

Animal Welfare Licensing Policy Statement

Report number:	CAB/WS/21/049	
Report to and date:	Cabinet	9 November 2021
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Decisions Plan: The decision made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.

Wards impacted: All Wards

Recommendation: It is recommended that Cabinet:

- 1. Agree to the adoption and implementation of the Animal Welfare Licensing Policy Statement, as set out in Appendix B to Report number CAB/WS/21/049.**

1. Background

- 1.1 Councils have a key role to play in ensuring animal safety and welfare is maintained. Prior to October 2018, animal licensing came under the following legislation:
- Performing Animals (Regulation) Act 1925
 - The Pet Animals Act 1951 (amended 1983) – covering traditional pet shops
 - The Animal Boarding Establishments Act 1963 - covering boarding kennels and catteries
 - The Riding Establishments Act 1964 and 1970
 - The Breeding of Dogs Act 1973
 - Dangerous Wild Animals Act 1976
 - Zoo Licensing Act 1981
 - Animal Welfare Act 2006
- 1.2 The new Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force in October 2018 to update old and out of date legislation. Licensable activities covered by the new Regulations include:
- Keeping and training of animals for exhibition – previously a County Council function and includes bird of prey displays, animals that have any handling by the public, and non-riding pony parties
 - Hiring of horse –riding schools and donkey rides
 - Selling of pet animals –pet shops and increasingly includes online sales
 - Breeding of dogs – the total number of litters in a year was reduced and sales of high value litters included
 - Boarding kennels for dogs
 - Home boarding for dogs
 - Day care for dogs
 - Boarding for cats
- 1.3 The Department for the Environment, Food and Rural Affairs (DEFRA) has issued national guidance for the above activities, as well as procedural guidance for Local Authorities responsible for enforcing the above Regulations. The new Animal Welfare Policy Statement (please see Appendix B) has been drafted to recognise and bring together the new 2018 regulations, the council’s continued duty under the Dangerous Wild Animals Act and the Zoo Licensing Act, as well as the animal licensing process.
- 1.4 Currently there is no national scheme of licensing caring for pets in the owner’s property or dog walking and these therefore fall outside the scope of this policy.

2. Proposals within this report

- 2.1 The policy statement summarises West Suffolk Council’s approach to licensing animal businesses and activities through animal welfare licences,

dangerous wild animal licences and zoo licences. It sets out how the council exercises its functions in relation to animal-related licensing matters under the Dangerous Wild Animals Act 1976, the Zoo Licensing Act 1981, the Animal Welfare Act 2006, and the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

- 2.2 This includes dealing with applications for new licences and issues relating to licensed premises, including, but not limited to:
- animal boarding establishments for dogs and cats
 - dog breeding
 - pet Shops
 - riding establishments
 - keeping or training animals for exhibition
 - dangerous wild animals
 - zoos.

3. Alternative options

- 3.1 It would be possible to continue to administer animal licenses across West Suffolk without the policy statement. However, it is considered best practice to have such a policy statement to formalise the disparate guidance and requirements into a single resource that is easier for licensees, applicants and council officers to navigate.

4. Consultation and engagement undertaken

- 4.1 There is a statutory duty to undertake a consultation to gauge impact and opinion among key stakeholders. This was held between 19 July 2021 and 31 August 2021.
- The consultation followed best practice by focusing on direct engagement with the key stakeholders. The stakeholders identified were:
- the police constabulary
 - parish and town councils
 - persons/bodies representative of license holders/businesses in the area
 - veterinarians
 - charities and the third sector (such as the RSPCA)
- 4.2 In total, seven responses were received (please see Appendix A), which represented a diverse spread of all selected key external stakeholders.
- 4.3 All respondents were able to provide comment on any aspect of the policy statement. Several responses highlighted issues or recommendations in this way. The council has set out specific responses to each comment and made alterations to the policy statement accordingly where applicable (please see Appendix A).

5. Risks associated with the proposals

- 5.1 There are no risks associated with the proposals. All elements of the policy statement are already council practice, as directed by statutory guidance.

6. Implications arising from the proposals

- 6.1 Financial – there are no specific financial implications arising from this report.
- 6.2 Crime and disorder – the council has a duty to consider the potential impact of its decisions on crime and disorder. It is anticipated that the actions in this report will all have a positive or neutral impact on crime and disorder.
- 6.3 External organisations (such as businesses and community groups) – officers included partner organisations as key external stakeholders.

7. Appendices referenced in this report

- 7.1 Appendix A – Consultation Response Summary
Appendix B – Proposed Animal Welfare Licensing Policy Statement