

March 2016

BVA, BSAVA AND BVZS RESPONSE TO DEFRA REVIEW OF ANIMAL ESTABLISHMENT LICENSING IN ENGLAND

Introduction and background

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom and has over 15,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
2. The British Small Animal Veterinary Association (BSAVA) is the largest specialist division of the BVA and of the veterinary profession. It represents over 10,000 members, the majority of whom are in general practice and have expertise in the care and welfare of a wide range of small companion animals.
3. The British Veterinary Zoological Society (BVZS) is a specialist division of the BVA recognised as having responsibility for the care and welfare of exotic pets, zoo animals and wildlife. It has a current membership of over 400, with many members involved directly in the veterinary care of exotic species, research into the welfare of these species and as inspectors for the current pet vending and Dangerous Wild Animals Act (DWAA) systems.

General Comments

4. We welcome the opportunity to comment on the existing licensing schemes relating to animals. This is a joint response by BVA, BSAVA and BVZS, the latter two of whom have considerable knowledge and experience of the animal licensing system through their members. Input has also been provided by BVA's Ethics and Welfare Group and Veterinary Policy Group.
5. We agree that much of the current animal licensing legislation is out of date and needs to be revised to take account of the changes that have occurred since it was originally introduced. For example, the Pet Animals Act 1951 and Animal Boarding Establishments Act 1963 are no longer fit for purpose and need to take account of modern practices including the wide range of species now kept as pets, internet sales, home boarding, cat breeding, dog trainers, dog walkers, dog groomers, animal rescue/rehoming centres and "doggy day care".
6. We acknowledge that there is a need for change but note that there is no point in introducing new legislation if it is not properly enforced, and this will need appropriate resources to be made available. We are aware of the current resource constraints on Defra and local authorities but caution against using this as a cost cutting exercise. We would suggest that it may be appropriate to engage with stakeholders from the industry to explore the possibility of making the system self-funding in some areas e.g. pet vending, so that over time, regulatory costs will become absorbed into the routine pricing associated with purchasing a pet.
7. We support the proposal to bring existing licensing schemes under the Animal Welfare Act, in order to ensure that the focus of inspection is on animal welfare and the five welfare needs. The Animal Welfare Act 2006 (AWA) already allows for secondary legislation on licensing, without the need for (further) primary legislation and could enable a system to be

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developed which can be rapidly and efficiently updated and be more responsive to evolving needs.

8. We recommend that in order to achieve consistency this consultation should also consider licencing under the Dangerous Wild Animals Act (DWAA), in order to incorporate animal welfare standards, along with its present emphasis on health and safety. It is not uncommon for pet shops to also have DWA licences for display animals, or potentially to be selling DWA species, so it is logical for these activities to be integrated.
9. We also recommend that this review is an appropriate opportunity to consider whether any other activities or animal establishments should be licensed in order to ensure that they meet appropriate animal welfare standards. For example:
 - a. Animal rescue and rehoming centres - we would specifically like to draw attention to the fact that animal establishments rehoming animals for a fixed fee currently circumvent licensing and inspection legislation. Please note that this does not only refer to dogs and cats but also other species such as reptiles.
 - b. Importers - by inspecting and licensing these premises there can be increased emphasis on the welfare of imported animals and improvements.
 - c. Wildlife rescue centres - welfare concerns have been raised in the work published by the Companion Animal Welfare Council (CAWC: report on Companion animal welfare establishments: sanctuaries, shelters and re-homing). BVZS is also in the process of developing guidelines for wildlife rescue centres.
 - d. Pet fairs - which are currently unlicensed for the sale of animals, although The Pet Animals Act 1951 has sometimes been interpreted in such a way as to suggest that selling animals in a public place (i.e. pet fairs) is not permitted and a pet shop licence would be required.
 - e. Breeding and Sale of Cats – the breeding of cats is currently unregulated. In order to address concerns about the animal welfare implications of irresponsible cat breeding or sales, the recommendations of the Breeding and Sale of Cats report (due to be published in 2016) should be implemented.
 - f. Doggy day care/ dog crèches.
 - g. Dog training – there is currently no regulation of dog trainers and anyone can set up a dog training business. Poor dog training can have a significant impact on a dog's welfare and behaviour, and public safety, so dog trainers should be required to demonstrate that they meet the standards of the Animal Behaviour and Training Council (www.abtcouncil.org.uk).
 - h. Dog grooming – like dog trainers, dog grooming establishments are currently unregulated and there are concerns about the standards of some groomers. Therefore dog groomers should be regulated via a voluntary system of regulation or local authority licensing.
 - i. Private commercial greyhound kennels of greyhound trainers – since a racing greyhound spends much of its life in and around its trainer's kennels, welfare standards should be agreed for the inspection and licensing of all these kennels, in line with the February 2016 Defra Committee report on Greyhound welfare (<http://www.publications.parliament.uk/pa/cm201516/cmselect/cmenvfru/478/47802.htm>). The Defra report recommended that The Welfare of Racing Greyhounds Regulations 2010 be expanded to include private kennels. However, in light of this current consultation, Defra may wish to explore bringing any new inspections and licensing of these greyhound kennels under the proposed single Animal Establishment Licence.
 - j. Mobile educational/entertainment displays using live animals e.g. falconry displays, working dog exhibitions and reptile handling at children's parties.
 - k. Should inspections be extended to performing animals, the inspection process should include the premises at which the animals are kept.

