

Consultation Responses

Annex 3

Ref :	Name & Address	Comments	Officer Comments
1.	<p>Companion Animal Welfare Team</p> <p>Defra</p>	<p>Earlier this year Defra published the Next Steps document setting out the way forward on the review of animal establishment (activity) licensing in England. This review seeks to modernise and streamline the regimes for dog breeding, pet sales, animal boarding, animal riding and performing animals (training and exhibiting animals for education and entertainment) using powers in the Animal Welfare Act 2006 to replace old and outdated legislation with modern regulations bringing together a number of licensing regimes into one and enhancing animal welfare. You can see that Next Steps document via this link.</p> <p>Since that time we have been putting together draft regulations to put into effect those proposed changes. The intention is to lay the draft regulations in Parliament early next year (2018) with a view to them coming into force in October 2018. The draft regulations are subject to the affirmative procedure – i.e. they have to be debated and agreed by both Houses of Parliament before being agreed and coming into force. We have been working closely with both the equine and pet animal sectors including local authorities and veterinary bodies to develop supporting guidance for use with the regulations and in particular to support the schedules of statutory conditions for each of the regulated activities.</p> <p>One of the key elements of the draft regulations is the transposition of existing Model Conditions into statutory conditions. In some cases new conditions have had to be developed with the relevant sectors' input. As noted above it is envisaged that those schedules of</p>	<p>If new Regulations are implemented the Policy will be updated accordingly.</p> <p>We welcome that fact that it is proposed as part of the Regulations for the model conditions to become statutory conditions.</p>

		conditions will be supported by guidance developed by the sectors and signed off and agreed with Defra (“statutory guidance”).	
2.	Senior Parliamentary Advisor RSPCA	<p><u>General comments</u></p> <ul style="list-style-type: none"> - This policy is clear and concise. It is easy for license holders, council officers and the public to understand what the processes and policies around animal licensing activity are. - There are clear policies around inspections, which demonstrate that the policy is enforceable and will be enforced. - We would like to see a clearer section setting out the procedure by which complaints from members of the public will be addressed, including how these complaints will be assessed in a way which best protects the animals involved and how local authority staff will work with establishments/license holders to make improvements where necessary. - This document is perhaps not the most appropriate place to put it, but there needs to be a procedure for training of licensing officers to ensure they can deliver their duties competently and have an understanding of the requirements of the Model Licence Conditions (MLCs) and how they dovetail with the Animal Welfare Act 2006. Further training for licensing officers assessing dog breeding establishments should be included on the socialisation and behavioural needs of puppies and dogs. Licensing officers are not expected to be experts in every animal species and behaviour and so a list of experts, for example vets, behaviour experts and animal welfare organisations that can be consulted for advice on specific requirements, should be made available to licensing officers. 	<p>Comments welcomed</p> <p>Comments welcomed</p> <p>Not appropriate to include within the policy. Appropriately trained staff are employed by the Council and if required expertise from Vets etc will be obtained.</p>

