

**ANIMAL ACTIVITY LICENSING INFORMATION REPORT**

Relevant Portfolio Holder	Councillor A. Kent
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 took effect on 1<sup>st</sup> October 2018. These regulations fundamentally reformed licensing arrangements for a variety of animal-related establishments.

This report as been produced to provide an update to Members on the implementation of the regulations.

**2. RECOMMENDATIONS**

**Members are asked to note the content of the report.**

**3. KEY ISSUES**

**Financial Implications**

3.1 There are no financial implications arising from the report.

**Legal Implications**

3.2 The report does not give rise to any legal implications.

**Service / Operational Implications**

3.3 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 took effect on 1<sup>st</sup> October 2018.

- 3.4 Under the regulations the previous licensing regimes in place for animal boarding establishments, pet shops, riding establishments and dog breeders were repealed and replaced by a new single licensing scheme that regulates those carrying on the following “licensable activities” in the course of business:
- Providing or arranging boarding for cats
  - Providing or arranging boarding in kennels for dogs
  - Providing or arranging home boarding for dogs
  - Providing or arranging day care for dogs
  - Breeding dogs
  - Selling animals as pets
  - Hiring out horses
  - Keeping or training animals for exhibition
- 3.5 The regulations are supported by a comprehensive and detailed suite of guidance documents issued by the Department for the Environment, Food and Rural Affairs (DEFRA). These include procedural guidance notes and then guidance notes on the licence conditions (standards) for each of the different licensable activities listed above.
- 3.6 The guidance documents were first published by DEFRA on 2<sup>nd</sup> October 2018 and revised versions were then issued on 4<sup>th</sup> December 2019. The late publication and almost immediate revision to the guidance documents added to the challenge of implementing the new licensing arrangements contained in the regulations.
- 3.7 The implementation was also particularly challenging due to the fact that a large number of licences in force under the previous licensing regimes were due to expire on 31<sup>st</sup> December 2018. These included all licences issued under the Pet Animals Act 1951 and the Animal Boarding Establishments Act 1963.
- 3.8 As a result of the extremely tight timescales imposed on the Council, many applications for licences under the new regulations were not able to be granted by 1<sup>st</sup> January 2019. This is because each application made under the regulations requires an inspection to be undertaken by a suitably qualified inspector before the application can be determined.
- 3.9 The inspections require the inspector to assess whether the business was meeting the minimum and higher standards set out in the DEFRA guidance documents which run to between 26 and 91 pages, depending on the licensable activity being undertaken.

- 3.10 Given the difficulties in processing a large volume of applications in a short time period, a pragmatic approach was adopted and anyone who had applied for a new licence and was authorised by a licence issued under one of the previous licensing regimes in place, was allowed to continue trading until their new application was determined.
- 3.11 The backlog of applications has now been dealt with and in total there are now 194 licences in force across Worcestershire under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. In the Bromsgrove District there are 38 licences that are in force at the time of preparing this report.
- 3.12 Licences issued under the regulations are issued for one, two or three years depending on what “star rating” the applicant achieves. The star ratings are calculated in accordance with DEFRA’s procedural guidance notes for local authorities, a copy of which is shown at **Appendix 1**.
- 3.13 The star rating calculation takes account of the licence holder’s compliance with the minimum and higher standards and an assessment of whether the business is low risk or higher risk.
- 3.14 **Appendix 2** contains two tables showing the licensable activities authorised by the licences issued in the Bromsgrove District, along with how many licence holders have been awarded the different star ratings available.
- 3.15 Unannounced visits have now begun taking place to those premises that are authorised to be used for licensable activities as required under DEFRA’s guidance.
- 3.16 A number of investigations are also ongoing in relation to businesses suspected of providing licensable activities and which are not currently licensed under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

- Appendix 1 – Procedural guidance for local authorities  
Appendix 2 – Statistical information

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Practitioner (Licensing)  
Worcestershire Regulatory Services

E Mail: [dave.etheridge@worcsregservices.gov.uk](mailto:dave.etheridge@worcsregservices.gov.uk)

Tel: (01905) 822799