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10. Furthermore, we believe that there is a current loophole in the DWA legislation. This enables pet shops to keep unlicensed DWA animals on show with the ostensible explanation that they are for sale, but the reality that the animals are to entice visitors and resemble an unlicensed zoo (sometimes charging an admission fee). We suggest that either there should be a requirement to hold a DWA vendor licence or a legal requirement to obtain a DWA licence for each DWA-listed animal if it is not sold after a reasonable period of time (to be defined in the regulations). This issue would also be addressed by a tiered and accredited system of pet vendor licencing as discussed in our response to question 6 below.
11. We also recommend that changes to bring this legislation under the AWA should be used as an opportunity to improve the consistency of application and administrative processes, inspection and enforcement in relation to animal licencing. In particular we recommend that attention be given to the increasing lack of resources and animal welfare expertise available to local authorities.
12. As experts in animal welfare the veterinary profession is well placed to provide advice and guidance to support the licensing process. Defra may wish to consider developing the current system of zoo inspections, when vets pay to train and register with the government and then make the money invested back in inspection fees. The government has a list of veterinary surgeons who conduct zoo inspections and could be developed further by putting together lists of veterinary surgeons with the appropriate species knowledge, including relevant post-graduate qualifications and experience to undertake the various different types of animal establishment inspections in partnership with local authorities. This would make it easier for local authorities to identify and contact relevant vets with the appropriate knowledge and experience to support their inspections. Controls would need to be put in place to ensure vets remain independent and do not inspect premises where they are providing general veterinary care.
13. Veterinary associations are well placed to provide training for both veterinary surgeons and local authority inspectors and develop guidance to support inspections. For example, BVZS has provided training for DWA inspections and created a template for DWA inspections <http://www.bvzs.org/position-statements> in an attempt to achieve consistency. BVZS has also incorporated the zoo licensing inspection system into their guidelines for wildlife rescue centres. These guidelines are in their final draft form and once published could be used as part of a framework to regulate and licence wildlife rescue centres within the Animal Welfare Act and secondary legislation.
14. We realise that this consultation only refers to England but would urge Defra to work with its counterparts in the Scotland, Northern Ireland and Wales to ensure that there is consistency of legislation and enforcement, in order to prevent certain activities being moved to regions with less rigorous regulation.

Question 1: To what extent do you agree or disagree with the proposal to introduce a single Animal Establishment Licence?

15. We agree with the proposal to introduce a single Animal Establishment Licence, focused on meeting the welfare needs of the animals, as specified in the Animal Welfare Act. However, although the format of the licence can be standardised it will be essential to ensure that the information provided to inspectors in terms of Model Licensing Conditions, checklists and inspection reports are appropriate to the size and type of establishment and the species being inspected.

