any) \_\_\_\_\_

If you would prefer us to correspond with you by email, your email address (optional)

Ref no: MAU 008669/16



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**SEX ESTABLISHMENT LICENCE**

The City of York Council hereby grant renewal of licence to:

Lilacgrange Ltd  
70B Gillygate  
York  
YO31 7GQ

to use the premises known as:

The Adult Shop  
70B Gillgate  
York  
YO31 7GQ

for the purposes of a sex establishment comprising a sex shop as defined in Schedule 3 to the above Act.

This Licence is renewed subject to the City of York Council Standard Conditions Application to Sex Establishment Licences and to the additional conditions set out in the schedule below.

This licence shall continue in force from the date hereof until 30 April 2017 unless previously revoked.

Granted on 26 May 2016

Signed .....  
For and on behalf of the Director of Communities &  
Neighbourhoods

**SCHEDULE**

1. A copy of this Licence and any Regulations prescribing standard conditions made by the authority must be kept exhibited in a position visible to customers behind the sales desk in the shop.
2. The sound from the video preview facility must be inaudible externally and in adjoining premises.
3. That the hours of opening be limited to 10:00am to 8.00pm, Monday to Saturday, and 12 noon to 5:00 pm on Sunday.

**Extract from the Local Government (Miscellaneous Provisions) Act 1982**

**APPEALS** (*Sched. 3, para. 27*)

27. - (1) Subject to sub-paragraphs (2) and (3) below, any of the following persons, that is to say -
- (a) an applicant for the grant, renewal or transfer of a licence under this Schedule whose application is refused;
  - (b) an applicant for the variation of terms, conditions or restrictions on or subject to which any such licence is held whose application is refused;
  - (c) a holder of any such licence who is aggrieved by any term, condition or restriction on or subject to which the licence is held; or
  - (d) a holder of any such licence whose licence is revoked

may at any time before the expiration of the period of 21 days beginning with the relevant date appeal to the magistrates' court acting for the relevant area.

(2) An applicant whose application for the grant or renewal of a licence is refused, or whose licence is revoked, on any ground specified in paragraph 12(1) above shall not have a right to appeal under this paragraph unless the applicant seeks to show that the ground did not apply to him.

(3) An applicant whose application for the grant or renewal of a licence is refused on either ground specified in paragraph 12(3) or (d) above shall not have the right to appeal under the paragraph.

(4) In this paragraph -

'the relevant area' means-

- (a) in relation to premises, the petty sessions area in which they are situated; and
  - (b) in relation to a vehicle, vessel or stall, the petty sessions area in which it is used or, as the case may be, desired to be used as a sex establishment;
- and

'the relevant date' means the date on which the person in question is notified of the refusal of his application, the imposition of the term, condition or restriction by which he is aggrieved or the revocation of his licence, as the case may be.

(5) An appeal against the decision of a magistrates' court under this paragraph may be brought to the Crown Court.

(6) Where an appeal is brought to the Crown Court under sub-paragraph (5) above, the decision of the Crown Court shall be final; and accordingly in section 28(2)(b) of the Supreme Court Act 1981 for the words 'or the Gaming Act 1968' there shall be substituted the words 'the Gaming Act 1968 or the Local Government (Miscellaneous Provisions) Act 1982'.

(7) On an appeal to the magistrates' court or the Crown Court under this paragraph the court may make such order as it thinks fit.

(8) Subject to sub-paragraph (9) to (12) below, it shall be the duty of the appropriate authority to give effect to an order of the magistrates' court or the Crown Court.

(9) The appropriate authority need not give effect to the order of the magistrates' court until the time for bringing an appeal under sub-paragraph (5) above has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal.

(10) Where a licence is revoked or an application for the renewal of a licence is refused, the licence shall be deemed to remain in force -

- (a) until the time of bringing an appeal under this paragraph has expired and, if such an appeal is brought, until the determination or abandonment of the appeal; and
- (b) where as appeal relating to the refusal of an application for such a renewal is successful and no further appeal is available, until the licence is renewed by the appropriate authority.

(11) Where -

- (a) the holder of a licence makes an application under paragraph 18 above; and
- (b) the appropriate authority impose any term, condition or restriction other than one specified in the application,

the licence shall be deemed to be free of it until the time for bringing an appeal under this paragraph has expired.

(12) Where an appeal is brought under this paragraph against the imposition of any such term, condition or restriction, the licence shall be deemed to be free of it until the determination or abandonment of the appeal.





## STANDARD CONDITIONS

### SEX SHOPS

#### General

1. Unless stated otherwise, the licence hereby granted will remain in force for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. In the event of a conflict between these conditions and any special conditions contained in a licence relating to a sex establishment the special conditions shall prevail.
4. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the Council in writing.

#### Exhibition of the licence

5. The licence or a certified copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises and all authorised officers. A copy of the conditions attached to the licence shall be kept on the premises and be available for inspection by an authorised officer of the council.

#### Hours of opening

6. Except with the written consent of the council, the premises will only open to the public during the following hours:

Monday	09:00 – 20:00	Friday	09:00 – 20:00
Tuesday	09:00 – 20:00	Saturday	09:00 – 20:00
Wednesday	09:00 – 20:00	Sunday	12:00 – 20:00
Thursday	09:00 – 20:00		

## **Conduct of the premises**

7. The premises will be conducted primarily for the purpose of the sale or hire of goods by retail.
8. The licensee, or any other person concerned in the conduct or management of the premises, will only obtain custom by means of personal solicitation or touting from the premises in such a way that it does not cause concern to the public or the licensing authority. All literature used will not contain images or text of a sexually explicit, obscene or offensive nature.
9. No part of the premises will be used by prostitutes.
10. All sex articles or other items displayed for sale, hire, exchange or loan within the premises will be clearly marked to show the price being charged.
11. All printed material offered for sale, hire, exchange or loan will be available for inspection prior to purchase and a notice to this effect will be displayed in a conspicuous position within the premises.
12. No film, DVD or video recording (or computer game) will be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect.
13. No moving picture will be provided on display at the licensed premises unless it is that of advertising videos on a loop system or allowing a prospective purchaser a short preview of films upon request, being no longer than 3 minutes in length.
14. Items offered for sale, hire, exchange or used in any promotion/advertising must not contravene any current legislation i.e. Section 12 Video Recordings Act 1984 (as amended).

## **External appearance**

15. There will be a notice displayed inside each entrance or doorway to the premises, clearly visible on entering the premises, which states the following words and no others:

**STRICTLY NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE**

This premises operates a Challenge 25 policy.  
Persons who appear to be under the age of 25 will be required to show proof of age.

16. The external appearance of the premises must be approved by the council in writing. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by the council in writing before work is undertaken.
17. The frontage of the licensed premises will be of such a nature that the inside of the licensed premises are not visible and the contents of the licensed premises should not be visible when the doors of the licensed premises is open.
18. There will be no illuminated or protruding signs fixed to the premises and no signs placed outside the premises on the public highway.

### **Advertising**

19. Any unsolicited written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
20. The distribution of flyers will only be permitted in such a way where it does not cause public offence. Flyers must not be distributed by and to persons under the age of 18 years.

### **Layout of the premises**

21. Access to ground floor premises may only be through two or more doors placed consecutively, so arranged that when a person enters or leaves the premises the interior of the premises is not recognisable to persons outside the premises. The first set of entry doors must be fitted with a device to provide for their automatic closure and such a device shall be maintained in good working order.
22. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
23. No alterations (including temporary alterations) will be made to the structure and installations on the premises, without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

### **Management of the premises**

24. Where the licensee is a body corporate, or an un-incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such change. Such details as the council may require in respect of the

change of personnel will be furnished within 14 days of a request in writing from the council.

25. The licensee, or a responsible person nominated by him/her in writing for the purpose of managing the venue (“the manager”) will have personal responsibility for and be present on the premises whilst the premises are open to the public. Any such nomination will be produced on demand to an authorised officer of the council or the police.
26. The licensee will ensure that any person nominated by him/her under the above:
  - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b) is in possession of a written nomination referred to above at all times when they are in charge of the premises.
27. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue (“the manager”), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.
28. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises affected by the termination of a lease or other event affecting the licensee’s control of the premises.
29. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by the council.
30. The holder of the licence will keep a record of all employees who are asked to work on the premises which will include their full name, date of birth, current and previous address and any convictions recorded against that person (subject to the Rehabilitation of Offenders Act 1984).
31. An authorised and certified copy of the full personal record or a record of an individual will be produced on demand to an authorised officer of the council or the police.
32. No person under the age of 18 will be admitted to the premises.
33. The licensee will operate a Challenge 25 age verification policy. People who appear to be under the age of 25 will be required to show proof of ID prior to admittance. A notice to this effect, in accordance with condition 18 will be displayed on the premises.

34. The licence holder will not employ any person under the age of 18 in any capacity.

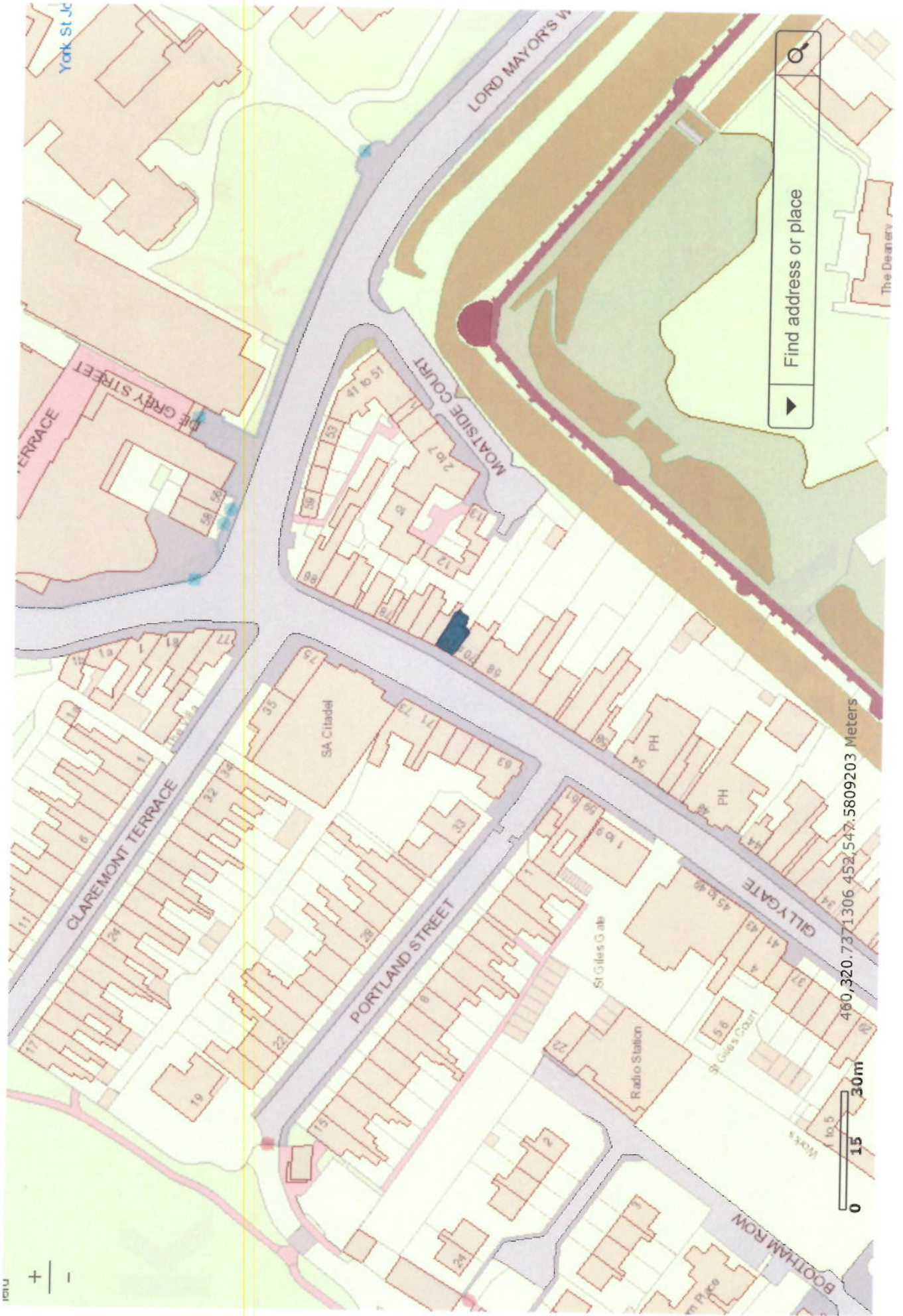
### **Vessels, vehicles and stalls**

35. In the case of licensed premises that are a vessel, vehicle or stall, the licensee shall not move the vessel, vehicle or stall from the location specified in the licence unless 28 days written notice is given to the council of such intended removal. The council may require the licensee to lodge such written application as it may deem appropriate and pay such a fee as it may deem reasonable in respect of such application.
36. The requirements of condition 35 will not apply to a vessel, vehicle or stall habitually operating from a fixed location, which is regularly moved, whether under its own propulsion or otherwise, from another place for storage purposes. This place must be specified in the licence and must not be used for the purposes for which the licence is granted and any other location than that specified in the licence.
37. Vehicles must not be used for personal solicitation, touting or advertising.

### **Variation of conditions**

38. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
39. The licensee may apply to the council to vary any of the terms of the licence.
40. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the grant, renewal or transfer of the licence.

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## **ANNEX 5**

### **Legislation and Policy Considerations**

1. The following provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) apply to this application:
  - Paragraph 10 (Grant, renewal and transfer of licences for sex establishments) relates to the process which the applicant must have followed for the application to be considered valid.
  - Paragraph 12 (Refusal of licences) relates to the grounds under which an application shall not be granted and also describes the powers by which the licensing authority has a discretion to refuse the licence.
  - Paragraph 13 (Power to prescribe standard conditions).
  
2. The following provisions of the Home Office Guidance apply to this application:
  - Paragraphs 3.23 – 3.24 (Objections) explain who can object and how this is done and that the applicant must be made aware of the general grounds for the objection before the application is determined.
  - Paragraphs 3.25 – 3.26 (Hearings) explain that the applicant must be given the opportunity to appear and be heard in front of the sub-committee considering the application. Schedule 3 does not make any explicit provision for objectors to be heard, this is left to the discretion of the appropriate authority.
  - Paragraphs 3.27 – 3.31 (Grounds for refusal).
  - Paragraphs 3.32 – 3.38 (Relevant locality) define the meaning of “relevant locality” and the powers of the appropriate authority to decide the maximum number of premises allowed in a particular locality.
  - Paragraphs 3.39 – 3.42 (Licence conditions) explain that once the decision is made to grant, the appropriate authority can attach conditions specific to the individual premises and/or standard conditions for the particular type of establishment. These conditions should not duplicate conditions placed on a premises licence issued under the Licensing Act 2003 and should be appropriate to the activities authorised by the licence.
  - Paragraphs 4.19 – 4.21 (European Convention on Human Rights) explain whilst applications from existing operators can be refused on one or more grounds set out in paragraph 12 of schedule 3 of the 1982 Act, account must be taken of rights existing operators may have under Article 1 of Protocol 1 to the European Convention

which protects the peaceful enjoyment of their possessions (including licences) and article 10 (freedom of expression).