		<ul style="list-style-type: none"> - The adoption of the most up to date MLCs, clear procedures for enforcement which include prosecution and the recognition that the authority has the power to set standards above the minimum are all things which you should be congratulated for including. The foregrounding of animal welfare generally in the policy is very heartening to see. - It would be useful to see a link made within the policy to any work the council is doing to promote other animal welfare services, eg neutering and microchipping. <p><u>Specific comments: pet vendors</u></p> <ul style="list-style-type: none"> - If possible, the term 'pet vendors' rather than 'pet shops' should be used. - The policy would be stronger if it made a number of additional specific demands on pet vending licenses, including: <ul style="list-style-type: none"> - Ensuring vendors only sell species they are equipped and sufficiently knowledgeable to care for; - Specifying that vendors must make appropriate care information available free of charge to customers for all species on sale prior to sale; - Specifying that vendors must have a clear written protocol for a procedure that enables them to be confident that customers are able to meet an animal's welfare needs, and are fully aware of their responsibilities under the Animal Welfare Act 2006. - Specifying that vendors must have a clear written procedure for ensuring they provide for the needs of animals kept for longer than the expected short, temporary, time-period. - In addition, we would like to see the policy recognise that 	<p>Comments welcomed.</p> <p>This would not sit within this policy as this relates to domestic pets.</p> <p>Noted and reference made within the policy.</p> <p>The policy is in line with current legislation and the model conditions will be applied.</p> <p>This is included within the model conditions.</p> <p>This is not a legal requirement.</p> <p>Noted and included within the policy.</p>
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3.	Local York Resident	<p><u>Comment on Page 13 Dog Breeding Establishments Paragraph 22.2</u></p> <p>‘The occasional or hobby breeder does not require a licence.’ I believe this standpoint should be reconsidered, as with the rise of online platforms such as Ebay, Gumtree and so on, many people are now ‘casual’ or hobby’ breeders. These people should not be exempt from any sort of checks as they are not specifically less likely to provide insufficient conditions for animals.</p> <p>While I accept that enforcing checks and records on hobby breeders would be very difficult, online platforms (eBay, gumtree etc) themselves surely leads anyone with internet access to these breeders, through which the authority can find these people and if necessary ask things of them. I believe that these people should at least have to notify the Local Authority of their intention to breed animals for sale or eventual sale and provide basic background information, photos of their situation etc. I raise this with an example in mind, I once heard of some ‘normal’ people in York who bought a valuable bitch with the intention of raising and selling puppies at least once, but due to delays affording the stud fees they had the dog longer than expected, and did not exercise it frequently or care for it especially well. This sort of situation is likely all too common.</p> <p><u>Comment on Page 27 Transportation of Animals (under ANIMAL</u></p>	<p>The policy states the exemption that are in line with the requirements of current legislation.</p>

		<p><u>BOARDING ESTABLISHMENT CONDITIONS (DOGS) Paragraph 182 and 183</u></p> <p>‘Dogs must not be left unattended in vehicles.’ and ‘External temperature can pose a risk to a dog’s welfare; therefore vehicles must have adequate ventilation and temperature control.’ I believe there should be some prior inspection and advice offered around these points for all vehicles employed by any animal boarding organisation as we too often hear stories such as ‘police dog died in back of van’ and so on. If an organisation as ‘official’ as the police failed to stop a dog from dying, then I believe all other organisations should be proactively inspected and advised / approved at yearly intervals etc to test the adequacy of their set up and knowledge of the risks etc.</p>	<p>This in not a requirement of current legislation and is not proposed in the new Regulations.</p>
<p>4.</p>	<p>Senior Public Affairs Officer Dogs Trust</p>	<p>Dogs Trust is pleased to be able to response to your consultation on Animal Welfare Licensing Policy, which is welcome groundwork ahead of the upcoming repeal of the older legislation governing this area and its replacement with new Regulations under the Animal Welfare Act 2006.</p> <p>The new Regulations (Licensing of Activities Involving Animals) are currently expected to come into effect in October 2018, but with some transitional provisions. As much of the new Regulations are based on the current Model Licence Conditions for dog breeding, boarding and pet vending, we are encouraged to see you will be using these until the new regulations come into force. As you will be aware the Model Licence Conditions are being reviewed and included in the Schedules of the new Regulations.</p>	<p>As stated at point 1 above</p>