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16. We recommend that the proposal for a single animal establishment licensing system should be used as an opportunity to include activities that are currently unregulated (see paragraph 8).
17. Once a single Animal Establishments Licencing system is in place we recommend that any advertisement (whether online or elsewhere) for the sale or supply of pet animals or services, such as animal boarding, relating to animals should be legally required to include the registration or licence number. These details should be provided at point of supply or sale too. This would help purchasers to identify licensed and reputable vendors/ service providers and improve traceability.

Question 2: To what extent do you agree or disagree with the proposal to promote or require use of the Model Conditions by local authorities, for activities where they have been agreed?

18. In principle we support the proposal to require the use of Model Licensing Conditions (MLCs) to provide detailed guidance for both those applying for licences and inspectors, as it would help to raise welfare standards and promote consistency of inspection and licensing standards. BVA has endorsed the existing MLCs relating to Pet Vending, Dog Breeding and Boarding Establishments and was closely involved in their development. However, we note from experience that the process of agreeing MLCs with all the parties concerned can be a time consuming task often taking years and it can be difficult to produce a suitable and effective tick box system for licensing officers to check animal welfare standards. We therefore suggest that if Defra wishes to encourage the preparation of further MLCs they should consider facilitating these meetings to enable the work to be completed more quickly.
19. Provision should be included for the periodic review and updating of Model Licensing Conditions. MLCs could also be expanded to include proforma reports and guidance not just on meeting the legal minimum requirement but on identifying unacceptable practices and recognising and encouraging best practice. We wish to highlight that the expertise and value the veterinary profession and its associations could contribute to the formulation and implementation of MLCs. For example, the existing model of zoo inspections could be adapted for other licensing regimes.

Question 3: To what extent do you agree or disagree with the proposal to prohibit the sale of puppies below the age of eight weeks?

20. We recognise the need for an agreed cut off point for the age when puppies may be sold, and agree that 8 weeks is a sensible cut off, which will tie in with other legislation, such as that relating to microchipping and transportation. We also suggest that this age limit should be applied to any form of transfer of ownership, not just sales.
21. However, it is important to recognise that there may be individual circumstances when for the welfare of the pups or bitch it would be appropriate for the puppies to be separated from their mother and moved to a new home at a slightly earlier age, such as due to the mother being ill. We therefore suggest that an exemption to this requirement is built into the secondary legislation with the option of issuing a veterinary certificate to confirm the exemption, similar to that included in the Microchipping of Dogs (England) Regulations 2015. This exemption should only be allowed where the puppy is moving to its new permanent home and must not be used to allow sale through pet shops or other third parties.

Question 4: To what extent do you agree or disagree with the proposal to make clear that the statutory licensing threshold for dog breeders is set at three or more litters per year?

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22. We agree that dog breeders whose animals produce three or more litters per year should be required to be licensed and it would be helpful to have this clarified, and brought into line with The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014. However, we consider that the licence and inspection criteria should apply to the establishment rather than to individuals as it would then pertain to all dog breeding in that household or premises.
23. However, we are aware that it is currently difficult to identify all those who require licencing and would therefore also recommend that anyone breeding from a dog should be required to register (preferably online) with their local authority (with the data treated in line with the Data Protection Act 1998). This would mean that the local authority had a list of contact details for all dog breeders in their area, aiding enforcement bodies and ensuring that dog breeders were aware of the legal requirements. There should be a publicly available national list of dog breeders, to provide intelligence for enforcers and allow the public to check the list. Then should the threshold of three or more litters per year be met, this would trigger a dog breeding licensing inspection. If there were other concerns or complaints in the meantime, then a visit could be carried out under the Animal Welfare Act 2006 or other relevant legislation.
24. Practices such as puppy farming have a detrimental effect on the health and welfare of bitches and their litters. Too often veterinary surgeons see the devastating consequences of poor breeding practices which can lead to suffering for both the animals and their owners. Bitches are often kept in small pens without natural light or contact with other dogs, and produce multiple litters in their lifetime. This practice facilitates the spread of infectious diseases and frequently results in behavioural problems (including human-directed aggression with associated risks for public safety), both in the bitches and in their pups. This review is an opportunity to strengthen the regulations around dog breeding and pet sales, to make it more fit for purpose and introduce new rules or licence conditions to help ensure all breeding establishments are producing only healthy and well-socialised puppies.
25. Vets see first-hand the tragic consequences that can result from irresponsible breeding, as owners are faced with serious and avoidable health and behavioural problems in their new pets. We always recommend that anyone considering buying a puppy only buys directly from a reputable breeder (such as a member of the Kennel Club Assured Breeder Scheme) or considers giving a home to a rescue dog from a recognised rehoming charity.
26. We always advise that puppies should only be bought if the mother is present and we would prefer puppies were not sold from pet shops unless they can be seen with their mother so buyers are aware of the source of the dogs. BVA would also advise anyone buying or selling a puppy to use the freely downloadable AWF and RSPCA's Puppy Contract (<http://puppycontract.rspca.org.uk/home>) in order to help to reduce the chance of buying a puppy from an irresponsible breeder.