4. City of York Council's Policy for the Licensing of Sex Establishments Licensing Policy and the Standard Conditions for Sex Shops applies to this application.
5. The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
6. The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.
7. The Committee is reminded that it must comply with the Council's Public Sector Equality Duty (as required to do so under s.149 of the Equality Act 2010), and have due regard to the potential impact on gender equality.

### **Note for Members**

Extracts from Home Office Guidance for England and Wales relating to Sexual Entertainment Venues.

3.23 When considering an application for the grant, renewal or transfer of a licence the appropriate authority should have regard to any observations submitted to it by the chief officer of police and any objections that they have received from anyone else within 28 days of the application. Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 for refusing a licence. Objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12. Objectors must give notice of their objection in writing, stating the general terms of the objection.

3.24 Where the appropriate authority receives notice of any objection the authority shall, before considering the application, give notice in writing of the general terms of the objection to the applicant, However, the appropriate authority shall not without the consent of the person making the objection reveal their name or address to the applicant.

## Hearings

3.25 Under paragraph 10(19) of Schedule 3, before refusing an application, all applicants should be given the opportunity to appear before and be heard by the local authority committee or sub-committee that is responsible for determining the application.

3.26 Schedule 3 does not make explicit provision for objectors to be heard, but this does not mean that such hearings cannot take place. Rather, case law on this matter states that while local authorities are under no obligation to offer an oral hearing to objectors, they may do so at their discretion. Although a local authority is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.

## Refusal of a Licence

3.27 Paragraph 12 of Schedule 3 sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.

A licence must not be granted:

- a) to a person under the age of 18;
- b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- c) to a person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- d) to a body corporate which is not incorporated in an EEA State; or
- e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

3.28 A licence may be refused where:

- a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is

determined is equal to or exceeds the number which the authority consider is appropriate for that locality;

- d) that the grant or renewal of the licence would be inappropriate, having regard -
- i. to the character of the relevant locality;
  - ii. to the use to which any premises in the vicinity are put; or
  - iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

3.29 A decision to refuse a licence must be relevant to one or more of the above grounds.

3.30 When determining a licence application, the local authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights.

3.31 The Provision of Services Regulations 2009 amended Schedule 3 to the 1982 Act to state that, if having considered an application for the grant, renewal or transfer of a licence, the appropriate authority decides to refuse it if one or more of the above grounds, it must provide the applicant with reasons for the decision if writing.

### **Relevant Locality**

3.32 Paragraph 12(3)(c) and 12(3)(d) of Schedule 3 allow appropriate authorities to refuse applications on grounds related to an assessment of the “relevant locality”. A licence can be refused if either, at the time the application is determined the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.

3.33 Schedule 3 to the 1982 Act does not define “relevant locality” further than to say that:

- (a) in relation to premises, it is the locality where they are situated; and
- (b) in relation to a vehicle, vessel or stall, any locality where it is desired to use it as a sex establishment.

3.34 Clearly, the decision regarding what constitutes the ‘relevant locality’ is a matter for the appropriate authority. However, such questions must be decided on the facts of the individual application.

3.35 Therefore, it is reasonable and potentially useful to future applicants, for a local authority to decide in advance of receiving any applications that certain areas are, or are not, appropriate locations for a sex establishment or a particular number of sex establishments. Nevertheless, all applications must be considered on their individual merits.

3.36 When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority's view of what constitutes a locality could be open to challenge if they took a completely unreasonable view of the area covered, for example, by concluding two sex establishments 200 miles away from one another were in the same locality. Case law indicates that a relevant locality cannot be an entire local authority area or an entire town or city.

3.37 Once the appropriate authority has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and how many, if any, sex establishments, or sex establishments of a particular kind, it considers appropriate for that relevant locality.

3.38 Section 27 amends paragraph 12(3)(c) of Schedule 3 to allow local authorities to determine an appropriate number of sex establishments of a particular kind. In practice, this means that the appropriate authority may, for example, decide that a particular locality is suitable for a sex shop but is not suitable for a sexual entertainment venue or vice versa.

## **Licence Conditions**

3.39 Once the appropriate authority has decided to grant a licence they are able to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions applicable to all sex establishments, or particular types of sex establishments, prescribed by regulations made by the appropriate authority under paragraph 13 of Schedule 3.

3.40 Paragraph 13 provides examples of the matters that standard conditions may address which include but are not restricted to:

- The hours of opening and closing
- Displays and advertisements on or in sex establishments
- The visibility of the interior of a sex establishment to passers-by

- Any change of use from one kind of sex establishment to another

3.41 Where the appropriate authority decides to produce standard conditions under paragraph 13 they will apply to every licence granted, renewed or transferred by the authority unless they have been expressly excluded or varied.

3.42 Most sexual entertainment venues will require a 2003 Act licence as well as a sex establishment licence. Where this is the case, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on each licence are relevant to the activities authorised by that licence. For example, conditions relating to the sale of alcohol should only appear on a premises licence or clubs premises certificates and should not be imposed on sexual entertainment venue licence. Likewise, conditions relating the provisions of relevant entertainment should appear on the sexual entertainment venue licence and not a premises licence or club premises certificate. Local authorities should also avoid imposing conditions on either licence that are contradictory.



## **Gambling, Licensing & Regulatory Committee**

11 July 2017

Report from the Assistant Director – Planning and Public Protection

### **Animal Welfare Licensing Policy**

#### **Summary**

1. This report seeks Members' approval to formally consult on a proposed Licensing Policy which relates to animal welfare licensing within the authority area.

#### **Recommendations**

2. That Members approve Option 1 of this report.

Reason: This will allow the Council to formally consult on the draft Animal Welfare Licensing Policy.

#### **Background**

3. The Council issues licences for the following activities relating to the welfare of animals:
  - Animal boarding establishment licences
  - Dangerous wild animal licences
  - Dog breeding establishment licences
  - Horse riding establishment licences
  - Pet shop licences
  - Zoo licences
4. The exhibit and training of any performing animal must be registered with the Council.
5. These licences are regulated by the Council in accordance with the following Acts:
  - Animal Boarding Establishment Act 1963
  - Dangerous Wild Animals Act 1976

- Breeding Dogs Act 1973 and 1991
  - Breeding and Sale of Dogs (Welfare) Act 1999
  - Riding Establishment Act 1964 and 1970
  - Pet Animals Act 1951 and Pet Animals Act 1951 (Amendment) Act 1983
  - Zoo Licensing Act 1981
  - Performing Animals (Regulation) Act 1925
6. The Council must also take the Animal Welfare Act 2006 into consideration, 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 an animal.
  7. Unlike other licensing regimes, there is no statutory requirement for local authorities to set policies in relation to animal welfare licensing. The Council do, however, consider it best practice to do so as the benefits bring transparency, accountability, certainty, consistency and the promotion of good standards in licensing. Policies are an integral part of the decision-making process. A policy guides, but does not bind, a local authority.
  8. At this time the Council does not have a formal policy document in relation to animal welfare licensing.
  9. Within the draft Licensing Policy it is proposed to introduce new standard conditions to be placed on Animal Boarding Establishments (dogs and cats), Dog Breeding Establishments and Pet Shops. These conditions are in accordance with guidance published by the Chartered Institute of Environmental Health.
  10. The draft Animal Welfare Licensing Policy is attached at Annex 1. The Chartered Institute of Environmental Health has published guidance on standard conditions relating to the following licences:
    - Animal Boarding
    - Dog Breeding
    - Pet Shops
  11. Through the implementation of the Policy the Council will adopt these conditions. In order to ensure consistent standards across the authority and fair trading, it is proposed that all existing establishments are given three years from the implementation date of this policy to upgrade their



facilities if necessary to meet this new requirement. A three year period has being deemed an appropriate timeframe; this may be extended in exceptional circumstances if a written request is made by the licence holder. New application received after the implementation of this policy will be expected to meet the new requirements.

## **Consultation**

12. This report seeks member's approval to formally consult on the draft Animal Welfare Licensing Policy. Subject to members' approval, the public consultation will run for 8 weeks, and shall accord with the Council's consultation strategy. Current licence holder, relevant agencies/organisation and members of the public shall be informed of the consultation via the Council's website and by direct mailing. The final revised policy taking account of the public consultation responses shall be presented to this committee for approval in due course.

## **Options**

13. Option 1 – Authorise officers to consult on the draft Animal Welfare Licensing Policy and the draft standard conditions (attached at Annex 1).
14. Option 2 – Authorise officers to consult on an alternative draft Animal Welfare Licensing Policy and draft standard conditions.
15. Option 3 – Determine that an Animal Welfare Licensing Policy in this format is not required, with the current informal policy and standard conditions remain in place.

## **Analysis**

16. The Council currently licences the following animal welfare establishments:
  - Animal Boarding – 8
  - Animal Boarding (home boarding) – 26
  - Dangerous Wild Animals – 1
  - Dog Breeding – 0
  - Pet Shops – 8
  - Riding Establishments – 4
  - Zoo – 1

17. The Council also has 8 registered performing animals.
18. Prior to the grant of a licence all establishments are inspected by an authorised officer of the Council and if it is a legal requirement, or deemed appropriate by the authorised officer, by a veterinary surgeon instructed by the Council.
19. Once a licence is granted subsequent inspections are carried out in accordance with legal requirements or on a risk based process.

### **Council Priorities**

20. The implementation of a Licensing Policy will support the Council's plan of a prosperous city for all, where local businesses can thrive and a council that listens to residents.

### **Implications**

21. The direct implications arising from this report are:
  - (a) **Financial** – There are no financial implications for the council.
  - (b) **Human Resources (HR)** - There are no HR implications.
  - (c) **Equalities** – There are no equalities implications.
  - (d) **Legal** – There is no statutory requirement to adopt a Licensing Policy however, the Council believe it is best practice to do so.
  - (e) **Crime and Disorder** – There are no crime and disorder implications.
  - (f) **Information Technology (IT)** - There are no IT implications.
  - (g) **Property** - There are no property implications.
  - (h) **Other** - There are no other implications.

### **Risk Management**

22. There are no known risks associated with this report.

**Contact Details**

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>		
Lesley Cooke Licensing Manager (01904) 551515	Mike Slater Assistant Director – Planning and Public Protection		
	<b>Report Approved</b>	√	<b>Date</b> 29/06/17
<b>Specialist Implications Officer(s)</b> Alison Hartley Senior Solicitor (01904) 553487			
<b>Wards Affected:</b>		<b>All</b>	√
<b>For further information please contact the author of the report</b>			

**Background papers**

None

**Annexes**

Annex 1 – Draft Animal Welfare Licensing Policy

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# **Animal Welfare Licensing Policy**

Further information relating to this policy can be obtained from:

E-mail: [licensing.unit@york.gov.uk](mailto:licensing.unit@york.gov.uk)

Tel: 01904 552512

Web: [www.york.gov.uk/licensing](http://www.york.gov.uk/licensing)

Licensing Section  
City of York Council  
Eco Depot  
Hazel Court  
York  
YO10 3DS

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## Introduction

### 1. Introduction

- 1.1 City of York Council (the Council) are responsible for licensing a number of activities relating to the welfare of animals under a number of different Acts of Parliament. This legislation is aimed at protecting animals and makes it an offence for any person to possess, own or keep animals in order to carry out certain businesses, or have possession of certain animals within the City of York without first being licensed by the Council.
- 1.2 This document states the Council's policy on the regulation of animal establishments. The purpose of the animal establishment's legislation set out below to protect the health, safety and welfare of animals and prevent the spread of disease.

### 2. Licences issued by the Council

- 2.1 The Council issues licences for the following activities relating to the welfare of animals:
  - Animal boarding establishment licences
  - Dangerous wild animal licences
  - Dog breeding establishment licences
  - Horse riding establishment licences
  - Pet shop licences
  - Zoo licences
- 2.2 The exhibit and training of any performing animal must be registered with the Council, who maintains a register of animals involved in performances.

### 3. The Legislation

- 3.1 The above licences are regulated by the Council under the following Acts:
  - Animal Boarding Establishment Act 1963
  - Dangerous Wild Animals Act 1976
  - Breeding Dogs Act 1973 and 1991
  - Breeding and Sale of Dogs (Welfare) Act 1999
  - Riding Establishment Act 1964 and 1970
  - Pet Animals Act 1951 and Pet Animals Act 1951 (Amendment) Act 1983
  - Zoo Licensing Act 1981
  - Performing Animals (Regulation) Act 1925
- 3.2 These Acts are referred to in this policy as the 'primary licensing Acts'.

### 4. Animal Welfare Act 2006 (2006 Act)

- 4.1 This Act 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 an animal. It has consolidated animal welfare legislation in areas such as preventing unnecessary suffering, mutilation and animal fighting. The act also places

responsibilities on to numerous enforcement agencies.

- 4.2 The Act introduces a 'duty of care' on any person that is responsible for an animal to ensure that the needs of that animal are met. A person does not have to be the owner of the animal for the 'duty of care' to apply.
- 4.3 The Act creates an offence of failing to provide for the needs of an animal in a person's care and increases the penalties for animal abuse allowing the courts to disqualify a person from being in charge of animals. Any person disqualified under the Act will also be disqualified from holding a licence under any of the primary licensing Acts.
- 4.4 The Act permits the Department of the Environment, Food and Rural Affairs (DEFRA) to pass regulations that may repeal or amend any of the primary licensing Acts or to create new forms of licences.

## **5. Animal Welfare**

- 5.1 Section 9 of the 2006 Act creates five overarching principles of animal welfare. The Act refers to these as the 'five needs' of all animals. It is the duty of any person responsible for an animal to ensure that each of these five needs are met, they are:
  - a) The need for a suitable environment;
  - b) The need for a suitable diet;
  - c) The need to be able to exhibit normal behaviour patterns;
  - d) Any need to be housed with, or apart from, other animals; and
  - e) The need to be protected from pain, suffering, injury and disease.

## **6. Objectives**

- 6.1 When carrying out its function under the primary licensing Acts the Council will seek to promote the following objectives:
  - a) Animal Welfare – the five needs
  - b) Public Safety

## **7. Licensing Regime**

- 7.1 The primary licensing Acts set out individual application requirements and standards that the Council must be satisfied of before it can grant a licence. Each of those primary licensing Acts permits the Council to impose conditions on each licence it grants.
- 7.2 Unless legislation states otherwise, licences will remain in force for a 12 month period. All licences that have not been renewed by their expiry date will be invalid and trading must cease until such time as a new licence has been granted.
- 7.3 Applications made to the local authority must be completed using the relevant application forms available from the Council website or on request from the Licensing Section.
- 7.4 A veterinary inspection may be required prior to the grant or renewal of a licence. In the case of some activities it is a requirement of the primary licensing Acts, in other cases it may be a requirement of the Council's licensing process. The Council will nominate the

veterinary surgeon for the inspection and make the appropriate arrangements.

- 7.5 Each of the primary licensing Acts states clearly the criteria which the Council must be satisfied with before any licence is granted. Where the relevant Council Officer is not satisfied that the relevant legal requirements are met, or where a Council Officer or the Veterinary surgeon has raised concerns that the legal requirements or standards are not met or unlikely to be met, the applicant will be notified.

