



Department
for Environment
Food & Rural Affairs

Action Plan for Animal Welfare

Legislation and Licensing Update



Action Plan for Animal Welfare

- Launched May 2021
 - Sets out government's ambitions
 - Five themes:
 - Sentience and enforcement
 - International advocacy
 - Farm animals
 - Companion animals
 - Wild animals
 - Over 40 policy commitments
 - Includes legislative and non-legislative measures
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Primary Legislation

- **Animal Welfare (Sentencing) Act 2021**
 - Introduced tougher penalties for animal cruelty

Bills currently being considered by Parliament

- **Animal Welfare (Sentience) Bill**
- Provides legal recognition that animals are sentient beings
- **Animal Welfare (Kept Animals) Bill**
 - Strengthens domestic animal welfare protections
- **Animals (Penalty Notices) Bill**
 - Creates new, targeted financial penalties
- **Glue Traps (Offences) Bill**
 - Makes certain uses of glue traps an offence

Topical policy updates

Today we will be covering:

- LAIA Guidance Refresh
- Licensing of animal welfare establishments
- Zoo Licensing
- Primates Licensing

LAIA Guidance Refresh

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were developed to help improve welfare standards across a range of activities involving animals that are licensed by local authorities.
- The guidance for local authority inspectors in England on licencing activities involving animals explains the conditions that businesses need to meet in order to receive an animal activities licence.
- This guidance covers: dog breeding, pet selling, hiring out horses, boarding for dogs and cats, home boarding for dogs, dog day care and keeping or training animals for exhibition.
- The guidance for local authorities has just been refreshed to a more accessible format, released on 1st February.
- The 2018 Regulations are due to be reviewed five years after they came into force (2023).

Licensing of Animal Welfare Establishments

- As part of the Action Plan for Animal Welfare Defra are pursuing the licensing of animal welfare establishments. This means animal sanctuaries, and rescue and rehoming organisations.
- This includes:
 - Cats
 - Dogs
 - Horses
- Defra has been engaging with relevant organisations to understand their views and the possible impacts of regulating the sector.
- Any proposals to bring forward licensing regulations will be subject to a consultation.

Zoo Licensing Reforms

- Defra, via the Animal Welfare (Kept Animals) Bill are proposing several changes to the Zoo Licensing Act 1981.
- These include:
 - Increasing the maximum penalties in the 1981 Act
 - Moving appeals against local authority decisions to the First Tier Tribunal
 - Introducing a new mandatory licensing condition that each zoo must meet the standards contained in the Standards of Modern Zoo Practice.
 - Providing a power for conservation standards to be included in the Standards of Modern Zoo Practice

Zoo Licensing Reforms continued

- Defra will shortly be consulting on new Standards of Modern Zoo Practice. Each Local Authority will be invited to respond.
- The new Standards aim to:
 - Be clearer and easier to enforce
 - Reflect the latest best practice in animal keeping
 - Strengthen public safety requirements
 - Introduce new, up to date, requirements on conservation



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Outlining the new 'Specialist Private Primate Licence'

Jan 2022



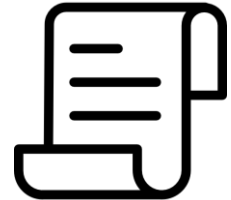


Government Manifesto Commitment

- In 2019, the Government committed to banning the keeping of primates as pets. This was a response to concerns on the welfare of primates being kept as pets in unsuitable conditions, and the resulting physical and psychological issues that this causes
- A call for evidence and subsequent public consultation found that stakeholders did not believe that existing legislation adequately protected the welfare of privately kept primates
- A licensing scheme - along with a prohibition on the keeping of primates without a relevant licence – will provide the most effective means of regulating the keeping and welfare of primates in England and Wales

Outlining the Licensing Regime

- Under the new legislation introduced in the Kept Animals Bill, private keepers will only be able to keep primates if they have a “**specialist private primate keeper’s licence**” *
- The licence will be available for those keepers who can keep primates to high **standards of welfare**, developed in secondary legislation by Defra alongside key stakeholders
- Licences will be issued/monitored/reviewed by local authorities in England and Wales