Question 5: To what extent do you agree or disagree with the proposal to legally require pet sales to provide written information when selling animals?

27. We strongly support the proposal to legally require those selling animals to provide the new owner with written information detailing their responsibilities as an animal owner and how to meet the five welfare needs of the animal. We believe that education and access to good quality information is a key to improving the welfare of companion animals. The Companion Animal Sector Council (CASC) is currently in the process of developing suitable educational material that is intended to be freely and publicly available online, representing an expert, proportionate and economically sustainable resource.

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28. The CASC website could be a centralised source of reliable approved information on husbandry requirements for specific species, for both vendors and prospective purchasers. Links could also be provided to the RCVS Find a Vet page, as well as more advanced pet care information.
29. We would welcome clarification as to whether this requirement to provide information would apply to domestic commercial pet sales, precisely which types of pet sales would be included and what the definition of pets would be, as there is a risk of loopholes where these things are not clearly defined.
30. This proposal would also reflect the current Model Licensing Conditions for pet shops. The MLCs for pet shops include a condition that 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'. This usually involves providing free leaflets or written instructions, as well as relevant Codes of Practice, books, manuals or websites.
31. The MLCs also advise that 'staff members must be able to provide suitable advice to purchasers and answer questions as required by them. No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification.'
32. The requirement for owners to consider how they will meet the welfare needs of the animal is reflected in our joint position statement (<http://www.bvzs.org/position-statements>) on non-traditional companion animals and the BSAVA position statement on Responsible Pet Ownership <https://www.bsava.com/Resources/Positionstatements/Responsiblepetownership.aspx>
33. We are aware that many owners carry out no research before taking on a pet (PDSA Animal Wellbeing (PAW) report 2015) and would therefore recommend that in addition to providing written information those selling pets also require a period of reflection to prevent impulse purchases. We understand that Pets at Home asks customers questions to ascertain their husbandry knowledge, using iPads, before they allow customers to purchase an animal. In parts of Switzerland and Germany, dog owners are required to undertake compulsory training courses before they may purchase or adopt a dog. CAWC cites PDSA research (PAW 2012) that 65 per cent of veterinary professionals, 65 per cent of children and 47 per cent of the public felt that prospective owners should pass a test before taking on a pet. (the CAWC website is currently unavailable but we have a copy of this research 'Opinion on Communicating the Duty of Care 2013' which we would be happy to share).
34. For sales over the internet there could be a requirement to complete a short online questionnaire to demonstrate that the owner understands the responsibilities of pet ownership and how to meet the welfare needs of the animal they are taking on. If well designed these could be educational and help the purchaser to make a good decision in terms of pet selection. As an example, see the questionnaire developed by the Advisory Council on the welfare aspects of dog breeding on Buying a Puppy <http://www.dogadvisorycouncil.com/puppy/>.
35. This concept could be developed further and made a requirement to demonstrate that a prospective owner would be able to meet the welfare needs of the animal. We feel that it should be practical for the pet industry to develop a system that could be undertaken online and be self-sustaining at reasonable cost, at a price that would be realistic for prospective keepers. We believe that there is an opportunity for stakeholder engagement across the industry on this issue, and that it ought to be possible to develop a system that is self-sustaining and affordable with the positive involvement of pet vendors and the pet-owning

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public. This would also reflect the important consideration that the purchase of a companion animal is a personal choice, not a necessity, and therefore it should be expected that the owner can afford to prepare appropriately for the acquisition, which is often not the case currently (PDSA Animal Wellbeing (PAW) report 2015).