### **8. Fees**

- 8.1 A fee for processing the application is charged and is revised annually. A separate charge will also be made for any veterinary inspections required in support of the licence application. The charges are to be paid by the applicant, regardless of whether the licence is granted or not.
- 8.2 Payments can be made by credit or debit card over the phone or on-line, by Bacs and by cheque made payable to City of York Council.

## Animal Boarding Establishments

### 9. Animal Boarding Establishments Licence

- 9.1 Any person who wishes to carry on the business of providing accommodation for other people's dogs or cats must obtain a Licence from the Council under the Animal Boarding Establishments Act 1963. This Act applies equally to commercial premises such as catteries and kennels and to residential dwellings.
- 9.2 On receipt of an application and fee Council Officers will inspect the premises. The Council may also instruct a veterinary surgeon to inspect the premises. The cost of the veterinary surgeon will be met by the applicant. The Council Officer and the veterinary surgeon will assess the arrangements in place, the suitability of the premises and the individual licence holder.

### 10. Considerations

- 10.1 Before granting a licence the Council must be satisfied that:
- the animals will be kept in suitable accommodation at all times. Suitable accommodation takes into account the construction and size of the accommodation, the number of animals to be housed in it, facilities for exercising the animals, cleanliness and temperature, lighting and ventilation provisions.
  - suitable food, drink and bedding materials will be provided and that the animals are exercised and visited regularly.
  - all reasonable precautions will be taken to prevent and control the spread of disease among the animals and that isolation facilities are in place.
  - adequate protection is provided to the animals in the case of fire and other emergencies.
  - a register is kept. The register shall contain a description of all animals received, their arrival and departure date and the name and address of the owner. The register shall be available to be inspected at any time by a Council Officer, veterinary surgeon or practitioner.
- 10.2 Council Officers and the veterinary surgeon, if required, will determine the maximum number of animals that can be boarded taking the above points into consideration.

### 11. Conditions

- 11.1 The Council may attach any conditions to the licence that it feels are necessary and expedient for securing all or any of the points detailed in the considerations above.
- 11.2 The Chartered Institute of Environmental Health published guidance on standard conditions relating to these licences in May 2016 'dogs' and November 2013 (updated June 2016) 'cats'. These conditions have been adopted by the Council. These conditions do not apply to home boarding establishments.

- 11.3 In order to ensure consistent standards across the authority and fair trading, all existing animal boarding establishment licence holders as of the X XXXXXXXX 2017 will be expected to upgrade their facilities if necessary so they meet the Council's new requirement within a three year period. A three years has being deemed an appropriate timeframe by the Council, the Council may extend this period in exceptional circumstance if a written request is made by the licence holder.
- 11.4 New application received after the implementation of this policy will be expected to meet the new requirements.
- 11.5 As of the X XXXXXXXXXX 2020, any existing animal boarding establishment that does not meet the Council's licensing conditions may not be granted a licence.
- 11.6 Animal boarding establishment conditions can be found at Appendix 1, home boarding conditions can be found at Appendix 2.

## **12. Licences / Renewals**

- 12.1 Licences are issued for one year.
- 12.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*
- 10.3 The renewal process will usually require an inspection by Council Officers each year.

## **13. Powers of Entry**

- 13.1 Council Officers upon production of their authorisation may inspect a licensed animal boarding establishment and any animals found there at all reasonable times. It is a criminal offence to wilfully obstruct or delay Council Officers.

## **14. Disqualifications and Cancellations**

- 14.1 After securing a conviction under the Animal Boarding Establishment Act 1963 or under the Protection of Animals Act 1911, the Protection of Animals (Scotland) Act 1912 or the Pet Animals Act 1951, the court may cancel any Animal Boarding Licence held by the person and may disqualify him or her from holding such a licence, whether or not he or she currently holds one for any specified period. The cancellation or disqualification may be suspended by the court pending an appeal.
- 14.2 Local authorities must refuse applications for animal boarding licences from persons disqualified under:
- The Animal Boarding Establishment Act 1951;
  - The Pet Animals Act 1951 from keeping a pet shop;
  - The Protection of Animals (Amendment) Act 1954 from having the custody of animals.

## Dangerous Wild Animals

### 15. Dangerous Wild Animals Licence

- 15.1 The keeping of certain species of wild animals is controlled by the Dangerous Wild Animals (DWA) Act 1976 (as amended). No person may keep any dangerous wild animal without first obtaining a licence from the Council. These licences are required regardless of whether the animal is kept for commercial purposes or as a pet.
- 15.2 The animals classed as DWA are listed in the DWA Act 1976 (Modification) (No.2) Order 2007. Any person who is unsure if their animal is classed as dangerous should consult that order or seek advice.
- 15.3 The licensing procedure does not apply to animals in:
- A zoo within the meaning of the Zoo Licensing Act 1981;
  - A circus;
  - Pet shops; and
  - Places which are designated establishment under the Animals (Scientific Procedures) Act 1986.
- 15.4 The person making the application must be the person who owns and possesses or proposes to own and possess the animal to which the application applies. The licence must be obtained and held before the owner actually has possession of the animal.
- 15.5 On receipt of an application and fee the Council will instruct a veterinary surgeon to inspect the premises, Council Officers will also be present at this inspection. The cost of the veterinary surgeon will be met by the applicant. The Council Officers and the veterinary surgeon will assess the arrangements in place, the suitability of the premises and the individual licence holder.

### 16. Considerations

- 16.1 Before granting a licence the Council must be satisfied:
- i) It is not contrary to the public interest on the grounds of safety, nuisance or otherwise to grant the licence;
  - ii) The applicant is suitable;
  - iii) Animals will:
    - i) be held in secure accommodation suitable in size for the animals kept and which is suitable as regards construction, temperature, lighting, ventilation, drainage and cleanliness; and
    - ii) have adequate and suitable food, drink and bedding and be visited at regular intervals;
  - iv) Be appropriately protected in case of fire or other emergency;
  - v) Be subject to precautions to control infectious diseases;
  - vi) Be provided with adequate exercise facilities.

## 17. Conditions

17.1 The Council is required to specify conditions which:

- Require the animals to be kept only by persons specified on the licence;
- Require the animals to be normally held at the premises specified in the licence;
- Require the animals not to be moved from those premises unless in circumstances allowed for in the licence;
- Require the licence holder and person keeping the animals to be insured against liability for damage caused by the animals to the satisfaction of the local authority;
- Restrict the species and numbers of animals;
- Require a copy of the licence to be made available by the licence holder to persons entitled to keep the animals; and
- Any other conditions necessary or desirable to secure the objectives specified in Section 16 'Consideration'.

17.2 Due to the individual nature of a dangerous wild animals licence it is anticipated that bespoke conditions will be attached to every licence issued.

17.3 Some conditions are mandatory under the Act. Other conditions imposed by the Council may be revoked, modified or new conditions added. If the licence holder requests a variation to the licence, it will come into effect immediately on approval by the Council. If the Council initiates variation of the licence it must notify the licence holder and allow him/her reasonable time for compliance.

17.4 Dangerous wild animal conditions can be found at Appendix 3.

## 18. Licences / Renewals

18.1 Licences are issued for two years.

18.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*

18.3 The renewal process will require an inspection by Council Officers and a veterinary surgeon.

## 19. Powers of Entry

19.1 Council Officers upon production of their authorisation, may inspect a licensed dangerous wild animal and the animal's accommodation at all reasonable times. It is a criminal offence to wilfully obstruct or delay Council Officers.

## 20. Disqualifications and Cancellations

20.1 Where a person is convicted of an offence under the Dangerous Wild Animals Act 1976 or under:

- Protection of Animals Act 1911, 1964;
- Protection of Animals (Scotland) Act 1912, 1964;



- Pet Animals Act 1951;
- Animal Boarding Establishment Act 1963;
- Riding Establishment Act 1964, 1970;
- Breeding of Dogs Act 1973.

20.2 The court may cancel any licence they may hold to keep a dangerous wild animal and disqualify them, whether or not they are the current holder, from holding such a licence for such period as the court thinks fit. The cancellation or disqualification may be suspended by the court in the event of an appeal.

## **21. Seizure of Animals**

21.1 If a dangerous wild animal is being kept without the authority of a licence or in contravention of a licence condition, the Council may seize the animal and retain it, destroy it or otherwise dispose of it. The Council is not liable to compensation and may recover costs from the keeper of the animal at the time of the seizure.

## Dog Breeding Establishments

### 22. Dog Breeding Establishment Licences

- 22.1 A person keeps a breeding establishment for dogs if, at any premises, he or she carries on the business of breeding dogs for sale, whether or not the breeding is done by him/her. The Breeding of Dogs Act 1973 (as amended), in conjunction with the Breeding of Dogs Act 1991 (as amended) and the Breeding and Sale of Dogs (Welfare) Act 1999 (as amended), governs the activities of dog breeders.
- 22.2 Commercial dog breeding establishments are premises having five or more litters of puppies in any 12 month period. An establishment breeding less than five litters would require a licence, where the dogs are bred for sale as a business. The occasional or hobby breeder does not require a licence. A person is presumed to be carrying on a business of breeding dogs for sale where they breed and sell more than two litters in a 12 month period, or during any 12 month period, five or more litters are born to his/her bitches.
- 22.3 On receipt of an application and fee the Council will instruct a veterinary surgeon to inspect the premises, Council Officers will also be present at this inspection. The cost of the veterinary surgeon will be met by the applicant. The Council Officers and the veterinary surgeon will assess the arrangements in place, the suitability of the premises and the individual licence holder.

### 23. Considerations

- 23.1 Before granting a licence the Council must have regard to the following matters:
- That dogs will at all times be kept in accommodation suitable as respects construction, size or quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
  - That the dog will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals;
  - That all reasonable precautions will be taken to prevent and control the spread among dogs of infections or contagious disease;
  - Appropriate steps will be taken for the protection of the dogs in case of fire and emergency;
  - 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 and from the breeding establishment;
  - That bitches are not mated if they are less than one year old;
  - That bitches do not give birth to more than six litters of puppies each;
  - That bitches do not give birth to puppies before the end of the period of 12 months beginning with the day on which they last gave birth to puppies; and
  - That accurate records in the form prescribed by regulations are kept at the premises and made available for inspection there by any officer of the Council, or any veterinary surgeon or veterinary practitioner, authorised by the Council to inspect the premises.

## 24. Conditions

- 24.1 The Chartered Institute of Environmental Health published guidance and model conditions relating to these licences in January 2014. These conditions have been adopted by the Council.
- 24.2 Dog breeding establishment conditions can be found at Appendix 4.

## 25. Licences / Renewals

- 25.1 Licences come into force on the day on which they are granted and expire on 31 December that year.
- 25.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*
- 25.3 The renewal process will usually require an inspection by Council Officers each year.

## 26. Powers of Entry

- 26.1 Council Officers upon production of their authorisation, may inspect a licensed dog breeding establishment at all reasonable times. Persons wilfully obstructing or delaying Council Officers shall be guilty of an offence.

## 27. Disqualifications and Cancellations

- 27.1 Persons disqualified under the following provisions may not be granted a dog breeding licence:
- From keeping a dog breeding establishment under this Act;
  - From keeping a pet shop under the Pet Animals Act 1951;
  - From keeping an animal boarding establishment under the Animal Boarding Establishment Act 1963.
- 27.2 The court may cancel any licence held by the convicted person and may disqualify them from holding a licence, whether or not they are a current holder, for such a period as the court thinks fit. The cancellation or disqualification may be suspended by the court in the event of an appeal.

## Riding Establishments

### 28. Riding Establishment Licences

28.1 Riding establishments are premises that are licensed under the Riding Establishment Act 1964 and Riding Establishment Act 1970. The 1964 Act (as amended) defines the keeping of a riding establishment as:

*The carrying on of a business of keeping horses for either or both of the following purposes:*

- *Being let out on hire for riding*
- *Being used in providing, in return for payment, instruction in riding*

28.2 On receipt of an application and fee Council Officers will inspect the premises. The Council will also instruct a veterinary surgeon to inspect the premises. The cost of the veterinary surgeon will be met by the applicant. The Council Officer and the veterinary surgeon will assess the arrangements in place, the suitability of the premises and the individual licence holder.

28.3 The veterinary surgeon must be a member of the Panel of Riding Establishment Inspectors as maintained by the Royal College of Veterinary Surgeons and the British Veterinary Association.

28.4 Persons under 18 years old or person or bodies corporate disqualified under the following provisions may not be given a licence:

- From keeping a riding establishment under the Riding Establishment Act 1964;
- From keeping a pet shop under the Pet Animals Act 1951;
- From having custody of animals under the Protection of Animals (amendment) Act 1954;
- From keeping an animal boarding establishment under the Animal Boarding Establishment Act 1963.

### 29. Considerations

29.1 Before granting a licence the Council must have regard to the following matters:

- Whether the applicant appears to them to be suitable and qualified, either by experience in the management of horses or by being the holder of an approved certificate or by employing in the management of the riding establishment a person so qualified, to be the holder of such a licence; and
- The need for securing:
  - That paramount consideration will be given to the conditions of the horses and that they will be maintained in good health, and in all respects physically fit and that, in the case of a horse kept for the purpose of its being used in providing instruction in riding, the horse will be suitable for the purpose for which it is kept;
  - That the feet of animals are properly trimmed and that, if shod, their shoes are properly fitted and in good condition;
  - That there will be available at all times, accommodation for horses suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and

cleanliness and that these requirements be complied with not only in the case of new buildings but also in the case of buildings converted for use as stabling;

- That in the case of horses maintained on grass there will be available for them at all times during which they are so maintained adequate pasture, shelter and water and that supplementary feeds will be provided as and when required;
- That horses will 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 will be adequately exercised, groomed, rested and visited at suitable intervals;
- That all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained in the premises;
- 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 persons will be kept displayed in a prominent position on the outside of the premises, and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, will be kept displayed in a prominent position on the outside of the premises;
- That adequate accommodation will be provided for forage, bedding, stable equipment and saddler.

### **30. Conditions**

30.1 The Council can impose conditions on the licence. The Council, in exercise of its discretion, may take into account the suitability of the applicant/manager, the accommodation and pasture, adequacy of the provision for the horses' health, welfare and exercise, precautions against fire and disease and the suitability of the horses as regards the reasons for which they are kept.

30.2 Riding establishment conditions can be found at Appendix 5.

### **31. Licences / Renewals**

31.1 Licences are issued for one year.

31.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*

31.3 The renewal process will require an inspection by Council Officers and veterinary surgeon.

### **32. Powers of Entry**

32.1 Council Officers upon production of their authorisation, may inspect a licensed riding establishment at all reasonable times. It is a criminal offence to wilfully obstruct or delay Council Officers.

### **33. Disqualifications and Cancellations**

33.1 Where a person is convicted of an offence under the Riding Establishments Act 1964 or

under:

- Animal Welfare Act 2006; or
- Animal Boarding Establishment Act 1963

33.2 The court may cancel any licence they may hold to keep a riding establishment and disqualify them, whether or not they are a current holder, from holding such a licence for such period as the court thinks fit. The cancellation or disqualification may be suspended by the court in the event of an appeal.