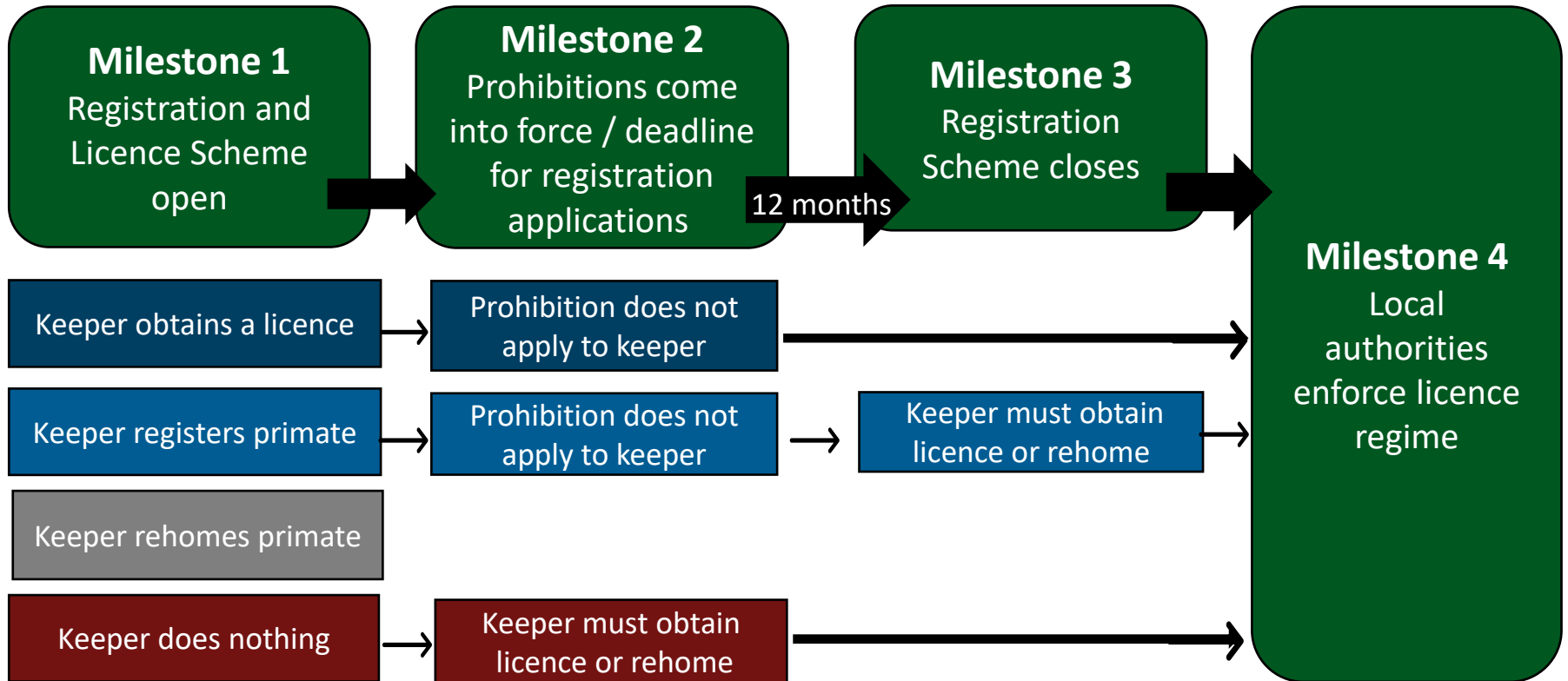


Developing the Standards of Welfare

- Defra will be developing these licensing standards with the help of experts
- They will give keepers a detailed understanding of what is expected of them, and they will give local authorities a clear platform from which they can implement the legislation
- The standards will be developed with input from experts in primate care, as well as other relevant stakeholders, including local authorities

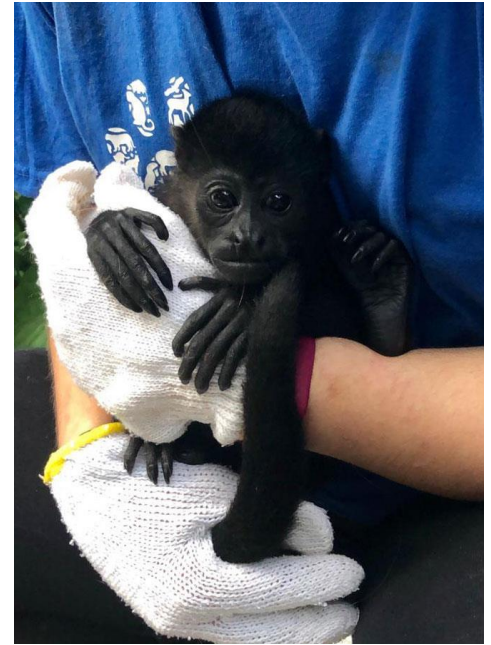


Registration and Licence Application Flowchart



How the licence scheme works

- An individual who keeps or proposes to keep a primate may apply for a primate licence through their local authority
- The licence lasts **six years**; inspections to occur approx. every 2 years.
- Local authorities will have powers to remove licences from keepers who are not meeting the conditions of their licence



Transitional register



- The Bill enables keepers to keep their existing animals for a limited period under the transitional measure, subject to conditions
- Conditions will include registering the primate with their local authority within the initial ~12 month period, and providing for their basic needs
- During this transitional period, these keepers will be able to work to meet the new licensing standards or will have to find a suitable alternative home for their primate(s)

Giving directions to keepers

- If a keeper does not obtain a licence prior to the end of the registration period, they will need to rehome their primate or they would be subject to a penalty
- **Local authorities will have the option to put primates kept illegally “under directions”.**



Enforcement and inspections



- The licensing regime will involve regular inspections and will be enforced by local authorities
- Initial, and renewal, inspections will be undertaken by a veterinary surgeon
- A **minimum** of 2 further inspections will take place during a licence period
- Failure to comply with the licence condition holds a maximum penalty of £2,500

Inspection of primate keepers

Licence inspection

- Initial and renewal inspections by a vet to determine if the licence standards are being met
- Min. two additional inspections by local authorities over the course of the licence

Registration inspection

- Initial inspection by a vet to determine if basic welfare needs of the primate will be met
- Local authorities may carry out additional inspections
- The primate must be microchipped

Directions inspection

- Initial and subsequent inspection by a vet to determine if basic welfare needs of the primate will be met, prior to being rehomed

Ongoing work...

- Defra are currently engaging with local authorities, and other key stakeholders to identify challenges and solutions implementing the legislation
- The licence standards will continue to be developed in consultation with local authorities
- We are exploring with potential partners how to offer training on interpretation and enforcement of the legislation

Please forward any questions you have to:

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Or contact us via the LGA or the AW sounding board