36. Online testing could potentially be incentivised by trade, with the online charge being deducted from the cost of the animal by the trader at the point of sale. Proof of completion of the online test could be required before the purchaser was allowed to take an animal home. We acknowledge that there could be some hurdles in terms of enforcement and other practicalities to cross before such a system could be put in place.
37. In addition to internet sales, many reptiles and birds are sold/exchanged at pet fairs and breeder markets. A similar approach could potentially operate in these scenarios, with potential keepers required to have demonstrated that they have completed a relevant questionnaire before a transaction can take place. More generally, consideration should be given to whether there is a need for these events to be brought under the umbrella of pet vending legislation and regulated more effectively, whilst continuing to permit this route for hobbyists to exchange animals.

Question 6: What other proportionate measures could address concerns around the care of exotic animals?

38. While concerns about the welfare of kept animals extend to all species we note in our joint statement on Non-traditional companion animals (<http://www.bvzs.org/position-statements>) that there may be particular issues in those species which are not traditionally kept as pets in the UK. This is because the appropriate knowledge and resources in order to be able to care for them and provide for their welfare needs require further development, or may not be easily accessible at the point of sale. This may include being able to straightforwardly access an appropriate diet or equipment, and veterinary professionals with knowledge and skills to treat the animals.
39. As mentioned in paragraph 12, it would assist local authority inspectors to have access to a national list of recognised experts that could be consulted or used as part of the inspection process. For example, BVZS currently maintains a list (<http://www.bvzs.org/specialists>) of veterinary surgeons with relevant zoological qualifications and this could be expanded and publicised.
40. It should be noted that the same document states that '*Any person considering taking on a companion animal of any species should establish how they will meet the five welfare needs of the animal before they purchase or take responsibility for the animal.*'
41. We therefore recommend that those people involved in the care of animals, whether through the provision of licensed services, care or purchase should be required to demonstrate that they have the knowledge and resources to meet the welfare needs of the animal. We therefore recommend that web based resources are developed to enable prospective owners to learn about the welfare requirements of an animal before taking ownership.
42. The Companion Animal Sector Council (CASC), BVZS and BSAVA are investigating how some form of online one-stop shop might be created for people to access guidance on how to correctly care for all companion animals. We also propose that the website could provide interactive tests which when successfully completed would allow a purchaser to print out a certificate to demonstrate that they had been made aware of the welfare needs of the animal together with a 'shopping list' to take to the pet shop, of those items necessary to meet the requirements for the animal.

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43. We are aware of the current discussions in relation to “lists” and note that the Dangerous Wild Animals Act 1976 (DWAA) is currently a form of a ‘negative’ list of animals that should not be kept by the general public. However, we have concerns about determining the criteria for and enforcement of more general positive or negative lists of species which can be kept as pets. As an alternative we would propose that consideration be given to the introduction of a traffic light system to indicate at the point of purchase, the level of expertise required to meet the animal’s welfare needs (basic=green, advanced=amber or expert/professional =red).
44. We believe that a periodically reviewed traffic light system avoids regulatory rigidity and has the advantage of improving welfare for all species. The BVA has tasked its non-traditional companion animals (NTCA) working group and Ethics and Welfare Group with exploring how a traffic light system could be developed.
45. Consideration should be given to a tiered licensing structure for pet vendors with respect to species sold, depending on complexity of welfare needs and the vendor’s experience and qualifications. This could align with the traffic light system for species requirements, and help to ensure that vendors have the appropriate level of expertise and experience to maintain and advise on species in the amber, red and DWA categories.
46. There are also a number of existing projects and initiatives relating to the care of exotic pets and traditional companion animals. For example, an Exotic Pets Review meeting was held at the Scottish Government in November 2015.

Question 7: To what extent do you agree or disagree with the proposal to allow licences to be issued for a fixed term, set at any point in the year?