## Pet Shops

### 34. Pet Shop Licences

- 34.1 Under the Pet Animals Act 1951 (as amended), a licence is required where any person keeps animals at a premises for the purpose of being sold as pets. The 1951 Act forbids the sale of animals as pets in any part of a street or public place or at a stall or barrow in a market.
- 34.2 The 1951 Act exempts persons who sell the offspring of an animal they own as a pet from requiring a licence as well as those who breed from a pedigree animal kept by them. However, these exemptions are strict and with certain conditions. The onus is on any person who believes they are exempt from holding a licence to check this.
- 34.3 On receipt of an application and fee Council Officers will inspect the premises. The Council may also instruct a veterinary surgeon to inspect the premises. The cost of the veterinary surgeon will be met by the applicant. The Council Officer and the veterinary surgeon will assess the arrangements in place, the suitability of the premises and the individual licence holder.

### 35. Considerations

- 35.1 Before granting a licence the Council must have regard to the following matters:
- That the animals are kept in accommodation that is suitable as respects size, temperature, lighting, ventilation and cleanliness;
  - That animals are adequately supplied with appropriate food and drink and (so far as necessary) visited at suitable intervals;
  - That animals, being mammals, will not be sold while they are still being weaned;
  - That all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
  - That appropriate steps will be taken in case of fire or other emergency.

### 36. Conditions

- 36.1 The Council may attach any condition to the licence that it feels necessary and expedient for securing the considerations above.
- 36.2 The Chartered Institute of Environmental Health published guidance on standard conditions relating to these licences in September 2013. These conditions have been adopted by the Council.
- 36.3 In order to ensure consistent standards across the authority and fair trading, all existing pet shop licence holders as of the XX XXXXXX 2017 will be expected to upgrade their facilities if necessary so they meet the Council's new requirement within a three year period. A three years has being deemed an appropriate timeframe by the Council, the Council may extend this period in exceptional circumstance if a written request is made by the licence holder.

- 36.4 New application received after the implementation of this policy will be expected to meet the new requirements.
- 36.5 As of the X XXXXXXXXXX 2020, any pet shop that does not meet the Council's licensing conditions may not be granted a licence.
- 36.6 Pet shop licence conditions can be found at Appendix 6.

### **37. Licences / Renewals**

- 37.1 Licences are issued for one year.
- 37.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*
- 37.3 The renewal process will usually require an inspection by Council Officers.

### **38. Powers of Entry**

- 38.1 Council Officers upon production of their authorisation, may inspect a licensed pet shop at all reasonable times. It is a criminal offence to wilfully obstruct or delay Council Officers.

### **39. Disqualifications and Cancellations**

- 39.1 In making a conviction under the Pet Animals Act 1951 or under the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912, the court may cancel any pet shop licence held by the person and may disqualify them from holding such a licence, whether or not they currently hold one, for any specified period. The cancellation or disqualification may be suspended by the court pending an appeal.
- 39.2 The Council has no discretion and must refuse licence applications from persons currently disqualified by a court from holding a pet shop licence.



## Zoos

### 40. Zoo Licences

- 40.1 The Zoo Licensing Act 1981 came into force in 1984. The Act was amended significantly by the Zoo Licensing Act 1984 (Amendment) (England and Wales) Regulations 2002. The Act aims to ensure that, where animals are kept in enclosures, they are provided with a suitable environment to provide an opportunity to express most normal behaviour.
- 40.2 Any establishment, other than a circus or shop, when wild animals are kept for public exhibition on seven or more days in any period of 12 consecutive month's period falls within the definition of a zoo and requires a licence from the Council.
- 40.3 Wild animals, for the purpose of the 1981 Act, is wide ranging and means any animal that is not normally domesticated in Great Britain.
- 40.4 Responsibility for the day to day operation of the licensing system and the administration of the Act rests with the local authority, however central government does have a role. The Secretary of State for Environment, Food and Rural Affairs has a responsibility for maintaining a list of zoo inspectors and for setting detailed standards for zoo management with which zoos are expected to comply.
- 40.5 The 1981 Act prescribes the manner in which the application should be notified to the public. The Council must take into account any representations made in determining whether or not to grant a licence. The 1981 Act also prescribes the grounds on which an application can be refused.
- 40.6 On receipt of an application and fee Council Officers and a veterinary surgeon will inspect the premises. The veterinary surgeon must be a specialist in the field of zoo licensing. The cost of the veterinary surgeon will be met by the applicant.

### 41. Considerations

- 41.1 Before determining to grant or refuse a licence the Council are required by the 1981 Act to take into account any representations made by or on behalf of:
- The applicant
  - The chief officer of North Yorkshire Police;
  - North Yorkshire Fire and Rescue Service;
  - The governing body of any national institution concerned with the operation of zoos;
  - Where part of the zoo is situated outside of the authority area, the planning authority for the relevant other area;
  - Any person alleging that the zoo would affect the health or safety of people living in the neighbourhood;
  - Anyone stating that the zoo would affect the health or safety of anyone living near it; and
  - Any other person whose representation might show grounds on which the Council has a power or duty to refuse to grant a licence.

## **42. Conditions**

- 42.1 Any zoo licence issued by the Council will be subject to the standard conditions based on DEFRA's Standards of Modern Zoo Practice. All veterinary surgeons inspecting zoos must have regard to these standards but may amend the conditions to suit the individual establishment. Any amendment to the conditions will be based on the recommendation of the vet.

## **43. Licences / Renewals**

- 43.1 A licence, if granted will, depending on the circumstances set out in the 1981 Act, last for either four or six years for the date of grant.
- 43.2 Licence holders will be invited to renew their licence prior to the expiry date. *It is the licence holder's responsibility to ensure that the licence is renewed prior to its expiry.*
- 43.3 The renewal process will require an inspection by Council Officers and a veterinary surgeon.

## **44. Powers of Entry**

- 44.1 Council Officers upon production of their authorisation, may inspect a licensed zoo at all reasonable times. Persons wilfully obstructing or delaying Council Officers shall be guilty of an offence.

## **45. Disqualifications and Cancellations**

- 45.1 Under the 1981 Act, if the Council believes that a licensee is not adhering to the conditions of their licence, a hearing of the Gambling, Licensing and Regulatory Committee will take place, at which the licence holder will be given the opportunity to make representation. If the Committee is not satisfied that a condition is being met, the Committee will either issue a zoo closure direction under section 16B(5) of the 1981 Act, or will issue a direction under section 16A(2) that certain steps be taken within a specified time period in order to satisfy the relevant condition.
- 45.2 Where the Council has issued a direction under section 16A(2), the licence holder can again be heard before the Committee who will consider varying or revoking the direction.
- 45.3 Where a zoo is closed, the powers under sections 16E and 16F of the 1981 Act regarding animal welfare shall be exercised by the Head of Public Protection.

## Performing Animals

### 46. Performing Animal Registrations

- 46.1 The welfare of animals is provided for the general provisions to avoid suffering and ensure welfare in the Animal Welfare Act 2006. In addition the training and exhibition of performing animals is further regulated by the Performing Animals (Regulation) Act 1925, which requires trainers and exhibitors of such animals to be registered with the Council.
- 46.2 No person can exhibit or train any performing animal unless registered in accordance with the 1925 Act. Any person found performing animals without a registration may be liable for prosecution.
- 46.3 The Council must keep a register for the purpose of this Act, which will be available at all reasonable times for inspection by the public.
- 46.4 In order to become registered an application in the prescribed form must be made to the council of the district in which the applicant resides. The application must be accompanied by a fee. The application must contain the details of the animals and the general nature of the performances in which the animals are to be exhibited or for which they are to be trained. These particulars are entered on the register. Prior to issuing a certificate Council Officers will inspect the premises.
- 46.5 The Council will issue a certificate to a registered person in the prescribed form containing the particulars entered in the register. A copy of every certificate of registration issued by the Council must be sent to the Secretary of State.
- 46.6 There is provision to enable an applicant to vary the contents of the register and the Council to cancel and reissue a certificate following variation.

### 47. Conditions

- 47.1 There are no standard conditions for a performing animal's registration.

### 48. Powers of Entry

- 48.1 Council Officers upon production of their authorisation, may inspect any premises in which performing animals are being trained or exhibited, or kept for training and exhibition, at all reasonable times. They may also require any person believed to be a trainer or exhibitor of performing animals to produce their certificate.

### 49. Powers of the Courts

- 49.1 Where a magistrates court is satisfied following a complaint by a constable or authorised Council Officer that the training or exhibition of any performing animal has been accompanied by cruelty and should be prohibited or allowed subject to conditions, the court may make an order against the person prohibiting the training or exhibition, or imposing conditions.

- 49.2 The court may order that a person be removed from the register of performing animal keepers where a person is convicted of an offence under the Performing Animals (Registration) Act 1925 or the Protection of Animals Act 1911 or of any offence under any of sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006. The court may also in these circumstances disqualify a person from being so registered either for a specified period of time or permanently.
- 49.3 Any person aggrieved by the making of an order or a refusal to make such an order may appeal to the Crown Court. The Council must enter the particulars of any order on the register.

**Appendix 1**

**ANIMAL BOARDING ESTABLISHMENT CONDITIONS (DOGS)**

**ENVIRONMENT**

Kennel construction and principles of design

1. For disease control there must be no possibility of dogs within the kennel Establishment (other than those from the same household), or other animals outside the kennels, coming into direct contact with each other.
2. New builds and extensions must comply with the recommendations for new builds in accordance with the Chartered Institute of Environmental Health (1995) Model Licence Conditions and Guidance for Dog Boarding Establishments: Animal Boarding Establishments Act 1963

**PHYSICAL CONSTRUCTION AND INTEGRITY**

General

3. The kennels must be structurally sound, and maintenance and repair of the whole establishment must be carried out regularly.
4. The kennels must be constructed of materials that are robust, safe and durable, and be well maintained in good order and repair.
5. Materials and paints/substances used in construction or maintenance must not expose dogs to any harmful chemicals.
6. The kennels must be built in compliance with good building practice, on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
7. There must not be any sharp edges, projections, rough edges or other hazards which present risk of injury to a dog.
8. Windows must be escape-proof at all times.
9. Doors must have secure latches or other closing devices.
10. All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape and dig proof structure.
11. Timber, if used in existing buildings, must be of good quality, well-kept and any damaged areas sealed or over-clad. Wood must be smooth and treated and properly maintained to render it impervious. It is recommended that wood should not be used in exposed construction of walls, floors, partitions, door frames or doors in the dog kennelling area.
12. All exterior wood must be properly treated and of good quality.

13. Any storage areas must be dry and free from vermin.
14. Fixed electrical installations and all portable electrical appliances must be installed and maintained in accordance with current legislation.

#### Drainage

15. The establishment must be connected to mains drainage or an approved, localised sewage disposal system.
16. Waste water must not run off into adjacent pens.
17. Adequate drainage must prevent pooling of liquids. A minimum gradient of 1:80 is advised to allow water to run off.
18. Any drain covers in areas where dogs have access must be designed and located to prevent toes/claws from being caught.
19. Drainage channels must be provided so that urine is not allowed to pass over walk areas in corridors and communal access areas. There must be no access to the drainage channels by the dogs housed in the dog units.

#### Secure Area

20. There must be an escape-proof area beyond the kennel unit to ensure that dogs are unable to escape from the premises.
21. For kennels where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2 m wide. There must be facility for a dog to be able to hide to avoid visual contact with other dogs. Compliance can be achieved in various ways such as the use of indoor kennels or partitions.
22. There must be a securable door from which the secure area of the kennels can be viewed from the outside and this must be kept closed when not in use.
23. The door from the dog unit to the secure area must be escape-proof, securable, strong enough to resist impact and scratching, and to prevent injury. It must not be propped open.
24. The floor must be finished to produce a smooth, non-slip, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
25. External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
26. Sufficient lighting must be provided in the secure area to illuminate it all year round. Where practicable this should be natural light during the day.
27. The secure area must not be used as an exercise area.

### Roofing

28. There must be a safe, secure, waterproof roof which should cover all of the sleeping accommodation and at least 50% of the attached individual run. For the run, roof materials used must be capable of filtering UV light and providing adequate shade.

### **DOG UNITS**

29. Dogs from different households must not share dog units.

### Lighting

30. There must be sufficient light in the kennel unit during the day to work and observe the dogs. Where practicable this must be natural light, but artificial light must be available.
31. Lights must be turned off to provide a period of darkness overnight.

### Ventilation and Humidity

32. Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation must be avoided.

### Interior Surfaces

33. All interior surfaces to which dogs have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.
34. Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.
35. Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.
36. Ceilings must be capable of being easily cleaned and disinfected.
37. Junctions between sections must be covered or sealed.
38. Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling). In new constructions, floors must be laid to a minimum fall of 1 in 80, leading to a shallow drainage channel, or effectively covered deep drainage channel.

### Accessing the Dog Units

39. Each unit must be designed to allow staff to access and clean all parts of the dog unit safely.
40. Each unit must be clearly marked (e.g. numbered) and a system in place which ensures that relevant information about the dog in that unit is readily available e.g. feeding or information on medicinal treatments.

41. Each unit must have a securable, full height door for access.
42. Kennel doors must be strong enough to resist impact, scratching and chewing. They must be fitted to ensure they can be effectively secured.
43. Where metal bars and/or mesh and/or frames are used, they must be of suitable gauge (approximately British Standard 14 gauge) 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.
44. Gaps or apertures must be small enough to prevent a dog's head passing through, or entrapment of any limb or body parts. To protect against this any such gaps must prevent the passage of a 50mm sphere, or smaller if appropriate. Galvanised Weld Mesh must be a minimum of 2 mm (British Standard 14 gauge) in thickness.
45. Large apertures in order to unlock a door must be avoided.
46. Door openings must be constructed such that the passage of water/waste is not impeded, or allowed to gather due to inaccessibility.
47. Doors must open inwards in order to protect the health and safety of attending staff.

### **SLEEPING ACCOMMODATION**

48. The following principles must be achieved in order to give dogs a suitable and appropriate comfortable space, and for ease of cleaning and management. A dog must be able to sit and stand at full height, stretch and wag its tail without touching the sides. The floor area must be a minimum of twice that required for a dog to lay out flat i.e. at least twice the area taken up by the dog and also be a minimum of at least 1.9sqm/20sq feet. For two or more dogs sharing, the total area must be at least the sum of that required for each dog.
49. Kennels must have a minimum head room height of 1.8m (6 ft.) to facilitate adequate space for kennel staff to clean and handle the dogs.
50. Partition walls between the sleeping accommodation of adjacent dog units must be of solid construction to a height sufficient to prevent direct nose to nose contact.

### Temperature in Sleeping Accommodation

51. There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the dog sleeping accommodation.
52. Insulation and temperature regulation in the kennels must aim to keep the ambient temperature in the dog sleeping accommodation above an absolute minimum of 10°C and below a maximum of 26°C.
53. There must be a documented policy in place for dealing with extremes of temperature and weather conditions (both hot and cold). There must be documented evidence that this is being implemented i.e. any deviations from the temperature cited.



54. Dogs must be monitored to check if they are too hot or too cold. If an individual dog is showing signs of heat or cold intolerance then steps must be taken to ensure the welfare of the dog.
55. The dog must be able to remove itself from a direct source of heat e.g. lamp.
56. Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to dogs or humans, or a risk of fire. Open flame appliances must not be used. All heating equipment must be installed and maintained in a safe condition.
57. Any electrical sockets in the sleeping accommodation must be waterproof and protected against damage e.g. out of reach or the use of safety cages.

