



Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
&
Guidance Review 2020 & Animal Welfare General Update

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Background to Animal Welfare (Licensing of Activities Involving Animals)

- DEFRA introduced the new Regulations in October 2018. There was not much lead in and consequently there was some disruption around the licensing processes and awareness of the changes from business owners.
- The Regulations came with some complex statutory Guidance meant to help set out what good welfare looks like. In drafting the legislation, it was recognised that, until put into practise, there were likely to be some areas where interpretation would differ and where more clarity would be required.
- Consequently DEFRA have given the opportunity now to consult with key stakeholders, identify any problem areas and amend the Guidance.
- The LGA has helped us reach out to inspectors and we have also contacted any inspectors on our database. Nonetheless today provides a good opportunity to gather feedback from you directly.

Some of the key issues which have arisen include:

- Lack of clarity over healthplans.
- Confusion over sizing of kennels, cat units, outside space for day care and rooms used for home boarding.
- Issues interpreting the businesscase particularly around the £1,000
- Complexity of dealing with franchisees – e.g Barking Mad model
- General confusion over applying the higher standards and ensuring good businesses are able to obtain a 4 or 5 star rating and are not prevented from doing so by some small measure.

Suggested Amendments (not yet agreed by DEFRA):

- 1.** Clarification over kennel sizes for Dog Breeding and Dog Boarding. Additionally, a tolerance of 5% has been added in the size of kennels/catteries built prior to the introduction of the Regulations.
- 2.** There is an ongoing debate soon to be finalised about the size requirement for indoor space for predominantly outdoor based Day Care operations. An easy to follow flow chart for inspectors has been designed.
- 3.** For Day Care we have tried to close the loophole under the scope that has led to dog walkers, groomers and trainers/behaviourists keeping a dog all day but stating that it is not day care as the primary business is that of the grooming or training.
- 4.** For Home Boarding, a contract with a service provider would be included under scope and we have updated the Franchisee guidance.
- 5.** Premises must be at a fixed location designed for the sole use of a Day Care business to prevent the use of vehicles or public land used to keep the dogs.

- 6.** As a higher standard in Home Boarding hallways, bathways and partitioned rooms would not be used.
- 7.** The higher standards preventing the dogs ever being left alone in Home Boarding has been made optional.
- 8.** Dogs from the same household can be kept together in Home Boarding but all dogs must have their own designated room to enable some sort of number level to be established under the licence.
- 9.** Changes have been made to time spent walking and exercising dogs in all activities to ensure staff numbers can meet the needs to acquire a higher standards.
- 10.** Having a member of staff on site at all times has been changed to an optional higher standard in all activities.
- 11.** In all activities, outside of working hours checks can be done by use of CCTV except when puppies are present.
- 12.** Cat unit sizing needing to be 1.5x larger to obtain a higher standard has been changed to optional.

What Next

If DEFRA agree all of the amendments, the Guidance will be re-issued. DEFRA do not want to see major amendments that affect the training and general understanding of inspectors and we are aware we cannot fiddle around with the Guidance endlessly as it creates an unfair situation for inspectors and applicants. There will be a Big Tent meeting in March with key stakeholders to agree the changes so that we can be sure we have also engaged with business representatives.

Third Party Ban

This comes into force in April 2020 and was added to the licensing regulations last year. It will be accompanied by a public campaign from DEFRA to educate the public on how to avoid illegal sellers. There are implications for local authorities and real issues with enforcement. Puppy trading is very lucrative business and there is evidence of high level criminal activity.

Additional pieces of guidance to help:

● Fee Setting Guidance

A group of local authority inspectors put together a piece of non statutory guidance on fee setting which may be useful for officers in determining costs. Local government must be able to make this as cost neutral as possible and there will be variation between authorities on how this is done but it is also important to get consistency to avoid the situation where a breeder in one borough pays one figure whilst in the neighbouring authority another breeder pays a much higher amount making them feel the system is unfair. It is also important that local authorities do completely cover their costs and have the financial means to cover training and skill development within their teams.

Franchisee Guidance

● DEFRA put together a very short guidance document on how to deal with franchisees and host families. That documents sets out how franchisees must give information to local authorities on host families and how the star rating is applied to this model.

Additional Activities

There is a view from welfare groups that the licensing should extend to cover other activities in the future such as dog walkers, trainers, behaviourists and pet groomers.

DEFRA will review the Regulations in 2023 and welfare groups would like to push for those activities to be added at that point although there has been no indication that will happen.

Best Practice Guidance:

With the idea of future activities being included under licensing as well as understanding problems can arise in unregulated areas and the public often turn to the council for support, CFSG members have developed some guidance to establish standards for dogo walkers, cat and dog groomers so far:



Dog Walker Best Practice Guidance

Groomers Best Practice Guidance





Recognising that more responsibility has been put onto local government for animal welfare and that some of the new legislation can be confusing, a new group has been formed called the Local Government Animal Welfare Group.

<https://localgovernmentanimalwelfare.org/>

On the website you will find all of the up to date legislation and guidance alongside other helpful documents. They are also FAQs to help inspectors and businesses with any parts of the licensing guidance which may be unclear as well as sharing best practice examples.

The Local Government Animal Welfare Group is chaired by Rob Quest at City of London but all local authority officers can join and ask for updates and useful information to be sent to them .

Any questions?