47. We agree that licences should be allowed to be issued for a fixed term, set at any time during the year. There are currently difficulties as licences all have to be renewed at the end of the year, creating a heavy workload for inspectors at certain points of the year.

Question 8: To what extent do you agree or disagree with the proposal to increase the maximum length of a licence that local authorities may issue to up to three years?

48. We acknowledge the potential theoretical benefits of increasing the length of licences in terms of reducing the burden of animal establishment inspections. However, we have substantial concerns about supporting this proposal in view of the importance of having the opportunity to regularly assess factors such as animal welfare, the species kept and facilities. Circumstances can change significantly within the space of three years.
49. Instead, risk assessment should be used to determine a licensing inspection regime. We support the Companion Animal Focus Group’s (representing local authorities) draft risk assessment framework as set out in their response to this consultation, as the basis for a standard national risk assessment scoring system. The proposed draft framework would help local authorities to identify high or low risk establishments (as well as informing the public and driving up standards), and help to determine those businesses that should receive more frequent inspections.
50. Each premises type could have a risk-scoring matrix to ensure it is effective for the particular activity in question. The criteria for risk assessment would need to be clearly defined and an initial inspection would be a requirement of any licensing regime. Any risk based assessment which allows for longer periods between inspections should incorporate both the facility for spot checks and for inspections/revocation/suspension of the licence (without

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the need to go to court) should there be a complaint or any evidence that the conditions of the licence are not being met.

51. A final version of the proposed framework would need to be agreed in consultation with relevant stakeholders (including the veterinary profession).
52. This approach reflects that already used by local authorities to enforce food standards (<https://www.food.gov.uk/enforcement/report-problem>) or farm animal health (p18 of the Framework document) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255065/pb14037-ahaw-framework-2014-2015.pdf.
It also links to our response to Question 14 regarding local authorities making adjustments to licensing requirements for businesses affiliated to a body accredited by UKAS.

Question 9: To what extent do you agree or disagree with the proposal to allow licence holders to transfer licences to new owners of the same premises, subject to notification of and approval by the local authority?

53. We disagree with the proposal to allow the transfer of a licence to the new owners of a premises; primarily because the knowledge and experience of owner is critical in maintaining animal welfare, and there would be no guarantee that the new owner would have the same standards or level of expertise.
54. We are also concerned should the intention be to issue licences which continue without re-inspection, unless problems are reported. Where there are changes in the species or numbers of animals kept at a licensed premises (e.g. due to breeding or expansion of the business), or a change of ownership then re-inspection will be an important part of ensuring that the welfare needs of the animals were still being met.

Question 10: To what extent do you agree or disagree with the proposal to require licence holders to notify local authorities of major changes, such as a change of premises or scale of activities?

55. We strongly agree that licence holders should be required to inform local authorities of major changes to their business, such as changes to the premises or to the numbers or types of animals being kept. A similar model exists for DWA licensing. What is considered to be a 'major change' would obviously need to be agreed and set out clearly. It will be important to make it clear which changes need to be notified and consider what criteria would trigger a new inspection. At a minimum we would suggest that the following should trigger re-inspection in order to safeguard animal welfare:
 - i. change of species kept
 - ii. change of activity (e.g. breeding to boarding)
 - iii. change of number of animals which exceeds facilities on licence.

Question 11: To what extent do you agree or disagree with the proposal to maintain the registration requirement for performing animals?

56. We broadly agree with the proposal to maintain the registration of performing animals. However, while we acknowledge that there may be relatively few animals that fall under the traditional definition of performing animals we suggest that this could be carefully redefined as 'performing animals and travelling/non-permanent animal exhibits', to include falconry shows, ferret or rabbit racing, performing dog shows and animals taken to children's parties. At the stage where more details are available about a revised definition of performing animals, this could be followed up with a more detailed list of relevant scenarios.

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57. We accept that all kept animals are covered under the Animal Welfare Act 2006. However, we consider that the additional protection involved in registration is useful in protecting the welfare of animals being used for entertainment.

Question 12: To what extent do you agree or disagree with the proposed changes to the registration system for performing animals?