### Bedding

58. There must be a clean resting place to provide comfort and warmth which is situated out of draughts. A raised bed may aid in the avoidance of draughts.
59. A dog must not be left without bedding, unless instructed otherwise by the dog's owner. Soft bedding materials must be provided and adapted if necessary for old, young or infirm dogs to help regulate their body temperature. If a dog chews or destroys its bedding, it must be replaced with an alternative.
60. Bedding must be made of a material that is easy to wash/disinfect, or is disposable.
61. Bedding must be changed between dogs. Dog units and bedding must be cleaned and disinfected on being vacated.
62. All beds and bedding areas must be kept clean and dry.

### **DESIGNATED RUN (in addition to and not including sleeping accommodation)**

63. Any part of the run to which the dog has access must be easily cleanable and maintained in good repair. Any replacement wood must be clad with a smooth impervious material.
64. The floor must be finished to produce a smooth, impervious, slip-resistant surface and all surfaces must be capable of being easily cleaned and disinfected. There must not be any open gaps if using concrete slabs or tiling.
65. Where dogs have access to mesh, the diameter of the wire must not be less than 2.0 mm (BS 14 gauge welded mesh). Mesh size must not exceed 50 mm in any direction.
66. The run must not be used as the primary sleeping / bedding area.
67. The attached run must be roofed to a minimum of half the area, sufficient to give the dog protection against the weather. The roofing material must be translucent material capable of filtering UV light and providing shade.
68. The solid partition between individual attached runs must be sufficiently high to prevent

direct nose to nose contact.

69. Where a dog poses a health and welfare risk to other dogs, he or she should be kept in a dog unit with full height solid partition walls (these can be temporary).

### **OUTDOOR EXERCISE AND EXERCISE AREAS (separate from dog units)**

70. Dogs must be monitored whilst in outdoor exercise areas.
71. Exercise areas must not be used by more than one dog at any one time unless they are from the same household or prior written consent has been obtained from owners, in accordance with the documented Standard Operating Procedure (SOP). The owner must stipulate what mixing is to take place i.e. whether it is mixing with dogs selected by the proprietor or with named dogs only.
72. Exercise areas must be cleared of all potential hazards between dogs. Faeces must be picked up between dogs/occupancy and at least daily to prevent the roundworm *Toxocara canis* and other parasites from being established.
73. Dogs must not be restricted to such an area when climatic conditions may cause them distress. They must have constant access to fresh, clean water and shade and shelter so that they can seek protection from the weather.
74. Informed written consent from owners must be obtained to enable a dog to be walked outside the kennel facility.
75. An outdoor exercise area must be safe. For example dogs should not be exercised on grass which has been treated with a chemical dangerous to dogs. Where artificial turf is used, it must be maintained in good repair to avoid ingestion hazards.
76. Exercise areas for common use, if used, must be suitably drained. Surface ponding of water must not occur and land drainage should be provided where necessary if normal site drainage proves inadequate.
77. Equipment such as tunnels, platforms and toys must be safe and maintained in a safe and clean condition.

**FIRE AND OTHER EMERGENCIES** - Appropriate steps need to be taken to prevent fire and to protect dogs and staff in case of fire and other emergencies.

78. A Fire Safety Risk Assessment and implementation of all necessary control measures must be in place.
79. There must be a written emergency plan (acceptable to the local authority) which must be on display and known to staff, including a contingency plan should the premises be uninhabitable. This must include an evacuation plan for the dogs. An emergency telephone list must include fire, police and vets.
80. Fire fighting equipment must be provided and maintained in good working order. Records of maintenance and inspection must be kept and made available for inspection.

81. Fire exits must be clearly marked and access left unrestricted.
82. The premises must comply with current legislation with regards to electricity, gas and other services (if connected).
83. There must be a residual current circuit breaker system installed on the electrical supply to each block of kennels.
84. There must be adequate means of raising an alarm in the event of a fire or other emergency.

## **DIET**

### Drinking

85. Fresh water suitable for human consumption must be available at all times. Clean water must be provided daily in a clean container and changed or refreshed as often as necessary.
86. Water bowls must be non-porous and easy to clean/disinfect or disposable. They must be cleaned at least once daily.

### Eating

87. There must be exclusive facilities (animal kitchens), hygienically constructed and maintained, for the storage and preparation of food for the dogs.
88. Refrigeration facilities must be provided.
89. A sink with an adequate supply of hot and cold water (suitable for human consumption) must be provided for the washing of food equipment and eating and drinking vessels. The sink must be connected to a suitable drainage system.
90. A separate hand wash basin with an adequate supply of hot and cold water, soap and hygienic hand drying facilities, and connected to a suitable drainage system must be provided for staff to wash their hands.
91. Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof.
92. Dogs must be fed a balanced diet of a quantity and frequency suitable for their age, health status, reproductive status and lifestyle. This should be at least once per day. The type of food, specific diet or prescription diet is usually by agreement with the owner.
93. Food must be unspoilt, palatable, and free from contamination.
94. Food must not be left for excessive periods to prevent it being spoiled and attracting flies. Unconsumed wet or fresh food must be removed from the dog unit before it deteriorates, and before the next feed time. Dry food can be fed as indicated by the manufacturer.
95. One feeding bowl must be provided per dog.

96. Food bowls must be non-porous and easy to clean and disinfect, or disposable.
97. Food intake must be monitored daily and any problems recorded.
98. Dogs must not remain inappetent (not eating) for longer than 24 hours without seeking veterinary advice. If there are specific concerns veterinary advice must be sought earlier.
99. Dietary requirements, agreed with the owner, must be followed. If there are concerns about an individual dog's diet, veterinary advice must be sought.
100. Dogs displaying significant weight loss/gain during their stay must be evaluated by a vet and treated as necessary.

## **BEHAVIOUR**

### General points on dog behaviour

101. The behaviour of individual dogs must be monitored on a daily basis and changes in behaviour and/or behaviours indicative of stress, fear, pain and anxiety must be recorded and acted upon. Those struggling to cope must be given extra consideration as per long stay dogs.
102. Any equipment used to walk dogs must protect the dog's welfare and must be correctly fitted and used. Items must be removed when the dog is returned to the kennel and kept in an easily accessible location. Items specific to a particular dog must be identified as such.
103. All dogs must receive toys and / or feeding enrichment unless veterinary advice suggests otherwise. The kennel must obtain the owner's written consent and discuss the provision of toys with the owner. Toys must be checked daily to ensure they remain safe.
104. Dogs need to be exercised on a daily basis away from the kennel unit. This can be on lead or off lead in a secure exercise area. Dogs which cannot be exercised must be provided with alternative forms of mental stimulation. This can include positive interaction with people and additional forms of toy and food enrichment.

### Noise

105. Procedures, management and the kennel construction must contribute towards avoiding exposure to excessive / continuous noise.
106. Dogs likely to be or showing signs of being nervous or stressed must be located in a suitable part of the kennels, bearing in mind their individual disposition. This could include:
  - Elderly dogs
  - Nervous dogs
  - Dogs on some medicationsWhere a dog is showing signs of being nervous or stressed, steps must be taken to address this.
107. Dogs may be adversely affected by the sound of other barking dogs. This is particularly the

case for puppies below the age of seven months, which can be susceptible to developing undesirable behaviour if stressed, frightened or anxious. Puppies under 7 months of age, must be located in the quietest part of the kennel establishment.

#### Long stay dogs

108. A written Standard Operating Procedure (SOP) must be in place explaining how to ensure the health and welfare of long stay dogs.

### **COMPANY**

#### Canine company and interactions

109. Only dogs from the same household may share a dog unit.
110. Dogs which share a dog unit must have sufficient space and adequate resources.
111. Dogs from different units must not share exercise runs or an exercise area at the same time unless prior consent is given.
112. Where possible dogs must be able to avoid seeing other dogs if they choose to. This facility should be included in the design for any new builds.
113. Where a dog may pose a risk to other dogs he/she must be kept in a dog unit with solid partitions.

#### Human company and Interactions

114. All staff must have the competence to handle dogs correctly and be able to identify dogs that are anxious or fearful about contact. Dogs must always be handled humanely and appropriately to suit the requirements of the individual dog.
115. All dog handling equipment must be suitably maintained.
116. A protocol must be in place for dealing with difficult dogs, to include members of staff appropriately trained in the use of dog handling equipment.
117. Dogs must receive daily beneficial human interactions appropriate to the individual dog.

#### Multi-dog units

118. For any multi-dog unit (only appropriate for dogs from the same household) written authorisation must be obtained and dogs must be monitored. Consent from the owner must also include authority for separating dogs, should problems arise (e.g. dogs fighting or appearing 'stressed'). Agreeing to a kennel's Terms and Conditions will satisfy this.
119. There must be multiples of all resources (food and water bowls and sleeping areas), equal or greater than the number of dogs in the unit, to ensure that some dogs cannot monopolise resources and prevent the others from accessing them. Dogs must be carefully monitored, especially at feeding time.

120. There must be sufficient space for multiple dogs in the dog unit.

121. A separate bed must be provided for each dog.

### Handling dogs

122. All handling must be safe and minimise fear, stress, pain and distress and dogs must never be punished so that they are frightened or exhibit aversive behaviour.

123. All staff must have the competence to handle dogs correctly.

124. Harsh, potentially painful or frightening equipment must not be used by kennel staff e.g. electric shock collars, spray collars, pinch/prong collars, choke/check chains. If such equipment is present when the dog arrives, these must be removed once the dog is in its kennel unit. Alternative handling equipment must be used throughout the kennel stay.

125. When removing individual dogs from dog units, staff must try to minimise disturbance to dogs in neighbouring dog units, e.g. staff must choose the exit that passes the fewest dogs.

## **HEALTH AND SAFETY**

### Keeping records

126. If records are kept electronically they must be backed up. All records are to be kept for a minimum of 24 months in a manner that allows an authorised officer easy access.

127. If a dog on the Index of Exempted Breeds to be boarded the owners must produce a copy of the dog's licence and insurance certificate in order to admit the dog. The exemption certificate must be produced and be complied with throughout the dogs' stay in kennels. Dogs must not participate in any communal activities. Inspectors have authority to demand paperwork relating to boarders. The paperwork must be produced on demand and be appropriate and correct.

128. Dog units must be numbered and referenced with the records kept.

### Monitoring dogs

129. All dogs must be observed regularly throughout the day. Dogs must be checked daily for signs of illness, injury, stress, fear, anxiety and pain, and/or abnormal behaviour for that dog and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.

130. The kennel proprietor or responsible person must visit the dogs at regular intervals (of no more than 4 hours apart during the working day e.g. starting at 8.00 am, until 6.00pm), or as necessary for the individual health, safety and welfare of each dog.

131. Presence or absence of faeces and urine must be monitored daily. Any abnormalities in excreta must be recorded or acted upon as appropriate.

Disease control

132. Documented Standard Operating Procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.
133. Dogs must not share a dog unit with another dog unless it is from the same household.
134. Dogs must not be allowed to roam in the secure area (safety corridor).
135. All dog 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 dog comfort.
136. Generally, dogs must remain in their assigned unit and must not be moved to other units (rotation) or to a holding unit, except for moving to an isolation facility or in the interest of the dog's welfare.
137. Facilities must be provided for the proper reception, containment and disposal of all waste in compliance with relevant waste legislation. Particular care should be taken to segregate waste arising from the treatment and handling of dogs with infectious diseases.
138. Isolation facilities must be available.
139. When there is any cause for concern regarding the health status of a particular dog, the dog must be isolated and the disease control SOP activated.
140. Any other activity undertaken by the proprietor, such as work with rescue dogs, stray dogs, or the breeding of dogs must be kept completely separate, and extra precautions taken to prevent the spread of disease, including separate facilities away from boarded dogs.

**CLEANING REGIMES**

Cleaning and Disinfectant Products

141. Products must be suitable to use and effective against the pathogens, (especially canine parvovirus) for which the dogs are at risk and under the conditions present in the environment in which they are used.
142. Cleaning agents and disinfectants must be non-toxic to dogs if and when used appropriately.
143. The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account.
144. Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection procedures must be followed. Standing water must not be allowed to accumulate in areas around the dog units due to the possibility of pathogens residing in these moist environments.

Cleaning and disinfecting routines for units when dogs are resident:

145. There must be cleaning and disinfection routines in place for day-to-day management of the dogs and for ensuring a dog unit and all equipment is cleaned and disinfected effectively before a new dog comes in.
146. Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.
147. Drinking and feeding vessels must be changed/cleaned and disinfected at least once a day, or disposed of.
148. Food and water dishes need to be cleaned and disinfected. This must not be at the same time, and preferably not in the same place, as other soiled items e.g. toys.
149. Grooming equipment must be kept clean and in a good state of repair and serviced according to manufacturer's guidelines. If provided by the owner, it must only be used on that dog and must be sent home with the dog.
150. Any equipment that has been used on an infectious or suspected infectious animal must be cleaned and disinfected after use.
151. Toys must be cleaned and disinfected between use for different dogs, disposed of, or returned to the dog's owner (if they came in with the dog).
152. Each kennel must be thoroughly cleansed, disinfected and dried between dogs. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.
153. Kennels of long stay dogs will require periodical thorough cleaning, disinfection and drying.

Handling Dogs

154. A suitable range of muzzles of varying sizes and a suitable dog catching device must be kept on site. Staff must be trained and competent in the safe and effective use of such items.

**VACCINATION, FLEAS, WORMS AND OTHER PARASITES**

155. There must be a documented policy for dogs coming to the kennels having protection against appropriate diseases (Occasionally there will be veterinary advice on a specific dog regarding vaccination and its health status and this should be taken into account).
156. An up-to-date veterinary vaccination record must be seen to ensure that dogs boarded have current vaccinations against canine parvovirus, canine distemper, infectious canine hepatitis (adenovirus) and, leptospirosis. The date of the most recent vaccination must be recorded preferably with a valid until date. Certification from a veterinary surgeon of a recent protective titre test may be accepted in individual cases as evidence of protection against adenovirus, distemper and parvovirus. The certificate must state that it is valid for the period of stay at the kennels. It is the decision of the kennel proprietor whether to accept such a certificate.



- 157. Primary vaccination courses must be completed at least 2 weeks before boarding.
- 158. Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.
- 159. If there is evidence of external parasites (fleas, ticks, lice) the dog must be treated with an appropriate and licensed insecticide. Treatment must be discussed with a veterinary surgeon before administering. Consent from the owner will be required.

## **ISOLATION ARRANGEMENTS**

- 160. All establishments must provide appropriate isolation to allow for the care of sick dogs that develop signs of infectious diseases.
- 161. If the isolation facilities are provided by the attending veterinary practice, a letter must be provided by the practice stating that they are prepared to provide such facilities. If not, the stated isolation protocols must be followed.
- 162. The isolation area must provide separate, self-contained facilities for the isolation of suspected infected dogs and must have a separate entrance to the rest of the dog units.
- 163. Protective clothing and footwear must be worn when handling dogs in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.
- 164. Protective garments must be changed and laundered with an appropriate disinfectant or disposed of immediately after handling a dog with a suspected infectious disease.
- 165. Hands must be washed and disinfected between handling dogs.
- 166. Separate feeding and water bowls, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use. The use of different coloured cleaning utensils to the rest of the kennels may help with this.
- 167. Any dogs in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other dogs.
- 168. A documented Standard Operating Procedure (SOP) is required for barrier nursing.
- 169. Should a dog need to be removed from its unit it must wear a collar and tag.
- 170. In emergency cases, such as admission of unvaccinated dogs because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

## **VETERINARY TREATMENT AND HEALTHCARE**

- 171. If medication is necessary, it must only be used for the dog for which it is intended and written instructions for use must be followed.
- 172. A veterinary practice must be appointed for the establishment. The name, address and

telephone contact number, including out of hours provision, of the veterinary surgeon used by the establishment must be displayed in a prominent place, close to the telephone and accessible to all members of staff.