		<p>Going forwards, the new Regulations will bring in some additional requirements. These include:</p> <ul style="list-style-type: none"> • All sales of puppies below the age of eight weeks will be prohibited via the removal of the exemption that currently exists in the Breeding and Sale of Dogs (Welfare) Act 1999. • The statutory licensing threshold for dog breeders will be reduced from five to three litters per year. • Licensed sellers of pets will be required to display their licence number when advertising. • A proposal to legally require pet sales to provide written information when selling animals, as a part of licence conditions. The information will be required to cover the five freedoms as sent out in the Animal Welfare Act 2006. <p>Changes to the licensing system itself will see the introductions of:</p> <ul style="list-style-type: none"> • Licences issued for a fixed term set at any point in the year (they currently are restricted to run from January – December only). • Licences may be issued for up to three years; this will be linked to a requirement for local authorities to use a standard risk-based assessment system. 	
5.	Local Green Ward Councillor for Micklgate Ward	<p>Thank you for consulting with us, it is great to see animal protection is recognised as an important aspect of council responsibilities.</p> <p>Please find below the response of the Green Group to your consultation on a policy in relation to Animal Welfare Licensing.</p> <p>1. 'Dog breeding establishments' and 'Pet shops':</p>	

	<p>There are many problems associated with the inadequate socialisation of puppies and kittens (see the attached article in Annex 1 for a good explanation) and there are serious health implications of poor breeding strategies. We believe a pet shop cannot provide the correct environment for healthy socialisation or give any certainty about the parentage of puppies and kittens.</p> <p>We suggest that kittens and puppies should not be sold by a third party i.e. only directly from the breeder unless it is being rehomed by an animal rescue organisation.</p> <p>2. Performing animal registrations:</p> <p>There is no likelihood that a travelling circus can provide suitable living conditions for wild or domesticated animals (see the RSPCA article in Annex 2). You can even say that the animal acts in circuses are cruel and degrading to performer and observer alike.</p> <p>We suggest CYC should re-affirm existing policy and completely prohibit the use of performing animals in circuses and no licences should be issued.</p> <p>3. Wildlife Management</p> <p>Vertebrate wildlife management (we ask to avoid using the term ‘pest control’ as such labelling seems to justify ignoring the suffering of these animals) is given very little scrutiny, we believe York, as most councils do, contract out the work and do not keep records of the methods and extent of wildlife control activities. Choosing humane, and largely preventative actions could save money as well as reducing harms done to so many wild animals through poisoning and trapping.</p> <p>We suggested to attempts to outline a framework to judge the</p>	<p>The policy states the requirements of current legislation.</p> <p>This policy covers the requirements of animal welfare licensing, a policy of this nature would not form part of policy.</p> <p>This is not relevant to this policy.</p>
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		<p>appropriateness of control measures:</p> <p>We suggest as a bare minimum that the council endeavours to keep records of the 'pest control' activities funded by the council and regularly evaluate and review whether the activities:</p> <ul style="list-style-type: none"> · Are justified · Proofing and prevention has been attempted · Have been successful · Have been part of a strategic approach (not just reactive measures) · Are accurately targeted · Are using the most humane methods available. <p>As said above we would also ask the Council to refer to "Vertebrate wildlife management" and not "pest control" in its policies.</p> <p>4. Horse and greyhound racing</p> <p>Horse and greyhound racing may seem innocuous but that is because the death and injury rates of animals used in this way are not publicised, nor is the destiny of animals that are bred for racing but not considered suitable for those who have been 'retired' (see HorseDeathWatch.com and the attached Defra Select committee report on greyhound welfare). There should be a requirement for full traceability of all animals involved in racing throughout their lives (using microchip technology where applicable) and full publication of injury and death statistics. These statistics should be used as evidence to close dangerous tracks and ban trainers with poor records.</p> <p>We suggest as a minimum collecting and making public, data concerning death and injuries in horse and greyhound racing in the York council area.</p> <p>http://www.parliament.uk/business/committees/committees-a-</p>	<p>The welfare of animals used for horse and greyhound racing is not a function undertaken by the Council.</p> <p>The British Horseracing Authority are responsible for the welfare of race horses.</p> <p>The Greyhound Board of Great Britain are responsible for the welfare of racing greyhounds.</p>
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6.	Evidence and Policy Manager PDSA	Sent details of their response to the Government's consultation on the draft Animal Activities Licensing Regulations.	We will await the implementation of the Regulations and make necessary amendments at that time.