58. We agree that the standards for performing animals should refer to the welfare needs set out in the Animal Welfare Act 2006 and any powers of inspection should be extended to premises where performing animals are kept. It is also unnecessary for local authorities to send copies of the paperwork to Defra.

Question 13: To what extent do you agree or disagree with these proposals on powers of entry?

59. We support the proposal to add safeguards to the powers of entry. However we disagree with limiting the number of persons who may make use of the power of entry to four, as often local authorities require more than four people to be present to deal with suspected non-compliance. For example, where a large number of animals or potentially animals of different species are involved, and a large amount of evidence needs to be collected, then more than four people would be needed. In addition, it would be useful if local authorities could name, in their warrant applications, the professionals (such as vets) they wish to enter the premises with.
60. The issue of providing reasonable notice should be carefully considered when the matter relates to the welfare of animals, rather than say structure of premises, since any notice may allow animals and evidence to be moved, thus defeating the purpose of the inspection.

Question 14: To what extent do you agree or disagree with the proposal to allow an exemption from licensing requirements for businesses affiliated to a body accredited by UKAS?

61. We can see that this approach may be useful in some areas, such as to reduce the inspection workload for local authority inspectors, especially where there are many small premises that require licensing. It would allow local authorities to focus their limited resource on the higher risk breeders or other licence holders.
62. However, we can foresee problems with this approach if there were to be several UKAS accredited schemes operating in a particular area (e.g. covering different species in pet shops). We do not support the creation of a two-tier system, which would risk creating confusion, particularly around who would be responsible for taking enforcement action.
63. Instead, we propose that schemes such as the UKAS accredited Kennel Club Assured Breeder Scheme could be used as part of the local authority licensing risk assessment framework, referred to under Question 8. We consider such businesses should still be liable for targeted local authority inspections, which take account of the business' level of compliance with various standards.
64. So membership of schemes such as KC's Assured Breeder Scheme could be used by local authorities as part of their overall risk assessment process for licensing establishments - rather than a separate system - thus avoiding a two tier system. Membership of such a scheme would indicate a responsible approach and result in a lower risk rating and fewer inspections. A similar earned recognition system is already used by local authorities for farm

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feed control inspections <https://www.food.gov.uk/business-industry/farmingfood/animalfeed/animalfeedlegislation> using compliant membership of FSA approved farm assurance schemes to qualify for a reduced frequency of inspection.

65. We understand that at present UKAS provides accreditation and quality control of the inspection process but UKAS are not involved in setting the standards. If this option is to be considered it will be important to ensure that the UKAS scheme or similar independent body would be inspecting to at least the same standards as the Model Licensing Conditions/local authority inspections. It would therefore be necessary to have a system in place to review any UKAS accredited scheme to ensure that it meets appropriate welfare standards and is uniform.
66. Before this approach could be introduced, a full consultation with local authorities must be conducted and clear welfare standards must be agreed. The standards, particularly with respect to animal welfare must be appropriate and robust. There must be strong and consistent involvement of veterinary surgeons and other appropriate animal welfare experts in the development of the standards to be applied.

Question 15: Do you think sector-led UKAS-accredited certification schemes could improve animal welfare in unlicensed areas? If so, what would work best and how could this process be encouraged?

67. As stated above, we consider that currently many unlicensed areas, such as cat breeding, dog walkers, groomers, privately owned greyhound kennels, animal rescue centres and falconry displays (see paragraph 8) should be brought within the licensing and inspection process. This would help to improve animal welfare standards.
68. If sector-led UKAS accredited schemes are to be utilised, it is essential that they meet agreed standards in respect of animal welfare and that their effect in raising welfare standards should be independently audited, with appropriate veterinary input.

Other comments

69. In addition to UKAS, there is also the option of local authorities extending their model of contracting their animal licensing and animal welfare services to another local authority. This contracting model works well for London boroughs and given the ongoing reductions to local authority resources and expertise, it seems sensible to share knowledge and reduce costs.
70. There are other options available to harmonise standards, including forming national inspectorates (along the lines of the panel of zoo inspectors or horse riding establishment inspections). Another alternative is the use of Primary Authority arrangements.