173. Where dogs require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the dog clean and comfortable providing it is safe to do so.
174. When a dog is suspected of being ill or injured (staff should be trained to recognise when a dog requires veterinary care), a veterinary surgeon (and where possible, this should be the dog's own vet) must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be recorded and strictly followed with further advice sought if there is ongoing concern.
175. Medicines must be stored safely and securely in a locked cupboard, at the correct temperature and used in accordance with the veterinary surgeon's instructions. Any unused medications must be returned to the owner or prescribing vet.
176. Procedures must be in place in case of death or escape and all staff must be made fully aware of these procedures. Arrangements for the storage of cadavers must be in place until the owner can be contacted e.g. prior written agreement with the attending vet. Contact with the owner must be made as soon as possible.

## **HOLDING KENNELS**

177. Holding kennels may be provided for temporarily kennelling a dog for not more than 12 hours. Holding kennels, if provided, must comply with conditions as required for main kennels. Holding kennels must be a minimum area to allow the dog to exhibit normal traits i.e. dog must be able to sit and stand at full height, stretch, lie flat and wag its tail without touching the sides.
178. Dogs must be provided with a bed, food and water.

## **TRANSPORTATION OF ANIMALS**

179. Any relevant transport legislation must be complied with to protect welfare, prevent injury or unnecessary suffering.
180. Dogs must be comfortable and suitably restrained whilst in transit.
181. All vehicles and equipment must be kept clean and disinfected after each collection or delivery.
182. Dogs must not be left unattended in vehicles.
183. External temperature can pose a risk to a dog's welfare; therefore vehicles must have adequate ventilation and temperature control.

**ANIMAL BOARDING ESTABLISHMENT CONDITIONS (CATS)**

**ENVIRONMENT**

Cattery construction and principles of design

Physical construction and integrity

General

1. The cattery must be structurally sound.
2. The cattery must be constructed of materials that are robust, safe and durable and be well maintained in good decorative order and repair.
3. Materials used in construction or maintenance must not expose cats to any harmful chemicals.
4. The cattery must be built in compliance with good building practice (e.g. local authority guidelines), on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
5. There must be no sharp edges, projections, rough edges or other hazards which present risk of injury to a cat.
6. Windows must be escape-proof at all times.
7. Doors must have secure latches or other closing devices.
8. All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape-proof structure.
9. Timber, if used, must be of good quality, well maintained and any scratched areas sealed or over-clad.
10. Any storage areas must be dry and free from vermin.
11. Electrical equipment must be installed in line with current legislation and maintained in a safe condition.

Drainage

12. Waste water must not run off into adjacent pens.
13. Adequate drainage must prevent pooling of liquids.
14. Any drain covers in areas where cats have access must be designed and located to prevent toes/claws from being caught.

Safety corridor/entrance lobby

15. There must be an escape-proof area (safety corridor/entrance lobby) at the exit of each cat unit.
16. For catteries where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2 m wide, or the doors of the units must be solid or have sneeze barriers.
17. At the end of the safety corridor there must be a securable door through which the inside of the cattery can be viewed from the outside and this must be kept closed when not in use.
18. The door from the cat unit to the safety corridor must be escape-proof, securable, and strong enough to resist impact and scratching and kept closed at all times.
19. The floor must be finished to produce a smooth, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
20. Outdoor safety corridors must be roofed.
21. External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
22. Sufficient lighting must be provided in the safety corridor to illuminate all year round. Where practicable this should be natural light during the day.
23. The safety corridor must not be used as an exercise area.

Roofing

24. There must be a safe, secure, waterproof roof over all of the cat units (sleeping accommodation and run) and the safety corridor. For the run, materials used must be capable of filtering UV light and providing adequate shade.

**CAT UNITS**

25. Cats from different households must not share cat units.

Lighting

26. There must be adequate lighting in the cat unit.

Ventilation and humidity

27. Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation must be avoided.

Interior surfaces

28. All interior surfaces to which cats have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.

29. Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.
30. Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.
31. Ceilings must be capable of being easily cleaned and disinfected.
32. Junctions between sections must be covered or sealed.
33. Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling).

#### Accessing the cat unit

34. Each unit must be designed to allow staff to access and clean all parts of the cat unit safely.
35. The unit must have a securable, full height door for access.
36. 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.

#### Litter trays

37. Litter trays of a suitable size or type must be provided at all times.
38. Each unit must have space to allow for at least 60 cm separation between the litter tray, resting place and feeding area. This allows cats to sit, rest and eat away from areas where they urinate and defecate.
39. Trays must be impermeable, easy to clean and disinfect, or be disposable.
40. A safe and absorbent litter material must be provided.
41. In a multiple cat unit the number of trays must be appropriate to the number of cats.
42. Trays must be regularly and appropriately cleaned.

### **SLEEPING ACCOMMODATION**

#### Size of full height walk-in unit sleeping accommodation

43. The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions of full height walk-in sleeping accommodation			
	Minimum Area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m <sup>2</sup>	0.9 m (eg 0.90 m x 0.95 m)	1.8 m
Up to two cats	1.5 m <sup>2</sup>	1.2 m (eg 1.20 m x 1.25 m)	1.8 m
Up to four cats	1.9 m <sup>2</sup>	1.2 m (eg 1.20 m x 1.60 m)	1.8 m

#### Shelving or raised area for a full height walk-in unit

44. All resting areas/shelving must be large enough for each cat to lie on.
45. Facilities must be easily accessible and provide safe easy access to the shelf for elderly, ill, very young or disabled cats if required.
46. Shelving or raised areas must be made of impervious, easily cleanable materials.
47. The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.
48. Facilities must be easily accessible and provide safe easy access (ramp/steps) to the penthouse. Extra consideration may be needed for elderly, ill, very young or disabled cats. Existing buildings, floor area and dimensions.

Existing buildings, floor area and dimensions of penthouse sleeping accommodation (box)			
	Minimum Area	Smallest dimension must be a minimum of:	Minimum height of box
One cat	0.85 m <sup>2</sup>	0.9 m (eg 0.90 m x 0.95 m)	1 m
Up to two cats	1.1 m <sup>2</sup>	1.2 m (eg 0.9 m x 1.20 m)	1 m
Up to four cats	1.7 m <sup>2</sup>	0.9 m (eg 0.9 m x 1.90 m)	1 m

#### Temperature in sleeping accommodation

49. There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the cat sleeping accommodation.
50. Insulation and temperature regulation in the cattery must aim to keep the ambient temperature in the cat sleeping accommodation above an absolute minimum of 10°C.
51. There must be part of the cat's sleeping accommodation where the cat is able to enjoy a minimum temperature of 15°C – this additional heat may be in the form of a heated bed/pad etc.

52. The cat must be able to remove itself from the source of heat.
53. Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to cats or humans, or a risk of fire.
54. Open flame appliances must not be used.
55. All heating equipment must be installed and maintained in a safe condition.
56. Additional forms of heating can be in the form of heated beds, heated pads or similar but these must not be the main source of heat for the cats. Use should be tailored to the needs of individual cats.
57. Any sockets in the sleeping accommodation must be waterproof and as far out of reach of cats as possible.
58. There must be a policy in place for dealing with high temperatures and a means of keeping cats cool.

#### Bedding

59. There must be a clean resting place to provide comfort and warmth which is situated out of draughts.
60. Soft bedding materials must be provided and adapted if necessary for old, young or infirm cats to help regulate their body temperature.
61. Bedding must be made of a material that is easy to wash/disinfect, or is disposable.

#### Access to run

62. A cat must have access between the sleeping accommodation and run (e.g. a cat flap) so it can easily and safely access all parts of its unit.

#### **EXERCISE RUN (in addition to and not including sleeping accommodation)**

63. Any part of the run to which the cat has access must be easily cleanable and not damaged by scratching. Any replacement wood must be clad with a smooth impervious material.
64. The floor must be finished to produce a smooth, impervious surface and all surfaces must be capable of being easily cleaned and disinfected. There must be no open gaps if using concrete slabs or tiling.
65. Where cats have access to mesh (catteries with gaps rather than sneeze barriers), the diameter of the wire must not be less than 1.6 mm (16 gauge welded mesh). Mesh size must not exceed 25 mm in one direction and should be positioned on the inside of the framework of runs to prevent damage of uprights by cats scratching any woodwork.
66. All exercise runs must be roofed to provide protection from the elements.

67. Communal exercise areas must not be used.

Size of exercise run for full height walk-in unit and penthouse style unit

68. The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions of full height and penthouse exercise runs			
	Minimum Area	Smallest dimension must be a minimum of:	Minimum height
One cat	1.65 m <sup>2</sup>	0.9 m (eg 0.9 m x 1.85 m)	1.8 m
Up to two cats	2.2 m <sup>2</sup>	1.20 m (eg 1.20 m x 1.85 m)	1.8 m
Up to four cats	2.8 m <sup>2</sup>	1.20 m (eg 1.20 m x 2.35 m)	1.8 m

Sneeze barriers

69. Full height, full width solid sneeze barriers must be installed between cat units. Alternatively, where the cattery is built with gaps between outdoor units rather than sneeze barriers, these must be a minimum of 0.6m wide.

70. Sneeze barriers must be in place on the end walls of the exercise run at each end of the cattery block to prevent contact with animals from outside.

Shelving or raised areas in exercise run

71. Shelving must be made of impervious, easily cleanable materials.

72. There must be a shelf or facility for providing a raised area in the exercise area.

73. All resting areas/shelving must be large enough for each cat to lie on.

74. Extra help (eg steps) to provide safe easy access to the shelf for elderly, ill, very young or disabled cats must be available if required.

**FIRE AND OTHER EMERGENCIES**

75. There must be a written emergency plan (agreed by the local authority) which must be on display and known to staff and a contingency plan should the premises be destroyed or uninhabitable.

76. Premises and activities must be risk assessed (including fire). These risk assessments must be recorded and relayed and understood by all staff.

77. Fire fighting equipment must be provided, maintained in good working order (maintenance must be evident and should show date checked) and easily accessible.



- 78. Fire exits must be clearly marked and access left unrestricted.
- 80. The premises must comply with current legislation with regards to electricity and gas (if connected).

## **DIET**

### Drinking

- 81. Fresh water must be available at all times. Clean water must be provided daily in a clean container or changed sooner if it is visibly soiled.
- 82. Food and water must be kept separate (Joint feeding and water bowls must not be used).
- 83. Water must be positioned well away from the litter tray, as cats will not drink if it is placed too close to a toilet site.
- 84. Adequate water bowls must be provided for multi-cat units.
- 85. Water bowls must be non-porous and easy to clean/disinfect.

### Eating

- 86. There must be exclusive facilities, hygienically constructed and maintained, for the storage and preparation of food for the cats.
- 87. Refrigeration facilities must be provided.
- 88. A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels.
- 89. Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof
- 90. Cats must be fed a balanced diet suitable for their age, health status, reproductive status and lifestyle. The type of food, specific diet or prescription diet is usually by agreement with the owner.
- 91. Food must be unspoilt, palatable, and free from contamination.
- 92. For healthy adult cats at least two meals a day must be offered at a minimum of 8 hours apart, as appropriate to the individual's requirements.
- 93. Unconsumed wet or fresh food must be removed before it deteriorates, and before the next feed time. Dry food can be fed as indicated by the manufacturer.
- 94. Food must not be left for excessive periods to prevent it being spoiled and attracting flies. This will vary with temperature conditions and type of food.
- 95. All food must be positioned well away from the litter tray, (minimum 60cm), as cats will not

eat if it is placed too close to their toilet site.

96. One feeding bowl must be provided per cat.
97. Food bowls must be non-porous and easy to clean and disinfect, or disposable.
98. Food intake must be monitored daily and any problems recorded.
99. Veterinary advice must be followed if feeding debilitated, underweight or ill cats, or those with specific dietary requirements.
100. Cats displaying marked weight loss/gain must be evaluated by a vet and treated as necessary.

## **BEHAVIOUR**

### General points on cat behaviour

101. The behaviour of individual cats must be monitored on a daily basis and abnormalities or changes noted and acted upon if necessary.
102. Cats must be able to access different levels within the unit.
103. Cats must be given the opportunity for play and exercise.

### Hiding places

104. A hiding place must be provided for cats in the sleeping accommodation.

### Play

105. Any toys provided must be safe and be disinfected between use in the cattery, or disposed of. If provided by the owner toys must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay.

### Scratching

106. Cats must be provided with suitable facilities for scratching.
107. Any surface available for scratching must either be disinfected between use for different cats, or disposable. If provided by the owner it must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay.

### Noise

108. Cats must not be exposed to excessive noise of barking boarded dogs or other excessive/continuous noise.

### Long stay cats

109. A Standard Operating Procedure (SOP) must be in place explaining how to ensure the

health and welfare of long-term stay cats.

## **COMPANY**

### Feline company and interactions

110. Cats from different units must not share exercise runs or an exercise area either at the same time or sequentially.

### Human company and interactions

111. Cats must always be handled humanely and appropriately to suit the requirements of the individual cat.

### Multi-cat units

112. For any multi-cat unit (cats from the same home) cats must be monitored and consent obtained from the owner for separating cats, should problems arise (e.g. cats fighting or 'stressed').

113. There must be multiples of all resources (food and water bowls, litter trays and sleeping areas (warmed if required), depending on the number of cats, to ensure that some cats cannot monopolise resources and prevent the others from accessing them.

114. A separate bed must be provided for each cat.

115. A separate hiding place must be provided for each cat eg a cardboard box, igloo bed.

116. Separate feeding bowls (not double feeders) must be provided for each cat.

117. Several sources of water must be provided if multiple cats are housed.

## **HEALTH AND WELFARE**

### Monitoring cats

118. All cats must be observed regularly throughout the day. Cats must be checked daily for signs of illness and/or injury and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.

119. The cattery proprietor or responsible person must visit the cats at regular intervals (of no more than 4 hours apart during the working day), or as necessary for the individual health, safety and welfare of each cat.

120. Presence or absence of faeces and urine in trays must be noted daily. Any signs of abnormalities in excreta must also be noted or acted upon as appropriate.

121. Drinking and eating habits must be monitored and any problem investigated.

### Keeping records

122. A register must be kept of all cats boarded and available to key members of staff and to local authority inspectors if requested. Records should be backed up and records kept for a minimum of 24 months. The information kept must include the following:
- Date of arrival and departure.
  - Name, sex, description of cat and microchip number.
  - Number of cats sharing from same household.
  - Name, address, phone number and email of owner (including emergency contact details).
  - Name, address, email and phone number of emergency local contact (who is able to take the cat if necessary).
  - Cat's veterinary surgeon.
  - Cat's diet and relevant requirements.
  - Cats' relevant medical history.
  - Consent forms eg veterinary treatment, consent to share or separate cats if needed,
  - record of baskets/toys etc left at the cattery (Check vet consent forms i.e. own vet or designated vet if not in area).
  - Record of vaccination.
  - Any medical treatment must be recorded and visible to prevent mis-dosing.

### Disease control

123. Where work with rescue cats or breeding cats is also undertaken, this must be kept completely separate, and extra precautions taken to prevent the spread of disease.
124. When there is any cause for concern regarding the health status of a cat, that cat must be handled last and the unit must be cleaned after all the others.
125. Cats must remain in their assigned unit and not be moved to other units (rotation) or to a holding unit for cleaning purposes, except for moving to an isolation facility.
126. Standard operating procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.
127. Facilities must be provided for the proper reception, containment and disposal of all waste and meet with local authority approval.
128. Isolation facilities must be available.

## **HYGIENE PRACTICES**

### Cleaning and disinfectant products

129. Products must be suitable to use and effective against the pathogens, (especially feline parvovirus (FIE) and ringworm)) for which the cats are at risk and under the conditions present in the environment in which they are used.
130. Cleaning agents and disinfectants must be non-toxic to cats.

131. The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account.

#### Cleaning and disinfecting routines for units when cats are resident

132. There must be cleaning and disinfection routines in place for day-to-day management of the cats and for ensuring a cat unit and all equipment is cleaned and disinfected effectively before a new cat comes in.
133. Each unit must be supplied with its own dustpan, brush and scoop, to be used exclusively in, and kept in that unit, until departure of the cat, and then cleaned and disinfected before re-use, or disposed of prior to the next resident.
134. Litter trays must be emptied and cleaned and disinfected at least once a day, or more frequently as necessary.
135. Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.
136. Drinking vessels must be changed/cleaned and disinfected at least once a day.
137. Grooming equipment must either be cleaned and disinfected between use on different cats, or be disposable. If provided by the owner, it must only be used on that cat and must be sent home with the cat.
139. Toys and scratch posts must be cleaned and disinfected between use for different cats, disposed of, or returned to the cat's owner (if they came in with the cat).

#### Handling cats

140. Hygiene protocols must be observed between handling cats. Hands must be washed/ disinfected or hand sprays or alcohol gel used between handling of each cat.
141. Protective garments must be changed and laundered with an appropriate disinfectant/ disposed of immediately after handling a cat with a suspected infectious disease.

#### Vaccination, fleas, worms and other parasites

142. An up-to-date veterinary health record must be seen to ensure that cats boarded have current vaccinations against feline parvovirus (feline infectious enteritis) (FIE)) and against feline respiratory viruses (feline herpes virus and feline calicivirus).
143. Vaccination (including boosters) must have been completed, at the very least, 2 weeks before the cat's arrival in order to ensure maximum protection.
144. Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.

#### Isolation facilities

145. The area must provide separate, self contained facilities for the isolation of suspected

infected cats and must have a separate entrance to the rest of the units.

146. Separate cleaning supplies and clothing must be designated for the isolation area and other cattery sections.
147. Protective clothing and footwear must be worn when handling cats in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.
148. Hands must be washed/disinfected between handling cats.
149. Separate feeding and water bowls, litter trays, litter, a dedicated safe cat basket, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use.
150. Any cats in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other cats.
151. A Standard Operating Procedure (SOP) for barrier nursing and information must be provided for staff.
152. Should a cat need to be removed from its unit, it must be carried in a secure and disinfected cat carrier, and the carrier disinfected after use.
153. In emergency cases, such as admission of unvaccinated cats because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

#### **VETERINARY TREATMENT AND HEALTH CARE**

154. A veterinary practice must be appointed for the establishment. The name, address and telephone number of the establishment's veterinary service must be displayed in a prominent position for staff.
155. Where cats require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the cat clean and comfortable providing it is safe to do so.
156. When a cat is suspected of being ill or injured (staff should be trained to recognise when a cat requires veterinary care), a veterinary surgeon must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be strictly followed with further advice sought if there is ongoing concern.
157. Medicines must be stored safely, securely, at the correct temperature and labelled correctly according to manufacturer's instructions. Any unused medications must be returned to the owner or prescribing vet.

#### **HOLDING UNITS FOR TEMPORARY HOUSING**

158. If, in an emergency, holding units/pens are used, they must not be sited in the reception.

160. Cats must be provided with a bed, litter tray, food and water.

**TRANSPORTATION OF ANIMALS**

161. Any transport legislation must be complied with.

162. Cats must be secured in durable carrying baskets any time they are transported/carried outside the cat unit (A spare cat carrier should be kept at the cattery for situations where owners do not arrive with their cat in a secure carrier).

163. All vehicles and equipment must be kept clean and disinfected after each collection or delivery.

164. Cats must not be left in vehicles except for transportation.

## Appendix 2

### **ANIMAL BOARDING ESTABLISHMENT CONDITIONS HOME BOARDING (DOGS)**

#### **INTRODUCTION**

1. Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or which are used in association with the boarding of dogs.
2. Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
3. The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
4. No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
5. Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
6. Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together or boarded with resident dogs. Puppies under 6 months of age must not be boarded with other dogs including resident dogs.

#### **LICENCE DISPLAY**

7. A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

#### **NUMBERS OF ANIMALS**

8. The maximum number of dogs to be kept at any one time is shown on the licence
9. Written consent from the owners of boarded dogs must be obtained where they are boarded with dogs from another household .
10. Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session.
11. The Licensee will be required to make an assessment of the risks of home boarding to include the risk to or caused by children who are likely to be at the property.

#### **CONSTRUCTION**

12. Dogs must live in the home as family pets. There must be no external construction of



buildings, cages or runs.

13. The premises shall have its own entrance and must not have shared access e.g. communal stairs.
14. There must be adequate space, light, heat and ventilation for the dogs.
15. As far as reasonably practicable all areas/rooms within the home to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs.
16. There must be sufficient space available to be able to keep the dogs separately if required.
17. If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided.

## **MANAGEMENT**

### Training

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

### Cleanliness

19. All areas where the dogs have access to, including the kitchen 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.
20. All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.
21. All bedding areas must be kept clean and dry.
22. 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 route for all such waste shall comply with current waste regulations.
23. Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

## **FOOD AND WATER SUPPLIES**

24. All dogs shall have an adequate supply of suitable food as directed by the client.
25. Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.

26. Clients must be encouraged to provide each dog with its own bedding, bowls, grooming materials etc. These items must be cleaned regularly to prevent cross-infection. The Licensee however should also be able to provide extra bedding material.
27. Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

### **KITCHEN FACILITIES**

28. Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
29. All bulk supplies of food shall be kept in vermin proof containers.

### **DISEASE CONTROL AND VACCINATION**

30. Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
31. Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) 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 manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.
32. 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.
33. A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
34. The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
35. Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident dogs. Proof must be maintained of all routine and emergency treatment for parasites.
36. The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.
37. Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

## **ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.**

38. Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
39. The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.
40. Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.
41. The Licensing Authority must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at veterinary surgeons premises until the owners return.

## **REGISTER**

42. 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, 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
  - Proof of current vaccinations, medical history and requirements
  - Health, welfare nutrition and exercise requirements
43. Such a register is to be available for inspection at all times by an officer of City of York Council, veterinary surgeon.
44. The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.
45. If medication is to be administered, this must be recorded.
46. 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.

## **SUPERVISION**

47. A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.

48. Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unattended for longer than 3 hours at a time and then not on a regular basis.
49. No home where there are children under 5 years of age will be licensed.
50. Only people over 16 years of age are allowed to walk the dogs in public places.

### **EXERCISE**

51. Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
52. There must be direct access to a suitable outside area. The area / garden must only be for use by the homeowner (not shared with other residents). The area must be kept clean.
53. The exercise/garden area of the premises and any other area, to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
54. If there is a pond, it must be covered to avoid drowning.
55. Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
56. The Licensing Authority must be informed on the next working day if a dog is lost.

### **FIRE / EMERGENCY PRECAUTIONS**

57. Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
58. The occupier of the property must be aware of the location of the dogs in the property at all times.
59. Careful consideration needs to be given to the sleeping area for dogs to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.
60. A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises are rendered uninhabitable.
61. Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.

62. All doors to rooms must be kept shut at night.
63. All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
64. All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.
65. A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

Appendix 3

**DANGEROUS WILD ANIMAL CONDITIONS**

1. While any animal is being kept under the authority of this licence:
  - i) the animal shall be kept by no persons other than the person or persons specified in this licence:
  - ii) the animal shall normally be held at such premises as are specified in this licence;
  - iii) the animal shall not be moved from those premises, except in the following circumstances, namely:
    - transport to slaughter
    - transport to sale
    - transport to hospital
  - iv) the person to who the licence is granted shall hold a current insurance policy which insures him and any other person entitled to keep the animal under the authority of this licence against liability for any damage which may be caused by the animal, the terms of such policy being satisfactory in the opinion of the City of York Council.
2. The species and number of animals of each species that may be kept under the authority of this licence shall be restricted to those specified in the Schedule within the licence.
3. The person to whom this Licence is granted shall at all reasonable times make available a copy of this Licence to any person entitled to keep any animal under the authority of this licence.
4. Any change in species, or increase in the number of a species, will only be permitted if written consent of the Council is first obtained the Schedule of Animals within the licence is amended by the Council.

Appendix 4

**DOG BREEDING ESTABLISHMENTS CONDITIONS**

**ACCOMMODATION**

General

1. Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness; Breeding and Sale of Dogs Act 1973 S.1(4)(a).
2. Dogs kept in domestic premises must have free access to more than one room and every dog must be provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.
3. Dog crates, where used (and whilst not acceptable as permanent housing) must be of sufficient size to allow each dog to be able to sit and stand at full height, step forward, turn around, stretch and lie down in a natural position and wag its tail without touching the sides of the crate and to lie down without touching another individual.

Kennel Construction

4. Where kennels are provided, within converted outbuildings, consideration must be given to cleaning, wildlife access, vermin control, natural lighting and ventilation.
5. All internal surfaces used in the construction of walls, floors, ceilings, partitions, doors and door frames must be durable, smooth and impervious, easily cleaned and disinfected. Kennels must be free from hazards and there must be no projections or rough edges liable to cause injury.
6. Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

Security

7. The construction must be such that the security of the dog is ensured. Fencing material must be safe and secure.

Walls and Partitions

8. Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned and disinfected.

Floors

9. Flooring must be of a non-slip, urine-resistant material. It must be laid in a way and at a fall that avoids the pooling of liquids. Slatted or wire mesh floors must not be used.

10. Floors of all buildings, individual exercise areas and kennels must be of smooth, impervious materials, capable of being easily cleaned and disinfected while providing sufficient grip for the animal to walk or run without sustaining injury.

#### Ceilings

11. Ceilings must be capable of being cleaned and disinfected.

#### Doors

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

#### Windows

13. Windows must not pose a security risk and must be escape proof for the protection of the dog as well as the public.

#### Drainage

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

#### Lighting

15. During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible.
16. Lighting must be of sufficient standard to enable efficient working both during and after daylight hours.
17. Supplementary lighting, adequate to allow inspection, must be provided throughout the establishment.

#### Ventilation

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

#### Kennel Design (Size, layout and exercise facilities)

19. Kennels must be divided into sleeping and activity areas.
20. Kennels must be provided with an adequate size of sleeping area, such that dogs can stand, turn around, stretch and lie down flat in a natural position, with sufficient space for the door to open fully.
21. Adequate exercise areas must be provided for all kennels. How much space will depend upon the size of the dog as well as the circumstances of each breeding establishment. Dogs



must be able to walk, turn around easily, wag their tails without touching the kennel sides, and lie down without touching another dog.

22. Kennels and runs must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.
23. Exercise areas must not be used as sleeping areas Outdoor areas where animals exercise and interact cannot have strict temperature regulation. Dogs must not be restricted to such areas when climatic conditions may cause them distress. They must have constant access to fresh clean water, shade and shelter so they can avoid rain, wind, snow, ice or direct sunlight, etc.
24. In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to their run.
25. The run must be at least partially roofed to provide the dog with sufficient protection against all weathers.

#### Beds and Bedding

26. The bed must have clean bedding and be large enough for each dog to lie flat on their side. Beds must be suitable to allow dogs to be comfortable, ie of durable construction, be sited away from and offer protection from draughts and be of a suitable size for the size and type of dogs kept.
27. Bedding must be capable of being easily cleaned and disinfected.

#### Number of Dogs Permitted

28. The maximum number of dogs to be kept at any one time is to be determined by the Local Authority.
29. The number of dogs permitted must relate to the number and size of the kennels or space available and should be stipulated clearly on the front sheet of the licence. The decision regarding the number of dogs permitted to be kept must take into account the maximum likely litter size as well as the effectiveness of site management.

#### Temperature in Accommodation

30. Heating facilities must be available in the kennel and used according to the requirements of the individual dog.
31. Devices used for heating and cooling must be safe and free from risk of burning or electrocution. Manufacturer's instructions must be followed. Open flame appliances must not be used.

Cleanliness

32. 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. An agreed SOP must be followed.
33. Each occupied kennel must be cleaned daily at a minimum.
34. All excreta and soiled material must be removed from all areas used by the dogs as necessary.
35. All sleeping areas and bedding must be kept clean and dry.
36. Facilities must be provided for the proper reception, storage and disposal of waste.
37. Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment.
38. Foul waste water must be disposed of by discharge to the appropriate or an approved drainage system. Those wishing to operate an incinerator must seek advice from the Environment Agency and/or the local authority.

Whelping Facilities

39. There must be a separate whelping pen or room for each whelping bitch in which to whelp. There must be direct access to the whelping area for kennel personnel without disturbing the general kennel population. Once separated there must be increased social contact with humans.
40. Each whelping pen must be constructed of easily cleanable impervious materials. The area must be cleaned regularly and a record kept of cleaning procedures. The whelping pen must have a divider to allow the bitch to access an area where she cannot be reached by the puppies. There must be natural daylight.
41. There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of mess resulting from whelping. The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.
42. The whelping area must be maintained at an appropriate temperature. The bitch must be able to move away from heat spots.
43. Bitches must be adequately supervised during whelping and records kept of:
  - time of birth of each puppy
  - puppies' sex, colour and weight
  - placenta passed
  - any other significant events.

44. Bitches must be allowed a minimum of four periods a day for toileting and exercise away from their puppies.

## **MANAGEMENT**

### General

45. Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals; BDA 1973 S.1(4)(b).
46. The Animal Welfare Act (2006) sets out the Duty of Care which must be met by the person responsible for the animals.

### Supervision

47. A fit and proper person must always be present to exercise supervision and deal with emergencies.

### Numbers of staff

48. Numbers of staff must be appropriate for the breed/type and number of dogs being bred. Numbers must be sufficient to provide the level of care set out in these model conditions.
49. Sufficient adequately trained staff must be available every day to carry out all the interactions and procedures with dogs specified in this document.
50. Establishing the number of staff required will require an assessment of the conditions at the establishment. As a guideline, it may be considered that a full time attendant may care for up to 20 dogs. In domestic environments, it is advisable for other members of the household, or dog sitters to be provided with guidance notes in regard to general day to day care – feeding, grooming, cleaning, exercise and compatibility issues – especially where several dogs, or breeds of dogs, are involved.
51. Dogs must not be left alone for long periods and must be checked at the start and end of every working day and regularly by a member of staff at least every four hours during the day.

### Environmental Enrichment and Exercise

52. Dogs must be provided with environmental enrichment and the ability to have some control over their environment.
53. Breeding establishments are the permanent home for some dogs and therefore provision of exercise facilities must be adequate for the long term. Dogs must not be kept permanently confined.
54. Arrangements must be made for the dogs to be exercised at least twice a day.

### Handling and habituation

55. Breeding dogs must be handled and examined regularly to identify changes in health, weight and behaviour, also to ensure dogs are habituated to handling by people. This is particularly important for bitches, as fear of people will influence development of puppy behaviour

### Food and Water Supplies

56. All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed at least daily. Dogs must be fed a diet appropriate to their age, breed, activity level and stage in the breeding cycle. Dogs must be fed individually with separate bowls. Food must be stored in vermin-proof containers and fresh food must be refrigerated.
57. 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 cleaned and disinfected or disposed of after each meal.
58. Dogs must be fed sufficiently well to maintain health.

### Weaning Procedures

59. Puppies must start the weaning process as soon as they are capable of ingesting food on their own. The food offered must be appropriate for the stage of development of the puppies.
60. Puppies at weaning must initially be offered food five times a day. It must be ensured that each puppy takes the correct share of the food offered.
61. During lactation, the bitch must have sufficient appropriate food to satisfy the demands being made upon her.

### Kitchen Facilities

62. Facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.
63. Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided.
64. A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.
65. Containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests.
66. Cross-contamination must be avoided.

### First-Aid Kit for Dogs

67. A fully maintained first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

### Isolation Facilities

68. Veterinary advice must be sought for any animal with a potentially infectious disease.
69. Facilities for isolation must be available when required. Isolation facilities must be used where the presence of infectious disease is suspected or known.
70. Isolation facilities must be in compliance with the other licence conditions but must be physically separate from other dogs.
71. Hands must be washed after leaving the isolation facilities before handling other dogs.
72. Protective clothing, footwear and equipment, for use only in the isolation facility, must be used to reduce the spread of infection and must not be worn outside the isolation facility.
73. Complete disinfection of the isolation facilities and equipment must be carried out once vacated.

### **DISEASE CONTROL, VACCINATION AND WORMING**

#### General

74. All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases; BDA 1973 S.1(4)(c). Licence holders must take all reasonable steps to protect the animal from pain, suffering, injury and disease. All breeding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.

### **EMERGENCIES/FIRE PREVENTION**

#### General

75. There must be Emergency Evacuation and Contingency Plans in place which meets approval with the local authority, and in consultation with the local authority.

### **TRANSPORT**

Section 1(4)(e) of the 1973 Act is concerned with safeguarding the welfare of dogs 'when being transported to or from the breeding establishment'.

#### General

76. Dogs and puppies being transported to and from breeding establishments must be properly supervised to ensure compliance with the obligations under the 1973 Act.
77. All appropriate steps must be taken to ensure 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.

78. Bitches must not be transported in the last stages of pregnancy, ideally not from 54 days after mating, unless to a veterinary surgeon for treatment.
79. Bitches must not be transported for 48 hours after whelping unless it is to see a veterinary surgeon for treatment.
80. Whenever dogs are transported they must be fit and healthy for the intended journey. Injured and/or diseased dogs must not be transported (except for minor illness or injury, as determined by trained and competent staff) unless they are being taken to a veterinary surgery.
81. Puppies must not be transported before eight weeks of age without their dam unless a veterinary surgeon agrees otherwise for health and/or welfare reasons, or in an emergency (See Welfare of Animals (Transport) Order (England) 2006 – Council Regulation (EC) No 1/2005).

## **HEALTH AND WELFARE OF THE BREEDING STOCK AND LITTERS**

### Mating

82. Bitches must not be mated if they are less than one year old. BDA 1973 S. 1(4) (f).

### Maximum Number of Litters

83. Bitches must not give birth to more than six litters of puppies each in their lifetime.; BDA 1973 S. 1(4) (g).

### Twelve Months Between Litters

84. Bitches must not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies; BDA 1973 S.1(4) (h).

### Social Contact for Dogs and Socialisation of Puppies

#### Adult Dogs

85. Social contact is very important, and all dogs used for breeding must be kept in an environment that allows adequate social contact with both other dogs and people.

#### Puppies See also Puppy Plan (Appendix B).

86. Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.
87. From 3 weeks old puppies must be habituated to events likely to be encountered in a domestic environment.
88. To learn social skills with other dogs, puppies must be maintained as a litter or with puppies of a similar age and size.

Record Keeping

89. Accurate records in a form prescribed by regulations as shown below must be kept at the premises and made available for inspection there by any officer of the local authority or any veterinary surgeon, authorised by the local authority to inspect the premises; BDA 1973 S. 1(4) (i).
90. The Breeding of Dogs (Licensing Records) Regulations 1999 (SI 1999 No 3192) prescribe the form of records to be kept by licensed breeding establishments. These records must be accurate and kept on the premises and made available to local authority inspectors or any veterinary surgeon authorised by the local authority.
91. 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, 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 (ie, private owner or pet shop).

Appendix 5

**RIDING ESTABLISHMENT CONDITIONS**

1. The number of horses accommodated at the establishment at any one time is stipulated within the licence. All of these horses have been inspected by a veterinary surgeon appointed by the Council.
2. The Council will be notified in writing, within 14 days, in relation to any change(s) made with regards to the provision of these horses. A report from a veterinary surgeon may be required.
3. Horses must be maintained in good health, and in all respects physically fit and, 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.
4. 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.
5. 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.
6. The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.



12. 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 or injury. Boxes must be large enough to allow the animal to turn round.
13. Yards must provide enough space for every animal kept there.
14. Lighting must be adequate to render the use of artificial light unnecessary in daylight.
15. Ventilation must provide fresh air without draughts.
16. Drainage must be adequate to carry away liquid voided by the horses and keep the standings dry.
17. There must be provision for storage and disposal of manure and spoiled straw.
18. Adequate accommodation must be provided for forage bedding, stable equipment and saddlery.
19. The licence holder must ensure that appropriate steps will be taken for the protection and extraction 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 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.
20. 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.
21. 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 cause by, or arising out of, the hire or use of a horse as aforesaid.
22. 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 6**

**PET SHOP CONDITIONS**

**SCHEDULE A – GENERAL CONDITIONS**

Licence Display

1. The licence or a copy of the licence must be suitably displayed to the public in a prominent position.

Accommodation

2. Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.
3. Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.
4. If animals are displayed outdoors, they must have protection appropriate to their species.
5. In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.
6. Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.
7. All animals for sale must be readily accessible and easy to inspect by staff.
8. Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
9. Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing.
10. All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

Exercise Facilities

11. Suitable and sufficient facilities must be available where appropriate.

### Register of Animals

12. A purchase register must be maintained for all animals detailing their source and identification where appropriate.
13. A sales register must be maintained for:
  - Dogs
  - Cats
  - Psittacines
  - Species contained in the Schedule to the Dangerous Wild Animals Act 1976
14. Animals under veterinary treatment must be identifiable.

### Stocking Numbers and Densities

15. No animals other than those specified in the licence, may be stocked.
16. Where appropriate, all animals must be housed in social groups of suitable size.

### Health Disease and Acclimatisation

17. All animals for sale must be in good health.
18. Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.
19. Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.
20. Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.
21. 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.
22. All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

### Food and Drink

23. Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals, All food must be suitable for the species concerned.
24. Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

Food Storage

25. All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.
26. The containers and equipment used for feeding must be kept in a clean and sound condition.

Observation

27. All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

Disposal of Waste

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

Transportation to the Premises

29. When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.
30. Any animals received or consigned shall be transported according to the regulations laid down in current legislation.
31. Animals must be transported or handed to purchasers in suitable containers.

Sale of Animals

32. No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.
33. In the case of non-mammals, they must be capable of feeding themselves.

Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

34. When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.
35. The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

Pet care advice, staff training and knowledge

36. New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.

37. The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.
38. Appropriate reference materials on the care of each species must always be available for use by staff.
39. Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.
40. The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

Fire and other emergency precautions

41. Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.
42. Entrances and exits must be clear of obstructions at all times.
43. Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.
44. The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.
45. A list of key holders must be logged with the local police and local authority.
46. In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".
47. When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.
48. All electrical installations and appliances must be maintained in a safe condition.
49. There must be an effective contingency plan for essential heating, ventilation and aeration/filtration systems, as appropriate.

**SCHEDULE B – DOGS**

50. Puppies must be weaned before leaving the mother.
51. The minimum kennel size must be:
  - For a batch of small breed puppies – max 6 pups – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
  - For a batch of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
  - For a batch of large breed puppies – max 2 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

52. Suitable and sufficient exercise facilities must be available and accessible where appropriate.
53. Extreme temperatures must be avoided.
54. General bedding must include an adequate amount of absorbent material.
55. Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.
56. A specific lying place must be provided lined with soft material.
57. Puppies must be fed at least four times daily, at appropriate intervals.
58. Puppies must have frequent, quality contact time with staff.
59. Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.
60. Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
61. There must be environmental enrichment in all kennels.

#### **SCHEDULE C – CATS**

62. Kittens must be weaned before leaving the mother.
63. The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m<sup>2</sup> additional floor space.
64. Extreme temperatures must be avoided.
65. Disposable or washable bedding must be provided and kept clean.
66. A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.
67. Kittens must be fed at least four times daily, at appropriate intervals.

68. Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.
69. Kittens must have frequent, quality contact time with staff.
70. There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

#### **SCHEDULE D – RABBITS**

71. Rabbits must be correctly sexed and housed in same sex groups.
72. The minimum enclosure size must be:  
0.4m<sup>2</sup> for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m<sup>2</sup> for up to 2 giant breed juvenile rabbits and a height of 0.5m. These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.
73. There must be environmental enrichment in all enclosures. A hiding place must be provided.
74. Extreme temperatures must be avoided.
75. Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.
76. Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.
77. If batches are mixed you must ensure all animals are free from obvious parasitic infection.
78. Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.
79. Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

#### **SCHEDULE E – OTHER SMALL MAMMALS**

80. All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair).
81. Animals must at all times be kept in suitably sized accommodation.
82. Animals must be provided with a suitable substrate in sufficient amounts.
83. Animals must be provided with a suitable bedding material in sufficient amounts.
84. Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.

85. Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.
86. All rodents must be fed a suitable diet, ad lib and have free access to hay where required.
87. All rodents must be fully weaned on admission.

Minimum accommodation requirements – small rodents (area in square metres)

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

#### **SCHEDULE F – FERRETS**

88. Ferrets must be at least eight weeks old.
89. Ferrets must be housed with batch companions.
90. Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.
91. Batches of ferrets must not be mixed.
92. The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m<sup>2</sup> additional floor space.
93. Sleeping quarters must be draught free and dark.
94. Ferrets must have suitable bedding.
95. Extreme temperatures must be avoided.
96. Ferret kibble must be provided at appropriate intervals.
97. Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.



**SCHEDULE G – BIRDS**

98. There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.
99. Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.
100. Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.
101. There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.
102. Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.
103. Windproof nest boxes must be provided in all outside housing and inside where appropriate.
104. Flooring must be drop-through or easily washed/hosed.

Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m <sup>2</sup> ) housing up to 4 birds	Linear cms per additional bird on either cage length or depth* <sup>3</sup>
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	more than 17.5	0.225	7.5
Parakeets and Lovebirds* <sup>1</sup>	less than 25	0.42	7.5
	25 – 30* <sup>1</sup>	0.48	7.5
	more than 30* <sup>1</sup>	0.675	7.5
Parrots	less than 30	0.225	10
	30 – 35* <sup>2</sup>	0.4050	15
	more than 35* <sup>2</sup>	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		1.6	

Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	10.5 – 17.5	18
	More than 17.5	12
Parakeets and Lovebirds *1	Less than 25	10
	25 – 35	6
	More than 35	4
Parrots	Less than 30	10
	30 – 35	6
	More than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

- \* 1. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.
- \*2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.
- \*3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

**SCHEDULE H – REPTILES AND AMPHIBIANS**

105. Stocking and density must be appropriate to the species.
106. The enclosure size must be appropriate to the species and adjusted according to its size.
107. Temperature, humidity, lighting and ventilation must be appropriate to the species.
108. Lighting must be appropriate to the species.
109. Substrate appropriate to the species must be present.
110. Enrichment must be provided appropriate to the species.
111. Food and water must be provided in the appropriate manner for the species.
112. Hygiene – enclosures must be cleaned appropriately.
113. Handling must be kept to a minimum at all times.

## SCHEDULE I – FISH

114. Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

- **Cold Water Species**
  - Free Ammonia max 0.02mg/l
  - Nitrite max 0.2mg/l
  - Dissolved Oxygen min 6mg/l
  - Nitrate max 50mg/l above ambient tap water
- **Tropical Freshwater Species**
  - Free Ammonia max 0.02mg/l
  - Nitrite max 0.2mg/l
  - Dissolved Oxygen min 6mg/l
  - Nitrate max 50mg/l above ambient tap water
- **Tropical Marine Species**
  - Free Ammonia max 0.01mg/l
  - Nitrite max 0.125mg/l
  - Nitrate max 100mg/l
  - pH min 8.1
  - Dissolved Oxygen min 4.0 mg/l

115. Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly on aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

116. Holding systems must be cleaned and checked regularly.

117. No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

## Appendix 7

**OTHER RELEVANT REGULATIONS AND LEGISLATION**

- Antisocial Behaviour, Crime and Policing Act 2014
- The Control of Dogs Order 1992
- Control of Substances Hazardous to Health (COSHH) Regulations 2002
- Control of Substances Hazardous to Health Regulations 1988
- Controlled Waste Regulations 1992
- Dangerous Dogs Act 1991
- The Dangerous Dogs (Amendment) Act 1997
- Clean Neighbourhoods and Environment Act 2005
- Dogs (Fouling of Land) Act 1996
- Electricity at Work Regulations 1989
- Environmental Protection Act 1990
- Health and Safety at Work Act 1974
- Health and Safety (First Aid) Regulations 1981
- Management of Health and Safety at Work Regulations 1999
- The Microchipping of Dogs (England) Regulations 2015
- Personal Protective Equipment at Work Regulations 1992
- Regulation on the Protection of Animals During Transport (EC) 1/2005
- The Regulatory Reform (Fire Safety) Order 2005
- Town and Country Planning Act 1990
- Workplace (Health, Safety and Welfare) Regulations 1992
- Welfare of Animals (Transport) (England) Order 2006
- Regulation on the protection of animals during transport (EC) 1/2005
- Council Regulation (EC) No. 1/2005
- Health and Welfare of the Breeding Stock and Litters
- The Breeding of Dogs (Licensing Records) Regulations 1999 (SI 1999 No 3192)
- Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, Council Directive 92/65/EEC
- Trade in Animals and Related Products Regulations 2011, Regulation (EC) No 998/2003
- Docking of Working Dogs' Tails (England) Regulations 2007
- Mutilations (Permitted Procedures)(England) Regulations 2007
- EU Wildlife Trade Regulations: Council Regulation (EC) No. 338/97, implements CITES (Convention on International Trade in Endangered Species of Flora and Fauna) in the European Community
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC