

## LICENSING COMMITTEE

THURSDAY 19 NOVEMBER 2015

7.00 PM

Bourges/Viersen Rooms - Town Hall

### AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

3. Minutes of the Meeting Held on:

3.1 3 September 2015 3 - 6

3.2 Minutes of the Sub-Committee Hearings Held Between August 2015 and October 2015 7 - 8

i) 16/10/15 – 3 Langford Buildings, Alexandra Road (New Premise Licence)

4. Statement of Licensing Policy - Licensing Act 2003 9 - 80

5. Statement of Principles - Gambling Act 2005 81 - 122

6. Taxi Fees 123 - 128

7. New Model Licence Conditions for Dog Breeding Establishments 129 - 194

8. New Model Licence Conditions for Licensed Pet Shops 195 - 250

9. New Model Licence Conditions for Cat Boarding Establishments 251 - 308

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

Committee Members:

Councillors: P Thacker (Chairman), P Hiller (Vice Chairman), Coles, A Iqbal, G Nawaz, S Martin, N Shabbir, A Miners, R Herdman and Davidson

Substitutes: Councillors: G Casey, M Jamil, B Saltmarsh, F Fox and A Shaheed

Further information about this meeting can be obtained from Philippa Turvey on telephone 01733 452460 or by email – [philippa.turvey@peterborough.gov.uk](mailto:philippa.turvey@peterborough.gov.uk)

**MINUTES OF A MEETING OF THE LICENSING COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 3 SEPTEMBER 2015**

**Members Present:** Councillors Thacker (Chair), Hiller (Vice-Chair), Coles, Iqbal, Martin, Herdman, Jamil, Sharp and Sandford

**Officers Present:** Ian Robinson, Regulatory Officer  
Colin Miles, Litigation Lawyer  
Pippa Turvey, Senior Democratic Services Officer  
Dania Castagliuolo, Democratic Services Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillor Nawaz, Shabbir, Miners and Davidson. Councillors Jamil, Sharp and Sandford were in attendance as substitutes.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Minutes of the Meeting Held on:**

**3.1 18 June 2015**

The minutes of the meeting held on 18 June 2015 were approved as a true and accurate record.

**3.2 Minutes of the Sub-Committee Hearings Held Between June 2015 and July 2015**

The following minutes of the Sub-Committee hearings held between June 2015 and July 2015 were approved as true and accurate records:

- i) 11/06/15 – Madina Kebab, 2 – 65 Gladstone Street (Review) and Nectar, 1 – 2 Central Square (New Premises)
- ii) 09/07/15 – Baltia, 148 – 150 Huntly Grove (Review)

**4. Field Walk Appeal**

The Regulatory Officer addressed the Committee and advised that the appeal was from Ms Sultan, the Applicant, against the refusal to grant a street trading consent. The appeal was for the Committee to reverse the decision of the Licensing Authority not to grant a street trading consent at 5 Field Walk, Peterborough.

The report detailed the background to the appeal and the completed application for a grant of a street trading consent was attached at Appendix A. Ms Sultan had applied for the hours of 6.00am to 11:00pm, on Sundays only.

The appeal letter received from Ms Sultan was attached at Appendix C to the committee report. Ms Sultan stated that she believed the decision not to grant the street trading consent was unfair and the reasons for refusal provided were

unsubstantiated. Letters of support and a petition in favour of Ms Sultan and a fellow trader were attached to the committee report at Appendix C.

The Regulatory Officer requested that the decision of the Licensing Authority be upheld. Following questions it was clarified that:

- Although there was a takeaway business on the same street, this was not on a residential premises.
- It had been necessary to divert resources to the area in order to deal with highway and congestion issues.
- A resident had complained in relation to the noise of this particular stall being set up in the morning.
- Other potential sites for the stall had been suggested to the Applicant, including a number of other car boot and market locations.
- The selling of food goods required registration. Market Stall locations were covered by separate legislation.
- The Regulatory Officer Confirmed that no application for planning permission for the site had been made.

The Applicant addressed the Committee and responded to questions from Members. The main issues in respect of her appeal were highlighted, these included:

- Ms Sultan had contacted the Licensing Team regarding her stall and had been advised to 'see how it goes'.
- Ms Sultan claimed advice was received stating that she could trade for up to four weeks in a year without making an application.
- After discussing the matter with the Planning Services it was established that a planning application would cost over £300. Ms Sultan explained that she had been advised by Donna Hall to instead submit a 'pre-app' application, at a lesser cost. Ms Sultan did so and continued to trade. The application was subsequently refused.
- Ms Sultan was made aware that Tony D'Alessio had made a complaint in relation to her stall. The Applicant believed that Mr D'Alessio was inciting the current action against her.
- Ms Sultan recounted a visit by a Traffic Warden in which she felt that she had been subject to rude and threatening behaviour.
- It was confirmed that officers of the Council did not advise Ms Sultan to keep on trading, nor did they advise her to cease her trade.
- In relation to the traffic concerns raised by officers, Ms Sultan explained that she stopped people parking by her stall and would not serve individuals until they moved. It was suggested that even without her stall traffic was an issue.

With the permission of the Committee, photos submitted by Ms Sultan were circulated showing traffic levels when her stall was inactive.

The Applicant called upon a witness, a resident at 1 Field Walk, who responded to questions from Members. The main issues highlighted were:

- The witness was not aware of any objections from other residents.
- It was believed that the main cause of disturbance in the area was the car boot sale.
- There was no organised ingress and egress from the car boot sale, which caused congestion on the surrounding roads.
- The sound of the car boot sale setting up began from 6:45am. It was not considered that the Applicant's stall added to the pre-existing disturbance.

The Regulatory Officer summed up the case for the Licensing Department and it was requested that the decision of the Local Authority be upheld. Following summing up

by the Applicant all parties and the press and public left the committee room while Members debated the application and made their decision.

**RESOLVED: (8 for, 1 against)**

The Committee agreed to uphold the refusal to grant a street trading consent.

**Reasons for the decision:**

1. It was not considered appropriate to grant street trading consent in that location as it was likely to add to traffic congestion and noise nuisance, and was likely to undermine the legitimate traders operating from the licensed Wellington car boot sale; and
2. The Committee was not willing to set a precedent of street trading consent in that area.

The Committee expressed a desire for officers to assist Ms Sultan in finding a legitimate location for her stall, where possible.

Chairman  
7.00pm – 8:41pm

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Meeting of the Licensing Act 2003 Sub-Committee  
 held at the Town Hall, Peterborough on Friday, 16 October 2015

**RECORD OF DECISION**

1. Apologies for Absence	There were no apologies for absence received.
2. Declarations of Interest	There were no declarations of interest.
3. Application	Application for a New Premises Licence – Take Away, 3 Langford Buildings, Alexandra Road, Peterborough, Cambridgeshire, PE1 3DA
3.1 Application Reference	071973
3.2 Sub-Committee Members	Councillor Hiller (Chairman) Councillor Davidson Councillor Herdman
3.3 Officers	Darren Dolby , Regulatory Officer – Licensing Colin Miles, Lawyer – Legal Advisor to the Sub-Committee Dania Castagliuolo, Democratic Services Officer – Clerk to the Sub-Committee Philippa Turvey, Senior Democratic Services Officer
3.4 Applicant	Mr Usman Ali
3.5 Nature of Application	<p><b><u>Application Type</u></b></p> <p>Application for a new premises licence</p> <ul style="list-style-type: none"> <li>• <b>Late Night Refreshment</b> Friday and Saturday 23.00 to 01.00</li> <li>• <b>Hours premises are open to the public</b> Sunday to Thursday 12.00 to 23.00 Friday and Saturday 12.00 to 01.00</li> </ul> <p><b><u>Summary of Review Application</u></b></p> <p>In accordance with the Licensing Act 2003, following the submission of an application for a new premises licence for a Take Away3 Langford Buildings, Alexandra Road, Peterborough, Cambridgeshire, PE1 3DA, which had attracted representations in objection to the application, the Licensing Authority was required to hold a hearing.</p> <p>A summary of the issues raised within the representations included:</p> <ul style="list-style-type: none"> <li>• Already Sufficient premises in the area where late night hot food can</li> </ul>

		<p>be purchased.</p> <ul style="list-style-type: none"> <li>• An increase in litter in the vicinity of the premises.</li> <li>• An increase in parking issues in the vicinity of the premises.</li> <li>• An increase of noise issues in the vicinity of the premises.</li> <li>• Concerns over cooking odours emanating from the premises.</li> <li>• An increase in anti-social behaviour in the area.</li> </ul>
3.6	Licensing Objective(s) under which representations were made	<ol style="list-style-type: none"> <li>1. The Prevention of Crime and Disorder</li> <li>2. The Protection of Children from Harm;</li> <li>3. The Prevention of Public Nuisance; and</li> <li>4. The Protection of Public Safety.</li> </ol>
3.7	Parties/Representatives and witnesses present	<p><b><u>Applicant / Responsible Authority</u></b></p> <p>The Regulator Officer, who presented the case on behalf of the Licensing Authority.</p>
3.9	Oral representations	<p>The Regulatory Officer addressed the Sub-Committee and advised that the application had been formally withdrawn as the applicant had decided to turn the premises in to a dessert parlour which did not require a licence to trade.</p>

Chairman  
 Start 10.00am – Finish  
 10.03am

<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 4</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor North, Cabinet Member for Communities and Environment Capital	
Contact Officer(s):	Terri Martin – Regulatory Officer - Licensing Peter Gell – Head of Regulatory Services Donna Hall – Public Protection Manager	Tel. 01733 453561 Tel. 01733 453419 Tel. 01733 453514

**STATEMENT OF LICENSING POLICY - LICENSING ACT 2003**

<b>R E C O M M E N D A T I O N S</b>
Members are asked to:
<ol style="list-style-type: none"> <li>1. Note the contents of the report and responses received to the consultation;</li> <li>2. Determine if the current Cumulative Impact Area covering 'Op-Can-Do' should be retained;</li> <li>3. Determine if sufficient evidence is available to implement a Cumulative Impact Area in East Ward; and</li> <li>4. To recommend adoption of the final Statement of Licensing Policy (Appendix F) to Council on 17 December 2015.</li> </ol>

**1. ORIGIN OF REPORT**

1.1 This report is as a result of the consultation carried out (between 6 July and 13 September 2015), on the councils Statement of Licensing Policy as recommended by the Licensing Committee on 18 June 2015 agenda item 7.

**2. PURPOSE AND REASON FOR REPORT**

2.1 To consider and note the contents of the report including the representations and evidence received following the public consultation of the review of the councils Statement of Licensing Policy.

2.2 The Licensing Committee under its Terms of Reference No. 2.4.1.1, recommends adoption to council on 17 December 2015, for it to consider under its Terms of Reference Part 3 Section 1.1.4 (I).

**3. TIMESCALE**

Is this a Major Policy?	<b>YES</b>	Date for Council meeting	<b>17 December 2015</b>
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**4. BACKGROUND**

4.1 Under Section 5 of the Licensing Act 2003 (The Act), it is a requirement for each council to produce adopt and publish a statement of licensing policy. The policy will govern the way decisions are made by the council and how it will administer it's duties under the Act. Without a policy the council may be subject to Judicial Review for failing in its responsibilities to carry out a statutory duty.

- 4.2 The Act requires that the policy is kept under continual review to incorporate where necessary, any changes to legislation and or guidance as appropriate. In addition to this, the Act specifies that the policy must be reviewed every five years.
- 4.3 **General background – current licences**  
Within Peterborough there are approximately 615 premises licensed under the Licensing Act 2003. Of these 615 there are approximately:  
97 with a premises licence authorising consumption on the premises  
183 with a premises licence authorising consumption off the premises  
199 with a premises licence authorising consumption on and off the premises  
136 where alcohol is not sold.

## 5. CONSULTATION

- 5.1 The most recent reviewed policy expires on 06 January 2016, therefore the policy was reviewed and updated with legislative amendments, and a consultation was carried out between 6 July and 13 September 2015, with those identified under section 5 (3) of the Act. Those being:
- the chief officer of police for the area
  - the fire authority for the area
  - the Director of Public Health
  - representatives of holders of premises licenses
  - representatives of holders of club premises certificates
  - representatives of holders of personal licences
  - representatives of businesses and residents
- 5.2 For information purposes a list of consultees is attached at **Appendix A**
- 5.3 The consultation document was also made available on the councils website, main council buildings, central library and was also advertised in the local newspaper on 2 July 2015, and is attached at **Appendix B**.

### Responses to the Consultation

- 5.4 A total of eight responses were received during the consultation, as well as data from Public Health regarding alcohol specific hospital admissions and a Cumulative Impact Assessment Review report from the Communities Intelligence Hub.
- 5.5 Public Health have submitted data showing alcohol specific hospital admissions statistics for 2013/2014 and 2014/2015. The data shows statistics by practice name and comparison by year and average. This report data is attached at **Appendix C**
- 5.6 The Communities and Targeted Services Intelligence Hub have provided a Cumulative Impact Assessment review. This report provides an overview of licensed premises in Peterborough, information on the existing cumulative impact area in Op-Can-Do, the number of alcohol licensed premises by ward and an overview of alcohol related incidents and crimes broken down by ward areas. This report is attached at **Appendix D**
- 5.7 The consultation responses in full can be made available to committee members should they wish to view them. However, a summary of the comments received from the responses to the consultation with officer comments is attached at **Appendix E**
- 5.8 The policy has been revised with the proposed legislative updates as detailed in the consultation incorporated. Any changes made following responses received, are briefly detailed in the summary sheet and noted on the final revised draft which is attached at **Appendix F**.
- 5.9 A combined response was received from Dr Robin (Director of Public Health), Wendi Ogle-Welbourn (Director of People and Communities) Kate Parker (Public Health) and Cllr Lamb. Within the joint response, proposed amendments to the draft policy were made

(see appendix E). Agreed revisions have been made to the final draft policy (attached at appendix F).

- 5.10 Members will note that four of the eight responses request for a cumulative impact policy in the Eastfield area. It is for members to determine if sufficient evidence exists to support this proposal.

#### **Eastfield - Evidence, information and data available for consideration**

- 5.11 East ward is approximately the same size as Dogsthorpe, Park, Central and North Wards combined. The ward incorporates Parnwell, Eastfield, Fengate, Flag Fen and Oxney Road Industrial Estate, therefore not as densely populated as the other wards. In the whole of East Ward there are currently 45 licensed premises, 39 of which sell alcohol. (In comparison there are 73 licensed premises in the existing CI area of Op-Can-Do of which 57 are licensed to sell alcohol). The highest concentration of licensed premises in one area is on Eastfield Road, where East Ward joins boundaries with Park and Central Ward, see **Appendix G**.
- 5.12 Within this area (of approximately 900 meters) there are eleven licensed premises, consisting of two on licences, five off licences, two on and off sales, and two where alcohol is not sold. See map at **Appendix H**.
- 5.13 The licensing database shows that there were twelve complaints regarding East Ward from 1/1/10 to 31/12/12, and eight complaints received from 1/1/13 to 19/10/15, an average of 3 per year.
- 5.14 The Public Health data shows that there are three main Doctor practices utilised by the population of East Ward. Of these three practices, one (North Street located in Central Ward) shows a higher than average rate of alcohol specific hospital admissions whilst the other two (Minster and Parnwell) have significantly low admission rates for 2014/2015.
- 5.15 The Cumulative Impact Assessment review document shows East Ward has the second highest number of alcohol licensed premises at 42. (The highest is Central ward with 139 alcohol licensed premises). It is the third highest (317) for alcohol related incidents in 2014 by Ward, but is on the decline over previous years, (overall change minus 42). (The first highest is Central (city centre) at 697 incidents and the second highest is Central North with 364 alcohol related incidents).
- 5.16 East Ward has received eleven new applications between 1/1/12 to 19/10/15. Of these eleven, ten applications were granted as no representations were received, and one was refused at committee (Express Booze Market, Star Road). Of the ten granted, six were new premises licensed (one LNR only, three off sales, one on and off sales, one hotel for on sales), one has now lapsed as the company was dissolved, three were for premises / areas previously licensed.
- 5.17 Eastfield Road has received two applications between 1/1/12 and 19/10/15, both for the same premises, 44 Eastfield Road. The first application was rejected as it was not advertised in accordance with the regulations and the second was withdrawn at committee.
- 5.18 **Safer Peterborough Partnership Comment**  
Safer Peterborough Partnership are working within the area of Eastfield Road and are actively enforcing the Designated Public Protection Order (DPPO) that is in place in this area which includes Stanley Recreation Ground. A CI policy is used to control the number and types of licensed premises which are opened and already operating within a distinct area and in this case the number and type of premises in operation selling alcohol in the lower Eastfield Road is not sufficient enough to warrant the introduction or extension of a CI at this current time. The number of licensed premises in this area is unlikely to increase as there are no suitable premises to start operating from and the planning and licensing processes in place will be sufficient to control this should anybody make any applications. We are continuing to support community leaders and residents in helping to reduce alcohol

related crime and ASB to improve the quality of life for those living, working and visiting this area of the city. A map of the current DPPO in Eastfield area is **attached at Appendix I**

#### 5.19 **Officer Comment**

The Licensing Act 2003 provides a framework which encourages community involvement in licensing decisions by allowing local residents the opportunity to have their say regarding licensing applications which affect them. Of the eleven applications received in East Ward, ten were granted as no representations were received. It could be inferred that the general community in this area are in support of businesses which provide greater choice and flexibility to residents.

A cumulative impact policy can be adopted if sufficient evidence is available to substantiate that a significant number of licensed premises concentrated in an area (saturation) is having a negative impact on the promotion of the four objectives.

The only area which shows a concentration of licensed premises is Eastfield Road (Town end) having eleven licensed premises in approximately 900 meters.

To ensure that the council's CI policy is sufficiently robust to withstand scrutiny (when subjected to challenge and appeal), it must be evidence based. With the data and statistics available, it is officers opinion that the evidence is not compelling in favour of adopting a CI in East ward or Eastfield Road. Due to the makeup of premises in the locality it is not expected that there will be an increase in density.

Eastfield Road is one of the pedestrian arterial routes out of the city centre, once away from licensed premises, a minority of consumers will behave badly and unlawfully. Other mechanisms (other than the licensing regime), are better placed at addressing these issues, such as; enforcement of the existing DPPO, consider additional restrictions and introduce a PSPO (Public Spaces Protection Order), police enforcement of general law concerning disorder and ASB etc. For further examples please see section 11.16 of the revised statement of licensing policy (Attached at **Appendix F**).

#### **Op-Can-Do Area - Evidence, information and data available for consideration**

5.20 The Licensing Authority adopted a CI policy in Op-Can-Do in April 2013. The Act requires the policy to be reviewed regularly to assess whether it is needed any longer. It is for members to determine if sufficient evidence exists to retain the current cumulative impact policy in the area known as Op-Can-Do.

5.21 One consultation response from a residents group (MANERP) has requested that the current policy be retained. They state; *'that the 'Can-Do initiative has been robust but it still hasn't achieved the goals that it and its partners need to achieve. The Millfield and New England area alone has a phenomenal number of outlets selling alcohol (around the seventy plus mark) which has contributed significantly to anti-social behaviour in the area. The CIP will still prevent the proliferation of alcohol outlets in an already oversaturated inner city area of Peterborough.'*

The Public Health data provides evidence of ongoing alcohol related problems in the Lincoln Road area. Lincoln Road surgery has the highest rate of alcohol specific hospital admissions, which has increased by 43.8% between 2013/14 and 2014/15 (increase from 96 to 138).

The CI assessment review acknowledges that the Op-Can-Do area has a poorer quality of life, with multiple indices of deprivation. The area has 57 premises authorised to sell alcohol and another 16 licensed without alcohol, totalling 73 licensed premises in this area. The document shows that the area is still affected by alcohol related incidents and there is a clear relationship between locations of clusters of licensed premises and incident hotspots, but cannot attribute incidents to any particular premises. It notes a reduction in alcohol related incidents overall, however the amount of crime linked to alcohol remains at a level of consistency emanating from the current CI area, with a slightly higher rate of alcohol related violent crime in the area. NICE (National Institute for Health and Clinical Excellence) have concluded that reducing the number of outlets selling alcohol was an effective way to reduce alcohol- related harm.

#### 5.22 **Officer Comment**

The CI assessment review provides information on applications up to December 2014, since then to date, there have been six applications in the CI area. Of these;

- One was granted by committee with imposed conditions and reduced hours (Rylas 489a Lincoln Road – April 2015)
- Two were granted following mediation with responsible authorities and regulatory officers, resulting in a resubmitted application with reduced hours and strict conditions (Efes 583 Lincoln Road - February 2015 and Shepherds Inn 10a Park Road - August 2015)
- One was rejected as it failed to meet the regulations regarding advertising the application (Tratona 24 Park Road - March 2015)
- One was withdrawn after receiving representations from residents (Take-Away 3 Langford Buildings - October 2015)
- One is yet to be determined (a resubmission for Tratona 24 Park Road)

The current CI policy in the Op-Can-Do area has only been in effect since April 2013. The Op-Can-Do initiative is a 10+ year programme aimed to develop, enable, implement, evidence and measure a transformational, whole-systems approach to improve the quality of life, outcomes and outlook of people living and working in the area. The area is still considered saturated (with 73 licensed premises), which is having a negative impact on the licensing objectives that cannot be attributed to individual premises. Having reviewed the data contained in the public health report and evidence provided in the CI assessment review and responses received during consultation, officers recommend retaining the current cumulative impact policy. This allows for a higher level of scrutiny by way of a committee hearing where representations to applications are made, to ensure premises do not further negatively impact on residents in the area. The result of which has led to ensuring only appropriate licences being granted, with effective conditions attached which promote the licensing objectives.

## **6. ANTICIPATED OUTCOMES**

- 6.1 Recommendation to council to adopt the revised Statement of Licensing Policy as attached at Appendix F when it meets on 17 December 2015

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 To comply with the statutory requirements regarding amendments to the statement of licensing policy.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 Retain the existing policy which expires January 2016 and be in breach of statutory requirements.

## **9. IMPLICATIONS**

### **9.1 Corporate Resources**

Legal Services will be required to provide legal representation in the event of any appeals to the Magistrates Court against decisions of the council, prosecutions being instigated or enforcement action being undertaken by the Authority.

### **9.2 Cross Service Implications**

The Licensing Act 2003 is far reaching and affects a number of different departments and as such a close working relationship will continue to be developed to ensure delivery of The Licensing Act 2003.

### **9.3 Community Implications**

The Licensing Act 2003 and the Guidance issued under s.182 have a significant impact on the community both in terms of its protection and the furtherance of the provisions of entertainment and economic growth.

### **9.4 Resources**

The Authority will continue to review the resources necessary to ensure the delivery of this statutory responsibility.

**10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Licensing Act 2003

Revised Guidance issued under Section 182 – March 2015

LGA Best Practice Framework for the review of Licensing Policy Statements Oct 2012

**List of persons/bodies consulted**

All responsible Authorities  
Ward and Parish Councillors  
Police and Crime Commissioner  
Community Associations  
Residents Associations  
Portman Group  
Institute of Licensing  
Both local MP's  
ACRE (Action with communities in Rural England)  
Association of Licensed Multiple Retailers  
British Beer and Pub Association  
Drink Aware  
Drink Sense  
The Peterborough City Safe Partnership  
Peterborough Chamber of Commerce  
Association of Town and City Management

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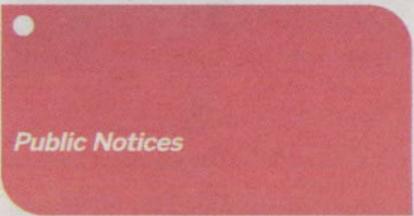
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## Public Notices

**highways england**

**ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14(1)(A) THE A1 TRUNK ROAD (TINWELL TO WOTHORPE) (SLIP ROADS) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2015**

NOTICE IS HEREBY GIVEN that Highways England Company Limited (Company No. 9346363) has made an Order on the A1 Trunk Road, between Tinwell and Wothorpe in the County of Rutland and the City of Peterborough, to allow surveying works to be carried out.

The effect of the Order will be to close -  
(1) the slip roads leading to and from the southbound carriageway of the A1, to and from the A6121 Tinwell Road, at Tinwell; and  
(2) the slip road leading from the southbound carriageway of the A1 to the A43 Kettering Road, at Wothorpe.

The work will be carried out overnight between 20:00 hours and 06:00 hours and is expected to start on Monday 6 July 2015 and continue for four nights. The Order will come into force on Friday 3 July 2015.

Vehicles being used by the emergency services and vehicles being used in connection with the works will be exempt from the closure.

Diversion routes via alternative junctions of the A1 and via the B1081 will be signed.

For more information, please contact Victor Lotsu, a Project Manager on behalf of Highways England Company Limited, on 01623 886 672.

Karen Eustace, an officer in Highways England Company Limited.

Highways England Company Limited  
(Company no.9346363) registered office:  
Bridge House, Walnut Tree Close, Guildford, GU1 4LZ.  
A Company registered in England and Wales.

**GOODS VEHICLE OPERATOR'S LICENCE**

BISON TRANSPORT of Unit 8 Flag Business Exchange, Vicarage Farm Road, Peterborough, PE1 5TX is applying to change an existing licence as follows: to keep an extra 4 goods vehicles and 0 trailers at the operating centre at Milk & Water Drive, Ramsey Road, Farcefen, Pondersbridge, Peterborough, PE7 3DR. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF stating their reasons within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

**PETERBOROUGH CITY COUNCIL**

Applications requiring advertising Listed Building Application(s):  
Ref: 15/00916/LBC Ufford Glazing to colonnade, reinstatement of doorway into Garden Cottage and minor internal alterations Ufford Hall Main Street Ufford Stamford PE9 3BH • Ref: 15/00909/FUL Peterborough Replacement of two external ATM's, one of which will have disabled access and replacement of internal ATM's 3 Cathedral Square Peterborough PE1 1XL • Ref: 15/00910/LBC Peterborough Replacement of two external ATM's, one of which will have disabled access and replacement of internal ATM's 3 Cathedral Square Peterborough PE1 1XL • Ref: 15/00902/HHFUL Wansford Removal of existing garage, 2 storey side extension and single storey rear extension 17 Old Leicester Road Wansford Peterborough PE8 6JR • Ref: 15/00909/FUL Peterborough Replacement of two external ATM's, one of which will have disabled access and replacement of internal ATM's 3 Cathedral Square Peterborough PE1 1XL • Ref: 15/00895/FUL Glington Demolition of modern barn attached to old building and conversion of existing barns from approved commercial use to 5 residential dwellings Scotts Farm Welmore Road Glington Peterborough • Ref: 15/01001/ADV Peterborough 2 x illuminated free-standing signs The Peterborough School Thorpe Road Peterborough PE3 6AP • Ref: 15/00895/FUL Glington Demolition of modern barn attached to old building and conversion of existing barns from approved commercial use to 5 residential dwellings Scotts Farm Welmore Road Glington Peterborough • Ref: 15/00935/DISCHG Peterborough The discharge of conditions attached to the original planning permission, including the following pre-commencement conditions: C7 (temporary construction details), C20 (external lighting), C23 (hard and soft landscaping) and C30 (ecology) relating to Phase 3ABC and conditions C21 (fire hydrants) and C30 (ecology) relating to Phase 3D at Land To The South Of Oakdale Avenue Stanground Peterborough - The Environmental Statement relevant to this application was submitted as part of outline planning permission 03/008642/OUT • Ref: 15/00996/DISCHG Thorney The discharge of conditions attached to the original planning permission, including the following pre-commencement conditions: C10 (archaeology) at Land Near Nuts Grove Farm Scolding Drove Thorney Peterborough • The Environmental Statement relevant to this application was submitted as part of outline planning permission 13/01688/FUL

**Major Development:**  
Ref: 15/00915/WCPP Peterborough Variation of Condition C1 of planning permission 09/01329/WCPP - Variation of C5 of Planning Permission P1527/88 to extend the range of goods able to be sold from Unit 1 - Unit 1 Boongate Peterborough PE1 5UW • Development likely to create wider concern: Ref: 15/00915/WCPP Peterborough Variation of Condition C1 of planning permission 09/01329/WCPP - Variation of C5 of Planning Permission P1527/88 to extend the range of goods able to be sold from Unit 1 - Unit 1 Boongate Peterborough PE1 5UW • The applications may be inspected online at [www.peterborough.gov.uk/publicaccess](http://www.peterborough.gov.uk/publicaccess) including the internet terminals in public libraries and online at the Customer Service Centre at Bayard Place, Broadway (opening times are 9am-5pm Monday/Tuesday/Thursday/Friday and 11am-5pm on Wednesday - excluding Bank Holidays). Comments should be submitted to the Director of Growth and Regeneration no later than 21 days from publication date - please see the Council's website [www.peterborough.gov.uk/representations](http://www.peterborough.gov.uk/representations) on how to comment.

**LINCOLNSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**TEMPORARY RESTRICTION TO TRAFFIC (DEEPING ST JAMES/MARKET DEEPING - VARIOUS ROADS)**

NOTICE IS HEREBY GIVEN that LINCOLNSHIRE COUNTY COUNCIL has made an Order on various roads owing to the holding of The Deepings Carnival.

The effect of the Order will be to impose the temporary traffic restrictions as detailed in the Schedule.

The Order will be operative on 12 July 2015 and apply at all times when traffic signs are displayed. Diversion routes for affected traffic shall be signposted.

**R A WILLS, EXECUTIVE DIRECTOR (ENVIRONMENT & ECONOMY)**

### SCHEDULE

**Temporary Road Closure Restriction**

Linchfield Road  
Thackers Way  
Meadow Road  
Lady Margarets Avenue  
Godsey Lane

**Cheap Motor Insurance**  
0800 479 3396  
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**PETERBOROUGH CITY COUNCIL**

**AUDIT OF ACCOUNTS YEAR ENDED 31 MARCH 2015**

Audit Commission Act 1998, sections 15 - 16  
Accounts and Audit (England) Regulations 2011  
Regulations 9, 10, 21, 22 & 24

The Council's accounts are subject to external audit by Mr J Rickett of PricewaterhouseCoopers LLP, Abacus House, Castle Park, Cambridge CB3 0AN. Members of the public and local government electors have certain rights in the audit process:

1. From 17 July 2015 to 14 August 2015 (Mondays to Fridays between 10am and 5pm) any person may inspect the accounts of the Council for the year ended 31 March 2015 and certain related documents (comprising books, deeds, contracts, bills, vouchers and receipts) at the address given below. They may also make copies of the accounts and documents. Interested persons should call the Corporate Finance Team (Telephone 01733 863936) to indicate areas of interest for inspection. This will ensure that all records are readily accessible to interested parties and suitable Officer support available for explanations if required.
2. Our external auditor above has designated 10am on Monday 24 August 2015 as the appointed date on or after which a local government elector for the area of the Peterborough, or his/her representative, may ask the auditor questions about the accounts. Please contact the auditor at the address given above to make arrangements to ask any questions.
3. From 10 am on 24 August 2015 until the conclusion of the audit process, a local government elector for the area of Peterborough, or his/her representative, may object to the Council's accounts asking that the auditor issue a report in the public interest (under section 8 of the Audit Commission Act 1998) and/or apply to the court for a declaration that an item in the accounts is contrary to law (under section 17 of the Audit Commission Act 1998). Written notice of a proposed objection and the grounds on which it is made must be sent to the auditor at the address given above and copied to me at the address given below.

Dated: 2 July 2015

John Harrison  
Corporate Director: Resources

Peterborough City Council  
Town Hall  
Bridge Street  
Peterborough  
PE1 1QT

**The City of Peterborough**

**White Post Road North**

**(Temporary Prohibition of Through Traffic)**

Order 2015

NOTICE is given that the Council of the City of Peterborough intends in not less than seven days to make an Order pursuant to section 14 of the Road Traffic Regulations Act 1984, the effect of which is to stop any vehicle from proceeding along the road known as White Post Road North, junction of Thorney Road.

The Council is satisfied that traffic should be prohibited due to works being proposed to be executed on the above road. The alternative route for vehicles affected by this order is via Thorney Road, Peterborough Road, Middle Road, White Post Road North and vice versa.

The proposed Order will come into operation on the 13 July 2015 and will continue until the culvert replacement works have been completed or until the 12 July 2016, whichever is the earlier.

It is anticipated that the works will take place between the 13 July 2015 and the 21 August 2015.

A copy of the Order can be inspected at the following locations:

Town Hall, Bridge Street, Peterborough during normal office hours.  
Destination Centre, Bridge Street Peterborough or Central Library, Broadway, Peterborough during normal opening times.

For further information please contact Stuart Walkin on 01733 453433.

Simon Machen  
Director of Growth and Regeneration  
Peterborough City Council

Town Hall  
Bridge Street  
Peterborough  
PE1 5DD  
16/018 02/07/2015

**The City of Peterborough**

**King Street**

**(Temporary Prohibition of Through Traffic)**

Order 2015

NOTICE is given that the Council of the City of Peterborough has made an Order pursuant to section 14 of the Road Traffic Regulations Act 1984, the effect of which is to:

- Prohibit motorised traffic from travelling along King Street, Maxey in a northerly direction between its junctions with the B1443 and High Street, Maxey
- Introduce a 40mph speed restriction over the above length of King Street

The diversion route is via King Street, West Street, Maxey Road and High Street

The Council is satisfied that traffic should be prohibited to ensure the safety of vehicles using the Lolham Level Crossing.

The proposed Order will come into operation on the 6 July 2015 and will continue until the 5 July 2016.

A copy of the Order can be inspected at the following locations:

Town Hall, Bridge Street, Peterborough during normal office hours.  
Destination Centre, Bridge Street Peterborough or Central Library, Broadway, Peterborough during normal opening times.

For further information please contact Peter Tebb on 01733 453519.

Simon Machen  
Director of Growth and Regeneration  
Peterborough City Council

Town Hall  
Bridge Street  
Peterborough  
PE1 5DD  
16/016 02/07/2015

**NOTICE OF REVIEW OF PETERBOROUGH CITY COUNCIL'S LICENSING ACT 2003 STATEMENT OF LICENSING POLICY**

NOTICE is hereby given that Peterborough City Council, in accordance with the Licensing Act 2003 (the Act) and Home Office guidance issued under section 182 of the Act, is currently reviewing its Statement of Licensing Policy that sets out how the Council administers its functions under the Act.

We are undertaking a 10 week public consultation on the above between 06 July and 13 September 2015. We welcome any comments that you may have. A copy of the draft policy can be viewed/downloaded as follows: [www.peterborough.gov.uk](http://www.peterborough.gov.uk) under the consultation page. Alternatively a copy can be viewed at any of the Council's main offices during office hours.

Any person wishing to comment on the proposed policy may do so in writing to: The Licensing Consultation Officer, Peterborough City Council, Bayard Place, Broadway, Peterborough, PE1 1FD or email to [lpc@peterborough.gov.uk](mailto:lpc@peterborough.gov.uk) responses must be received by 13 September 2015.

## JOBS

## GENERAL VACANCIES

### Vacancy Notice Mac Operators- Bourne



**The Role:**  
We have an exciting opportunity for experienced Mac Operators to be responsible for processing customer supplied design or artwork through to finished print component files, made to the required quality standards.

- The role will involve:**
- Taking customer supplied design or artwork briefs and processing to production-ready files for plate production or outside suppliers.
  - Acting in a supportive role for any stages of the preparation of design or artwork to production-ready files.
  - Completing all relevant documentation in accordance with ISO9001, PS9000, ISO14001, BRC and related procedures implemented at the site.
  - Completing all tasks to the Company's and manufacturing Quality standards and continuously improving Quality performance within the Originations Department.
  - Applying and checking compliance to Digital Artwork and Reprographic Specifications.
  - Ensuring job sheet instructions are accurately followed and processed to the required standards of Quality and production demands.

**The Candidate:**  
The successful candidate will understand the principles of colour reproduction and be able to demonstrate skills in the evaluation of design/artwork instructions. Proficiency in Adobe Creative Suite is essential together with the ability to operate design/production computer software in a print-manufacturing environment. Labels reprographic knowledge would be an advantage in the role but not essential.

The role will also provide the successful candidate with the opportunity to learn Esko and Artpro software.

Hours of Work: Monday to Friday weekly rotating shift pattern of 5:30am - 1pm & 1pm - 8:30pm

Please apply online: <http://www.multipkg.com/careers/>  
Closing Date: Friday 10th July 2015

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## ROY HAYWARD (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 15 Chestnut Close Glington Peterborough PE6 7LS, who died on 14/01/2015, are required to send particulars thereof in writing to the undersigned on or before 11/09/2015, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

**THE CO-OPERATIVE LEGAL SERVICES LIMITED**  
Aztec 680 Aztec West  
Almondhury Bristol BS32 4SD  
(Ref: HMC/3561539P/Hayward)  
T446085

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[classified@press.co.uk](mailto:classified@press.co.uk)

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**Turvey Philippa**

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**From:** O'Neill Ryan  
**Sent:** 07 October 2015 13:41  
**To:** Base Julian  
**Cc:** Gell Peter; Martin Terri; Hooke Ray  
**Subject:** RE: Alcohol specific admissions 2013/14 & 2014/15 - Borderline & Peterborough LCGs  
**Attachments:** Alcohol Specific Admissions 2013-14 - 2014-15 - Borderline & Peterborough LCGs - Consultation.docx

Dear all,

I've added some additional data to the attached document concentrating on the East ward, within which Eastfield is contained. There are three practices with a majority population registered within East; Minster, North Street and Parnwell. Of these, North Street (geographically located in Central ward but with majority registered population in East) has a statistically significantly high directly age-standardised alcohol-specific admissions rate for 2013/14 and 2014/15 (as shown in revised figure 1 of attached) and this practice is main contributor towards the three practices collectively being significantly high in comparison to Borderline & Peterborough for 2014/15 (figure 4 of attached). Minster and Parnwell actually have significantly low admission rates for 2014/15.

Please note that due to low numbers and in keeping with best practice in public health intelligence re: data redaction concerning very small numbers, all observed numbers of admissions have been now been rounded to the nearest 5 – rounded numbers will therefore not tally with grand totals for Borderline & Peterborough LCGs.

I am copying in my colleague Ray Hooke who may have access to other data regarding alcohol issues, related crime stats etc. within the specific Eastfield Area?

Many thanks

**Ryan O'Neill**  
**Advanced Public Health Analyst**

Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1HQ

Tel: 01733 207179  
 Email: [ryan.o'neill@peterborough.gov.uk](mailto:ryan.o'neill@peterborough.gov.uk)

---

**From:** Base Julian  
**Sent:** 07 October 2015 10:32  
**To:** O'Neill Ryan  
**Cc:** Gell Peter; Martin Terri  
**Subject:** Re: Alcohol specific admissions 2013/14 & 2014/15 - Borderline & Peterborough LCGs

Ryan

Can you please look at the data and respond to the points Terri raises below.

Regards

Julian

Julian Base  
Head of Health Strategy  
Public Health  
Peterborough City Council  
Town Hall, Bridge Street  
Peterborough  
PE1 1HQ

Email: [julian.base@peterborough.gov.uk](mailto:julian.base@peterborough.gov.uk)  
Telephone: 01733 207180  
Mobile: 07984647160

To find out more about Peterborough City Council please go to [www.peterborough.gov.uk](http://www.peterborough.gov.uk)

Please consider the environment before printing this email

On 7 Oct 2015, at 08:38, Martin Terri <[terri.martin@peterborough.gov.uk](mailto:terri.martin@peterborough.gov.uk)> wrote:

Julian,

Thank you for this information, it will assist members of the Licensing Committee to determine the final Statement of Licensing Policy.

Just for clarification, does any of the information you have supplied, evidence an alcohol problem in the Eastfield area? As you know, a CI has to be evidence based and consultation responses received are requesting an extension of the CI policy to cover this area. Can it be evidenced by any information you have?

Kind regards

Terri Martin  
Regulatory Officer (Licensing)  
Peterborough City Council  
Governance Directorate  
Town Hall  
Bridge Street  
Peterborough  
PE1 1QT

01733 453561

[terri.martin@peterborough.gov.uk](mailto:terri.martin@peterborough.gov.uk)

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Please consider the environment before printing this email

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**From:** Base Julian  
**Sent:** 05 October 2015 09:45  
**To:** Martin Terri  
**Cc:** O'Neill Ryan  
**Subject:** Alcohol specific admissions 2013/14 & 2014/15 - Borderline & Peterborough LCGs

Terri

Please find attached alcohol specific admission data submitted as part of the Statement of Licensing consultation.

The data provides evidence of ongoing alcohol related problems in the Lincoln Road area. The rate of directly age-standardised alcohol specific hospital admissions in 2014/15 from the Lincoln Road surgery patients for example is more than double the Peterborough rate and the highest in the Peterborough City Council area. Alcohol specific hospital admissions are those which can be clearly attributed to alcohol use. The health intelligence team have identified that observed number of admissions has increased for registered Lincoln Road Surgery population by 43.8% between 2013/14 and 2014/15 (increase from 96 to 138 admissions). In the same period, the registered population for Lincoln Road Surgery has actually fallen 0.8% from 10,761 to 10,674. Lincoln Road Surgery has the highest directly age-standardised rate of all practices for both 13/14 and 14/15 and is one of only three practices (the others being North Street Medical Practice and Westwood Clinic) to have a statistically significantly high rate for both 13/14 and 14/15 in comparison with the rate for Borderline & Peterborough LCGs combined.

Regards

Julian

Julian Base  
Head of Health Strategy  
Public Health  
Peterborough City Council  
Town Hall, Bridge Street  
Peterborough  
PE1 1HQ

Email: [julian.base@peterborough.gov.uk](mailto:julian.base@peterborough.gov.uk)

Telephone: 01733 207180

Mobile: 07984647160

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Please consider the environment before printing this email

Figure 1: Alcohol-specific Hospital Admissions, Directly Standardised Rate per 100,000 2013/14 – 2014/15

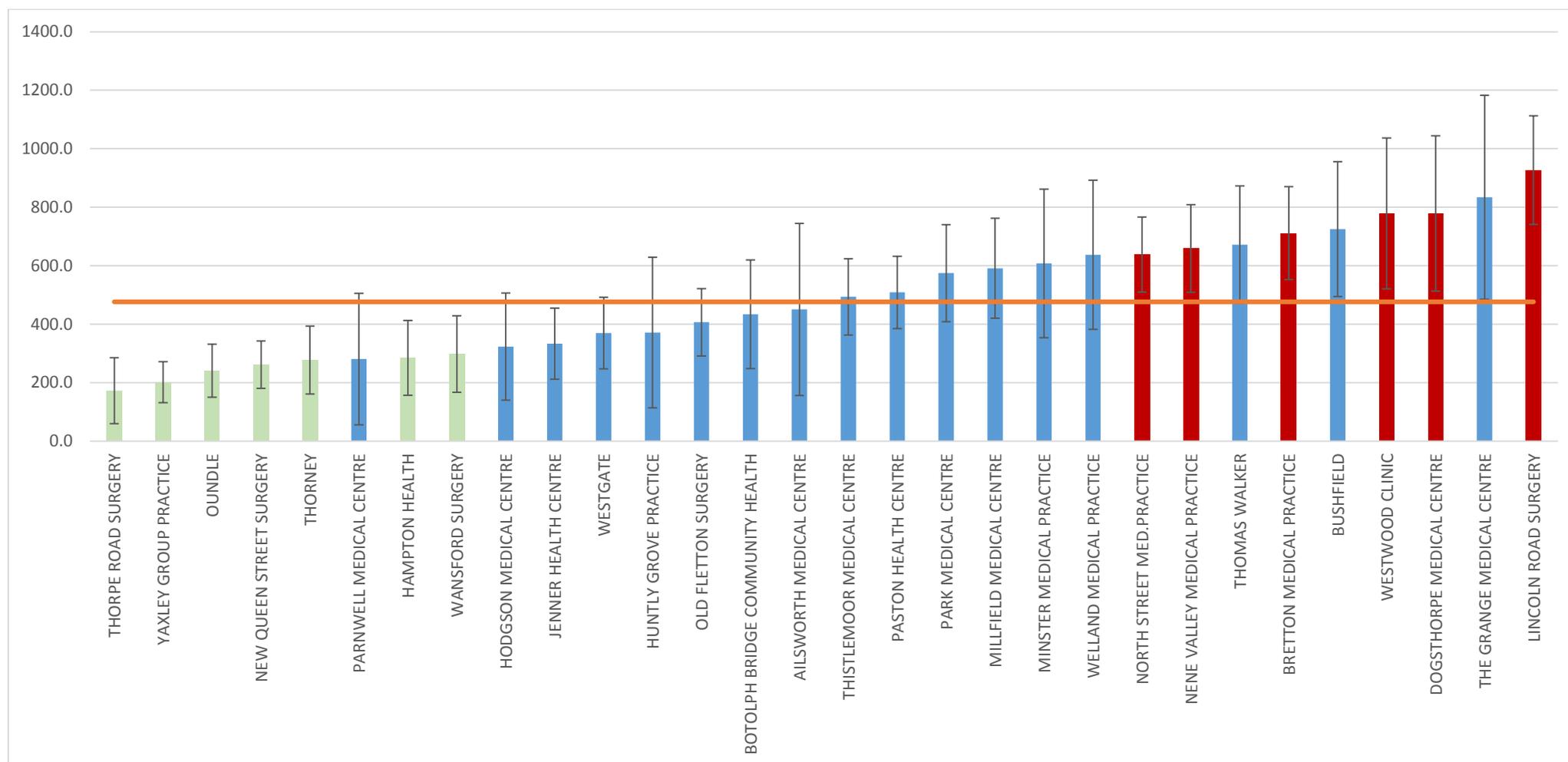
(Green = statistically significantly fewer admissions than Borderline & Peterborough LCGs, Red = statistically significantly more admissions than Peterborough & Borderline LCGs)

Practice Name	LCG	Ward - Geographically Located Within	Ward - Majority Population Registered Within	Alcohol Specific Admissions - Directly Standardised Rate per 100,000		Observed Number of Admissions (Rounded to nearest 5)	
				2013/14	2014/15	2013/14	2014/15
AILS WORTH MEDICAL CENTRE	Peterborough	Glinton & Wittering	Glinton & Wittering	450.5	298.3	<10	<10
BOTOLPH BRIDGE COMMUNITY HEALTH	Peterborough	Fletton	Fletton	434.0	655.5	20	25
BRETTON MEDICAL PRACTICE	Borderline	Bretton North	Bretton North	711.7	525.4	75	60
BUSHFIELD	Peterborough	Orton Waterville	Orton Waterville	725.2	564.1	40	25
DOGSTHORPE MEDICAL CENTRE	Peterborough	Welland	Welland	778.6	410.6	35	15
HAMPTON HEALTH	Borderline	Orton & Hampton	Orton & Hampton	285.0	443.1	20	25
HODGSON MEDICAL CENTRE	Peterborough	Werrington North	Werrington North	323.6	145.3	10	<10
HUNTLY GROVE PRACTICE	Peterborough	Park	Park	371.6	924.6	<10	20
JENNER HEALTH CENTRE	Borderline	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	333.6	382.2	30	30
LINCOLN ROAD SURGERY	Peterborough	Central	Werrington South	927.0	1344.2	95	140
MILLFIELD MEDICAL CENTRE	Peterborough	Park	Central	591.3	658.8	45	45
MINSTER MEDICAL PRACTICE	Peterborough	Park	East	607.9	237.3	20	10
NENE VALLEY MEDICAL PRACTICE	Borderline	Orton Longueville	Orton Longueville	659.0	539.1	75	65
NEW QUEEN STREET SURGERY	Borderline	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	261.7	353.8	40	55
NORTH STREET MED.PRACTICE	Peterborough	Central	East	638.0	853.8	95	125
OLD FLETTON SURGERY	Borderline	Fletton	Fletton	406.8	466.9	50	55
OUNDLE	Borderline	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	241.0	390.0	25	40
PARK MEDICAL CENTRE	Peterborough	Park	Park	574.7	358.7	45	30
PARNWELL MEDICAL CENTRE	Peterborough	East	East	280.9	205.7	<10	<10
PASTON HEALTH CENTRE	Peterborough	Paston	Paston	509.0	684.0	65	90
THE GRANGE MEDICAL CENTRE	Peterborough	West	West	834.0	687.0	20	20
THISTLEMOOR MEDICAL CENTRE	Peterborough	North	North	493.6	788.6	55	90
THOMAS WALKER	Peterborough	Park	Park	672.3	666.3	45	45
THORNEY	Borderline	Eye & Thorney	Eye & Thorney	277.8	333.1	20	25
THORPE ROAD SURGERY	Peterborough	West	West	172.5	258.2	<10	10
WANSFORD SURGERY	Borderline	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	298.1	392.8	20	30
WELLAND MEDICAL PRACTICE	Peterborough	Dogsthorpe	Dogsthorpe	637.3	483.9	25	15
WESTGATE	Peterborough	Central	Central	369.5	525.4	35	45
WESTWOOD CLINIC	Peterborough	Ravensthorpe	Ravensthorpe	778.6	939.2	35	40
YAXLEY GROUP PRACTICE	Borderline	N/A (Outside Peterborough UA)	N/A (Outside Peterborough UA)	201.8	297.2	32	45
<b>Borderline &amp; Peterborough LCGs</b>	-	-	-	<b>476.2</b>	<b>526.6</b>	<b>1,110</b>	<b>1235</b>

**Figure 2: Alcohol-specific Hospital Admissions, Directly Standardised Rate per 100,000 2013/14**

(Green = statistically significantly fewer admissions than Borderline & Peterborough LCGs, Blue = no statistical significance in comparison to Peterborough & Borderline LCGs, Red = statistically significantly more admissions than Borderline & Peterborough LCGs)

The directly age-standardised rate of admissions for Borderline & Peterborough LCGs combined for 2013/14 stands at 476.2/100,000. Seven practices have an admissions rate that is statistically significantly low compared to the combined LCGs rate, whilst six practices have a statistically significantly high rate.



**Figure 3: Alcohol-specific Hospital Admissions, Directly Standardised Rate per 100,000 2014/15**

(Green = statistically significantly fewer admissions than Borderline & Peterborough LCGs, Blue = no statistical significance in comparison to Peterborough & Borderline LCGs, Red = statistically significantly more admissions than Borderline & Peterborough LCGs)

The directly age-standardised rate of admissions for Borderline & Peterborough LCGs combined for 2014/15 is 526.6/100,000. Eight practices have an admissions rate that is statistically significantly low compared to the combined LCGs rate, whilst four practices have a statistically significantly high rate.

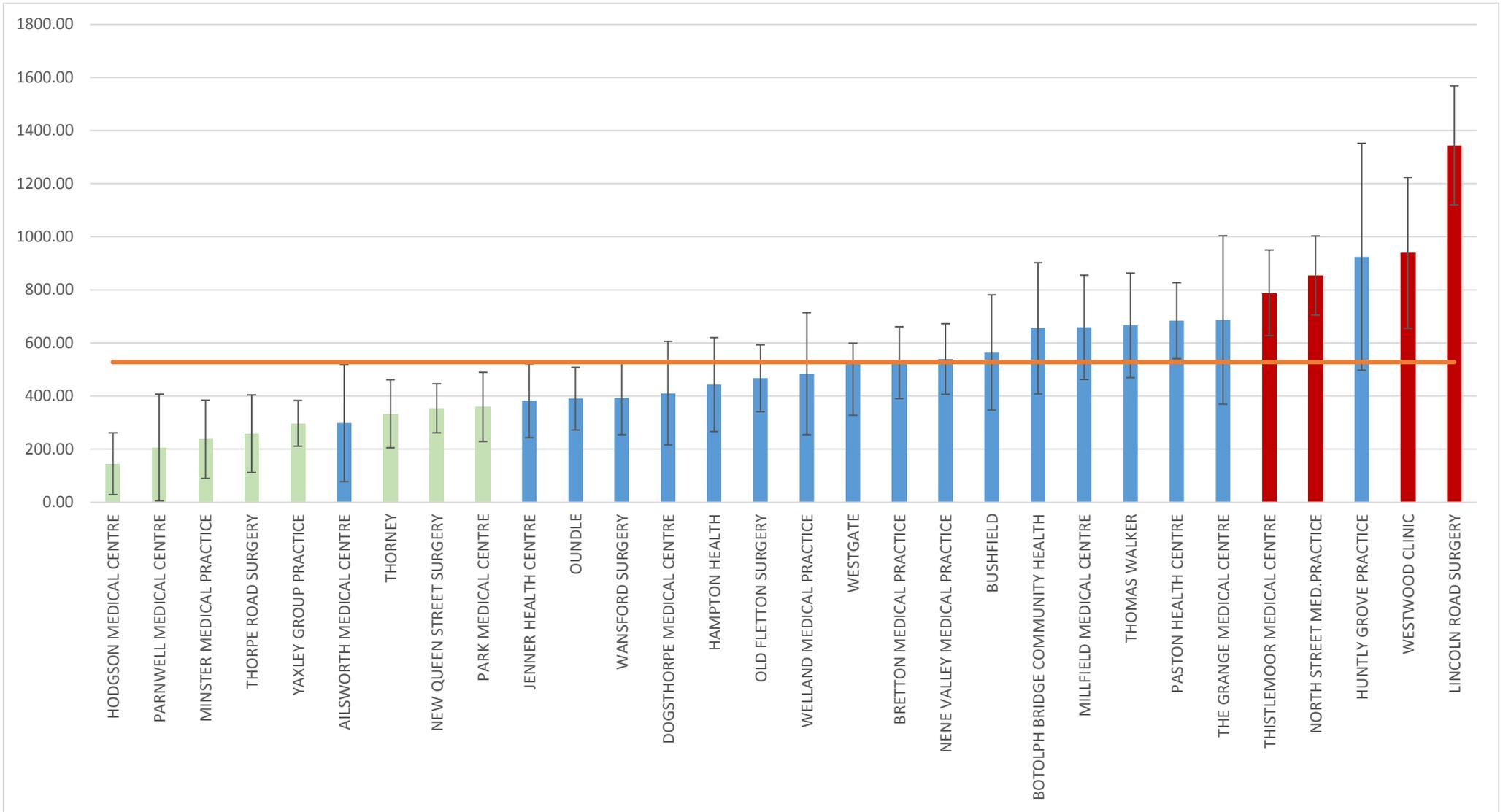


Figure 4: East Electoral Ward General Practices, Alcohol-specific Hospital Admissions, Directly Standardised Rate per 100,000 2013/14 – 2014/15

				Alcohol Specific Admissions - Directly Standardised Rate per 100,000	Observed Number of Admissions

## APPENDIX C

Practice Name	LCG	Ward - Geographically Located Within	Ward - Majority Population Registered Within			(Rounded to nearest 5)	
				2013/14	2014/15	2013/14	2014/15
MINSTER MEDICAL PRACTICE	Peterborough	Park	East	607.9	237.3	20	10
NORTH STREET MED.PRACTICE	Peterborough	Central	East	638.0	853.8	100	130
PARNWELL MEDICAL CENTRE	Peterborough	East	East	280.9	205.7	<10	<10
EAST ELECTORAL WARD GENERAL PRACTICES	-	-	-	608.7	691.9	120	140
<b>Borderline &amp; Peterborough LCGs</b>	-	-	-	<b>476.2</b>	<b>526.6</b>	<b>1,110</b>	<b>1,235</b>

The directly age-standardised alcohol-specific admissions rate for 2014/15 for the three practices with a majority population registered within the East ward stands at 691.9, statistically significantly high in comparison to the Borderline & Peterborough LCG rate of 526.6. The North Street Medical Practice population comprise the majority of these admissions, and the rate of admission has risen within this practice from 638.0/100,000 in 2013/14 to 853.8/100,000 in 2014/15.

**Peterborough**  
**Cumulative Impact Assessment review March 2015**

**Communities and Targeted Services Intelligence Hub**

## Background

The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. They are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm;

In areas where there is a significant concentration of licensed premises and there is sufficient evidence of negative impact on the statutory objectives The Licensing Act gives provision for the adoption of a Cumulative Impact Policy. The effect of adopting such a policy is to create a rebuttable presumption that applications for new premises licences or major variations will be refused if representations are made about the likely impact of the proposals on the licensing objectives. This effectively requires the applicant to demonstrate that the operation of the premises involved will not add to the cumulative impact already being experienced.

## Purpose

The purpose of this report is to review whether there are ongoing significant levels of crime and disorder attributed to a high concentration of licensed premises within the current Cumulative Impact Area (CIA) and subsequently recommend whether any changes need to be made to the current area boundaries.

## Methodology & Data Sources

The location of all licensed premises within the Peterborough UA boundary was provided by Kerry Leishman Licensing Development Officer within Regulatory Services. Licensed premises includes premises licensed for the sale of alcohol (licensed public houses, restaurants, off-licences, café/take-aways, leisure/cinema/sports, clubs, wine bars, schools/colleges and hotels) and premises with a Late Night Refreshment (LNR) licence. The licensed premises were mapped enabling the concentration of premises and proximity to crime and disorder hotspots to be ascertained.

The following data sets were extracted from the Force data warehouse using i2 workstation:

- Alcohol related Incidents – Dated January 2012 to December 2014
- Crimes with an applied Alcohol Marker - Dated January 2012 to December 2014

Premises, Crimes and incidents were mapped using Cartology DSI software to show the locations of the highest concentrations of offences and incidents.

## Data Limitations

Caution is advised when interpreting the data for this report as the analysis relies upon the robust and consistent application of Alcohol Markers being applied for both incidents and crimes. Consideration should also be given with regards to related offences which may show a duplicate in alcohol presence.

**E.g.** One circumstance within the dataset showed that a victim of Common Assault contacted the police, upon arresting the intoxicated offender, he was found to have a small quantity of cannabis in his possession - This report would therefore show as two offences with an alcohol marker applied.

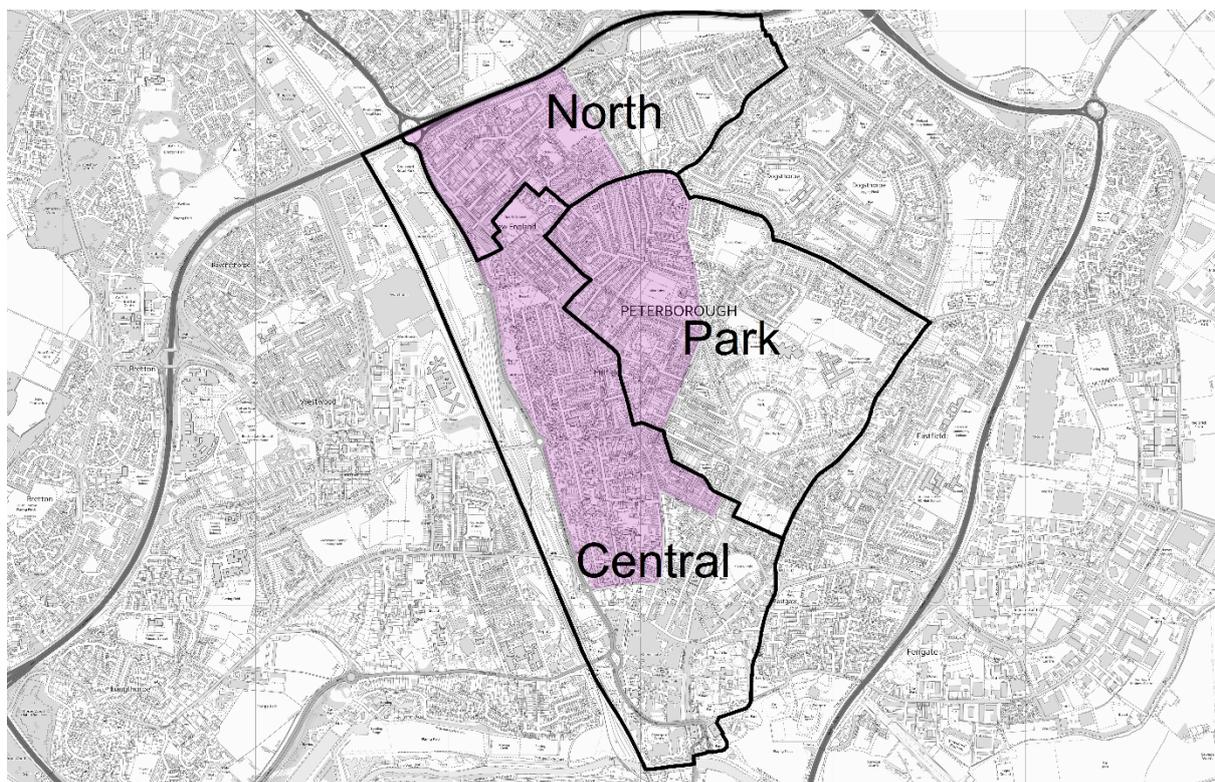
## Introduction

On the 18<sup>th</sup> April 2013, a Cumulative Impact Area (CIA) was designated in the city and covered the geographic area of Op CanDo which is shaded purple in the maps below.

This area was identified as an area of the city where the quality of life is poorer than in other areas. The CanDo project was set up in 2011 to facilitate partners and voluntary agencies to work together to make this area a better place in which to live and work. It is well documented that the number of outlets licensed to sell alcohol in the CanDo area have increased in the last 10 years, with a current count of 57 premises which sell alcohol for consumption either on or off the premises and another 16 licensed without alcohol.

The CanDo area is an area with multiple indices of deprivation. Life expectancy, income, educational qualifications are all lower than other areas, crime rates have historically been proportionally higher with a greater volume of alcohol related crimes and incidents than other parts of the city. The area possesses less green space than other areas. Housing is poor and few people own their own home.

The area is shown below in purple in relationship to the wards in which it is contained.

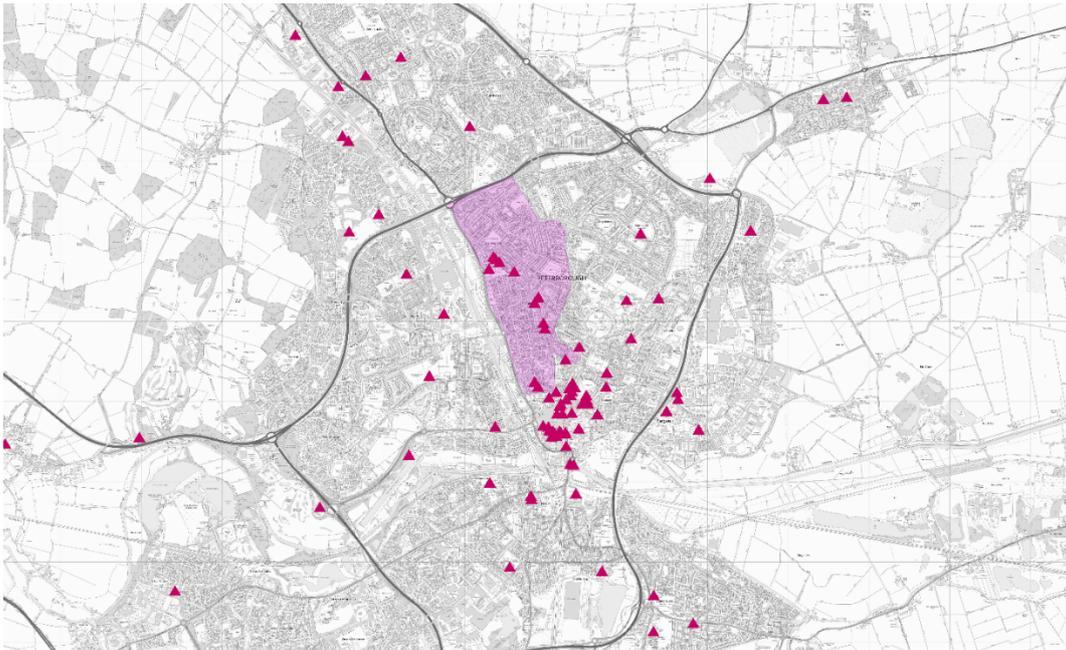


### Overview of Licensed Premises

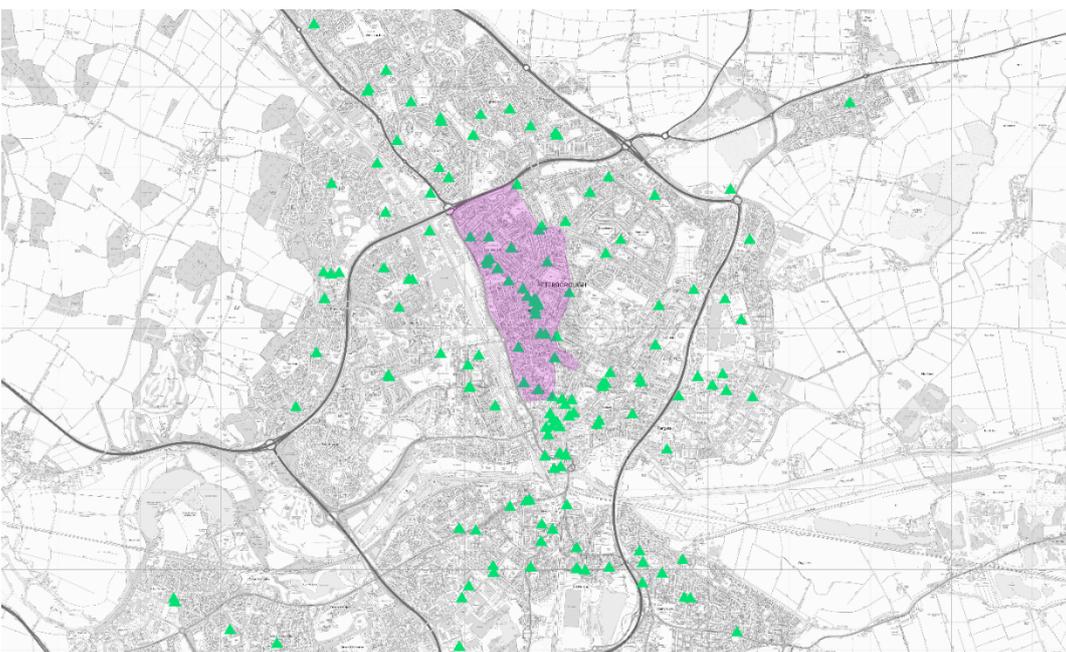
As of January 2015, there was a total of 611 Licensed Premises within the boundary of Peterborough, of which there are

- 107 (18%) with a licence to sell alcohol for consumption ON the premises
- 180 (29%) with a licence to sell alcohol for consumption OFF the premises
- 185 (30%) with a licence to sell alcohol for consumption both ON and OFF the premises
- 139 (23%) where alcohol is not sold

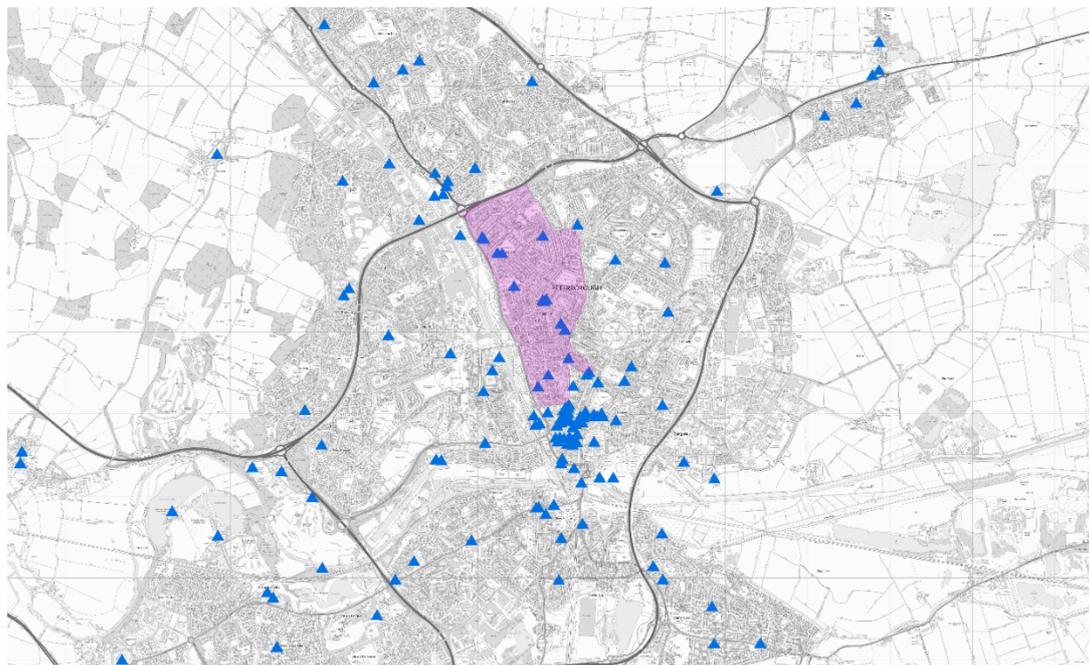
The first image shows in purple triangles the locations of all current ON Licensed Premises, of which twelve are within the current CIA area.



This next image shows, in green triangles, the locations of all OFF Licensed premises, of which 29 are within the current CIA area.



The final image shows all licensed Premises across the city with both an ON and OFF licence, of which 16 are within the current CIA area.



Between January 2013 and December 2014, there was a total of 49 new Alcohol related licence applications across the city. The table below shows the breakdown of these outcomes. In summary, there were four applications across this time period that were rejected/not approved with 45 granted.

	Total Applications			Refused			Granted		
	ON Premises	OFF Premises	Both ON & OFF	ON Premises	OFF Premises	Both ON & OFF	ON Premises	OFF Premises	Both ON & OFF
2013	8	6	8	0	2	0	8	4	8
2014	6	12	9	0	2	0	6	10	9
<b>TOTAL</b>	<b>14</b>	<b>18</b>	<b>17</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>14</b>	<b>14</b>	<b>17</b>
				0%	22%	0%	100%	78%	100%

Though the geographical spread covers many of the wards in Peterborough there is a clear concentration within Central ward, predominantly in the area of the city centre, where 18 alcohol related licensed premises gained successfully granted applications.

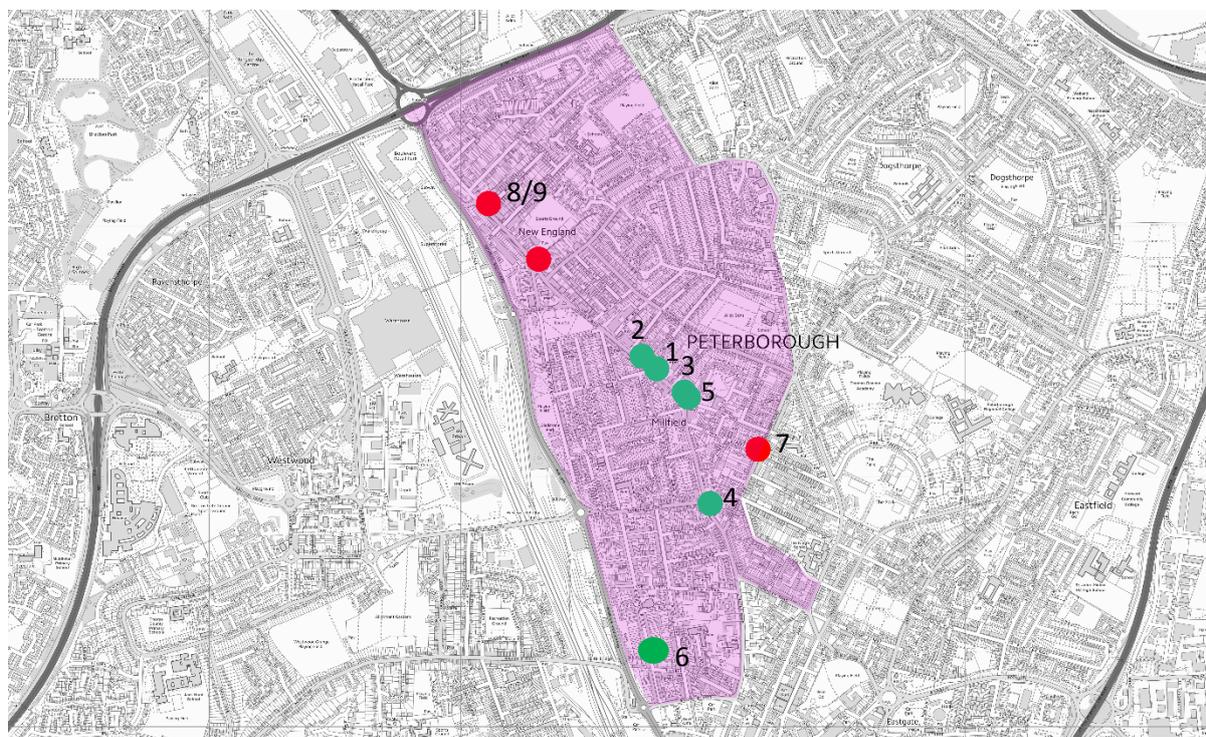
Below is a table highlighting the count of Alcohol related Licensed Premises across the city broken down by ward.

Ward	COUNT of Alcohol related Licensed Premises by Ward			
	On Licensed Premises	Off Licensed Premises	On&Off Licensed Premises	TOTAL Alcohol Licensed Premises
Barnack	2	0	8	10
Bretton North	4	8	5	17
Bretton South	0	1	1	2
Central	45	37	57	139
Dogsthorpe	1	4	1	6
East	12	20	10	42
Eye & Thorney	6	3	7	16
Fletton & Woodston	5	14	9	28
Glington & Wittering	4	9	8	21
Newborough	0	1	7	8
North	0	6	4	10
Northborough	0	1	3	4
Orton Longueville	1	3	3	7
Orton Waterville	2	5	12	19
Orton with Hampton -	5	9	11	25
Park	5	12	7	24
Paston	0	5	1	6
Ravensthorpe	2	7	3	12
Stanground Central	4	14	6	24
Stanground East	0	1	1	2
Walton	1	7	6	14
Werrington North	0	3	3	6
Werrington South	4	4	3	11
West	4	6	9	19
<b>TOTAL</b>	<b>107</b>	<b>180</b>	<b>185</b>	<b>472</b>



### Focus on current CIA area

In the two year period between Jan 2013 to Dec 2014, there has been a total of five applications passed and four refused, coloured green (Pass) and red (Rejected) respectively that fall within the defined boundary of the current CIA area (shaded purple). All rejected applications in the CIA area were for OFF licence premises, two which accepted were OFF licences with one ON licence.



Details of the five licences that were passed, three of which with an alcohol consideration, within the current CIA briefly comprise

1. Pizza Santini	(389 Lincoln Road)	- Alcohol Not Sold	- Granted 22/02/2013
2. Mini Market	(415 Lincoln Road)	- OFF Premises	- Granted 13/12/2013
3. Peri Peri Grill	(321 Lincoln Road)	- Alcohol not Sold	- Granted 22/04/2014
4. Centre Café	(187a Lincoln Road)	- ON Premises	- Granted 11/06/2014
5. Hyper Market	(327 Lincoln Road)	- OFF Premises	- Granted 28/10/2014

Of those rejected during the same time period

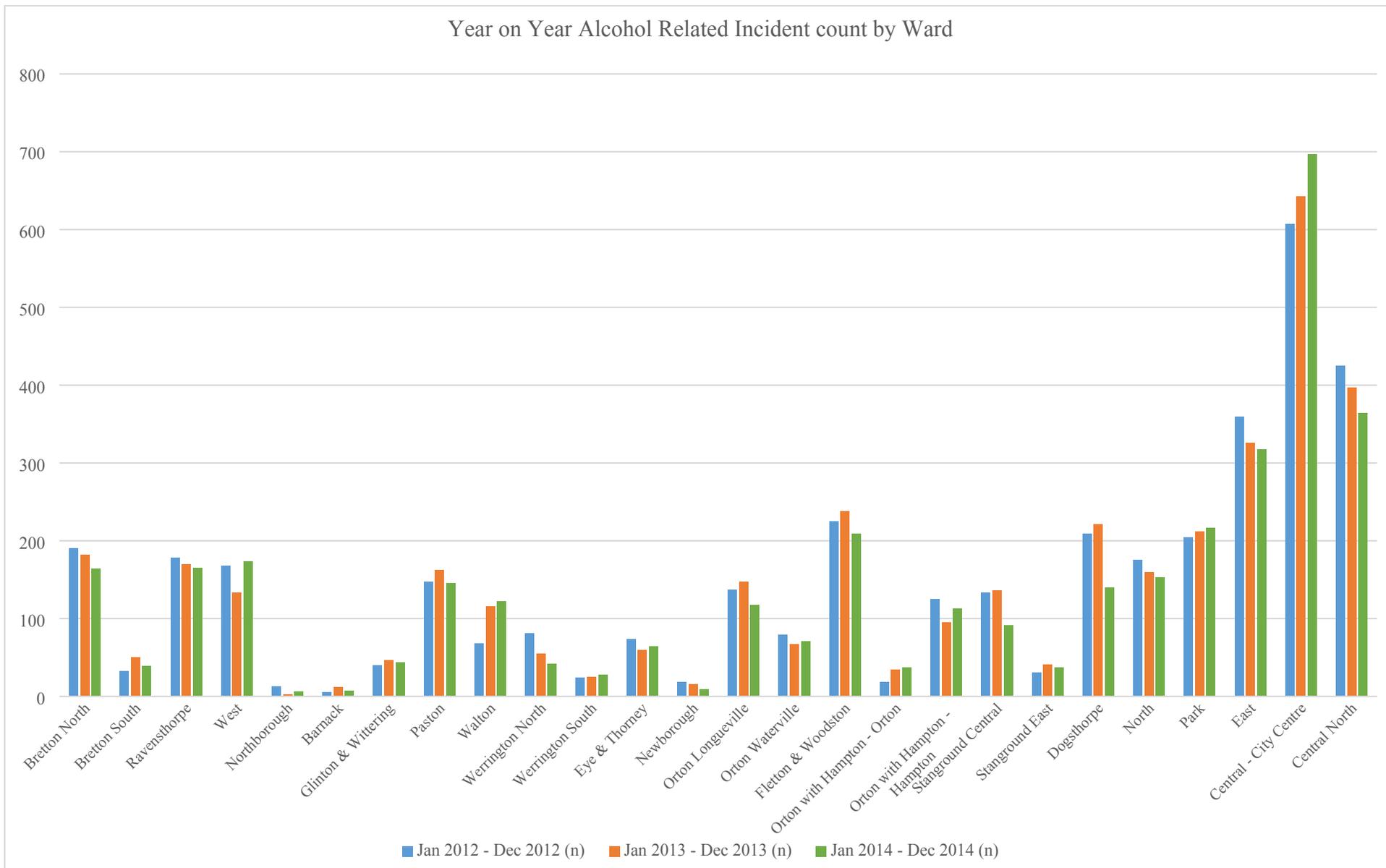
6. Superpoli Express	(613 Lincoln Road)	- OFF Premises	- Rejected 01/11/2013
7. Europ Shop	(135 Dogsthorpe Road)	- OFF Premises	- Rejected 29/10/2013
8. Little Europe	(715 Linclon Road)	- OFF Premises	- Rejected 11/06/2014
9. Little Europe	(715 Lincoln Road)	- OFF Premises	- Rejected 02/02/2015

### An Overview of Alcohol related Incidents and Crimes

Analysis of the different types and proportions of crime types and incidents, particularly where there is a link to alcohol, can aid in gaining a better understanding of how licensed premises impact upon an area. The table and chart below, shows the count of alcohol related incidents across the city by year, broken down by ward, as recorded by Cambridgeshire Constabulary. In summary, there was a 0.6% reduction across the city between 2012 and 2013, followed by a 4.6% reduction between 2013 and 2014. Though there are some areas where an increase has been observed, most noticeably Walton in 2013 and West Ward in 2014 and the City Centre over both years. Park ward and Orton with Hampton have also noticed, an albeit small, but year on year increase. The current CIA area shown on the previous map, broadly, though not exactly, covers the Wards of Central (not including City Centre), North and Park, where there has been a like for like reduction of some 71 recorded incidents, this compares to an overall reduction across the city as a whole of 194.

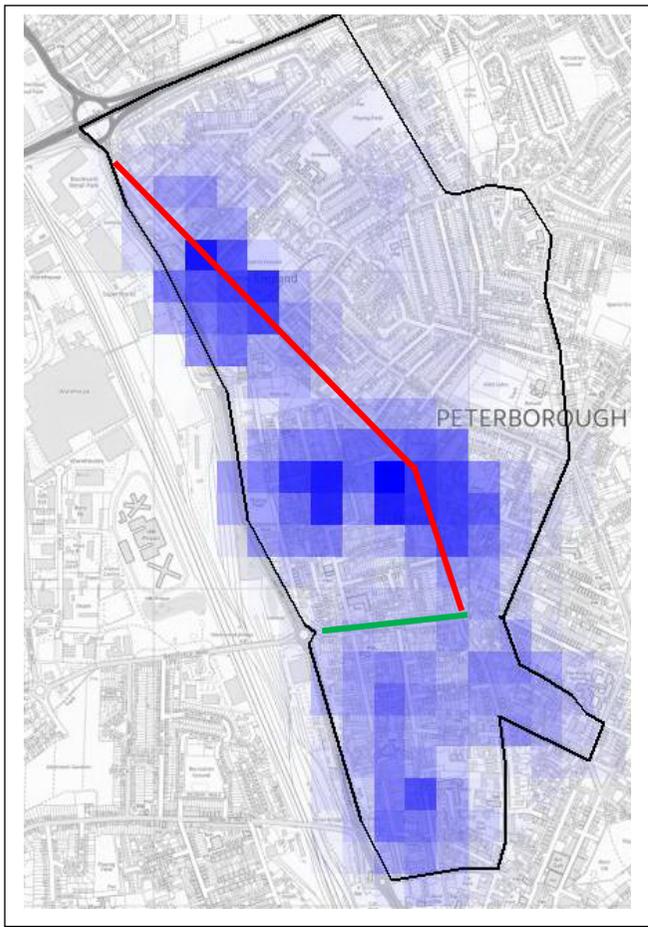
ALCOHOL RELATED INCIDENTS	COUNT			CHANGE 2012-2013 (n) year on year change	CHANGE 2013-2014 (n) year on year change	CHANGE 2012 - 2014 (n) Overall Change
	Jan 2012 - Dec 2012 (n)	Jan 2013 - Dec 2013 (n)	Jan 2014 - Dec 2014 (n)			
Bretton North	190	182	164	-8	-18	-26
Bretton South	32	50	39	18	-11	7
Ravensthorpe	178	170	165	-8	-5	-13
West	168	133	173	-35	40	5
Northborough	13	2	6	-11	4	-7
Barnack	5	12	7	7	-5	2
Glington & Wittering	40	46	43	6	-3	3
Paston	147	162	145	15	-17	-2
Walton	68	115	122	47	7	54
Werrington North	81	55	42	-26	-13	-39
Werrington South	24	25	28	1	3	4
Eye & Thorney	73	59	64	-14	5	-9
Newborough	18	15	9	-3	-6	-9
Orton Longueville	137	147	117	10	-30	-20
Orton Waterville	79	67	71	-12	4	-8
Fletton & Woodston	225	238	209	13	-29	-16
Orton with Hampton - Orton	18	34	37	16	3	19
Orton with Hampton - Hampton	125	95	113	-30	18	-12
Stanground Central	133	136	91	3	-45	-42
Stanground East	30	41	37	11	-4	7
Dogsthorpe	209	221	140	12	-81	-69
North	175	159	153	-16	-6	-22
Park	204	212	216	8	4	12
East	359	326	317	-33	-9	-42
Central - City Centre	607	642	697	35	55	90
Central North	425	397	364	-28	-33	-61
<b>TOTAL</b>	<b>3763</b>	<b>3741</b>	<b>3569</b>	<b>-22</b>	<b>-172</b>	<b>-194</b>

Year on Year Alcohol Related Incident count by Ward

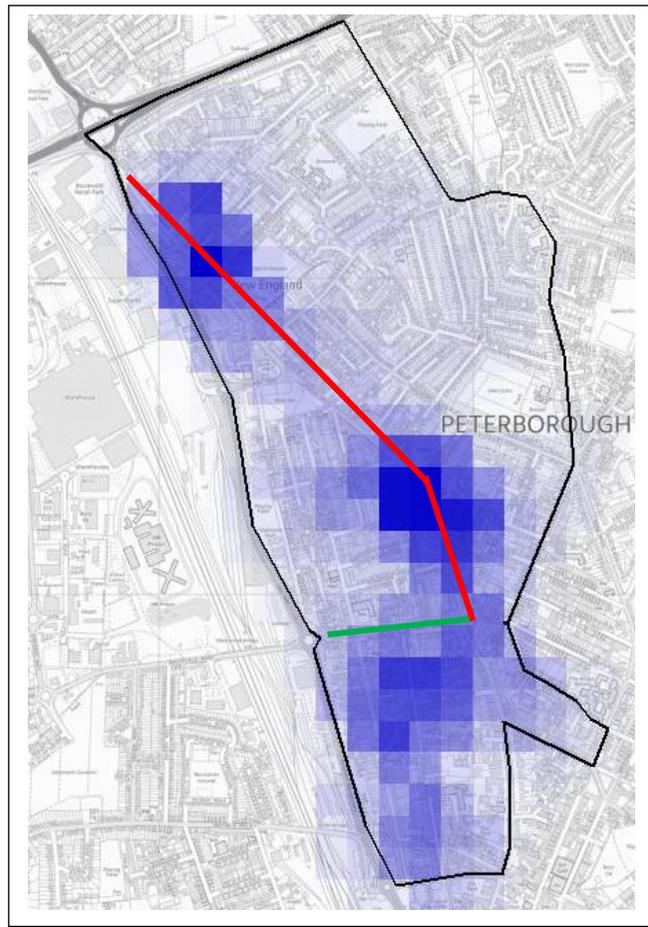


The following images show coverage by point density with 100m influence, across each of the three years, the areas most affected by alcohol related incidents. The data used to create these maps is exclusive to the current CIA area. It should be noted that not only the robust and consistent application of an alcohol marker has to be applied, but also the conscientiousness of those reporting these incidents could have significant impact on the distribution patterns. With the above in mind, there are many observed consistencies, for example, the area on Lincoln Road between the junctions of Windmill Street and Searjant Street, have consistently dense volumes, though by 2014, there are greater concentrations in the area just to south of Taverners Road, highlighted by the green line, and a clearer spread along the arterial route of Lincoln Road (Red Line - approx) has emerged in 2014. This may be a cause of visibility of incidents and more prudent reporting, and does not suggest that a reduction of incidents is occurring in neighbouring streets.

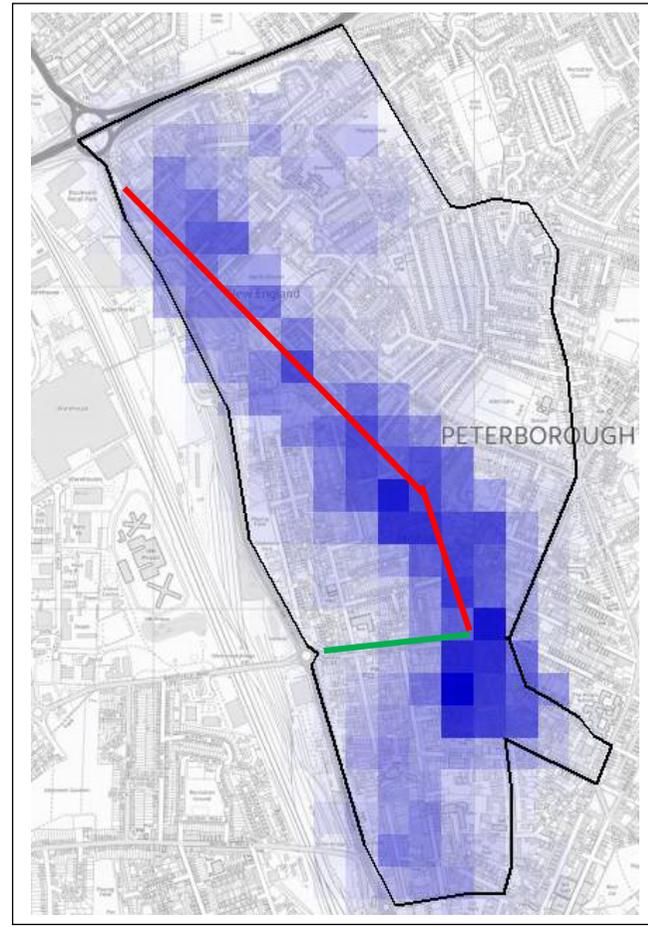
37



**2012** – 582 Alcohol Related Incidents in current CIA

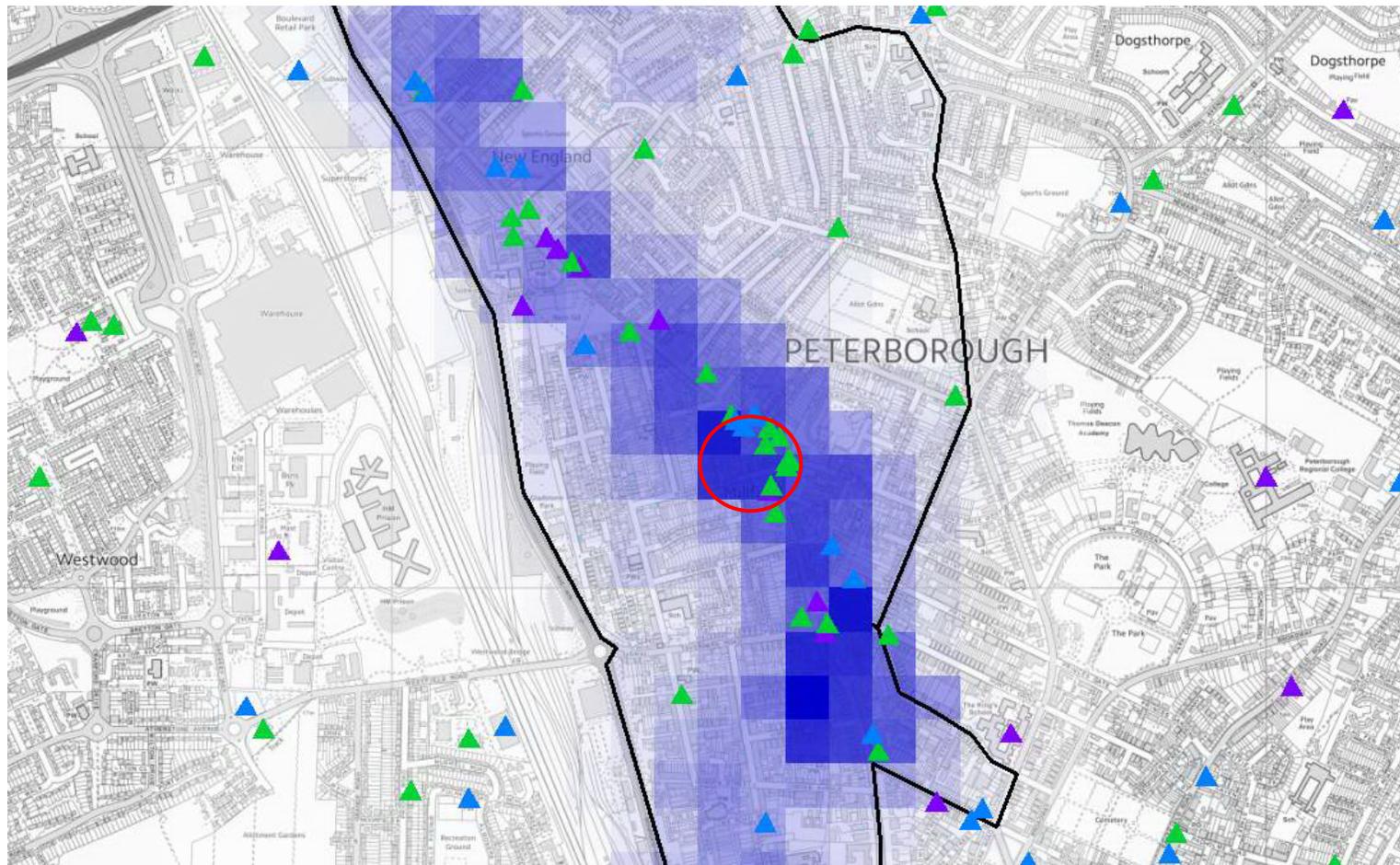


**2013** – 515 Alcohol Related Incidents in current CIA



**2014** – 491 Alcohol Related Incidents in current CIA

When the locations of ON (Purple), OFF (Green) and ON & OFF (Blue) Licensed Premises are overlaid with the 2014 coverage data, there are clear relationships between locations of licensed premises and incidents hotspots. To apply some context; the red circle indicates a 100m radius from the dense cluster of licensed premises on Lincoln Road at the junctions of Windmill Street and Alma Road, in this area, during 2014, there was a total of 24 reported incidents. Six of which were Rowdy Nuisance, predominantly reported by Victims, four were reports of Violence and four were out of concern. Three were regarding street drinking. Further caution is advised when interpreting these maps; if an incident is recorded on a particular road with no specific address, then a generic point is applied therefore giving a potentially false hotspot.



There is no doubt that there has been a reduction in records pertaining to Alcohol Related Incidents emanating from within the current CIA Area, there has however been a noticeable shift in the closure class over the years. During 2012 and 2013, Rowdy/Nuisance behaviour was the most prominent accounting for 26% and 19% respectively of all alcohol related incidents, however, in 2014 Domestic Incidents made up the most significant proportion accounting for almost 1 in 4 (23%). This has increased from 22% in 2013 and 13% in 2012.

Rates of Violent incidents has also decreased both numerically and proportionally with a total of 87 in 2012 (15%), 85 in 2013 (17%) and 61 in 2014 (12%).

Whilst there is no doubt that the predominance of alcohol related incidents occur within the vicinity of licensed premises, it is difficult to directly attribute these clusters of incidents to a particular licensed premises, though assumptions could be made that the proximity of licensed premises and the locations of incidents could have some correlation.

Further analysis was conducted on the annual rate of Police recorded incidents which had an alcohol marker applied within a 50m radius of the newly granted licences within the Op CanDo/CIA area.

If it was assumed that previous year before granting was a theoretical baseline year, there was an insignificant increase observed in increasing rates within close proximity of these premises, with a modest exception of Centre Cafe (1 to 6); the same observations are present when alcohol related crime data is scrutinised.

It could therefore be suggested that there was little or no impact from these premises to increased rates within the immediate local area, though consideration should be applied in that the robust application of the alcohol marker may lack some degree of consistency, and that crimes or incidents which occur in a wider proximity cannot be directly attributed to any of these premises with ease or any degree of certainty.

	name	uwcode5	50m Radius Crime Count			50 m Radius Incident Count		
			2012	2013	2014	2012	2013	2014
2013 Granted	Pizza Santino	A04 Alcohol not sold	0	1	1	7	3	6
	Mini Market	A02 Alcohol sold for consumption OFF the premises	0	1	1	4	1	3
2014 Granted	Peri Peri Grill	A04 Alcohol not sold	1	0	2	15	15	12
	Centre Cafe	A01 Alcohol sold for consumption ON the premises	0	0	1	2	1	6
	Hypermarket	A02 Alcohol sold for consumption OFF the premises	2	0	1	6	11	10

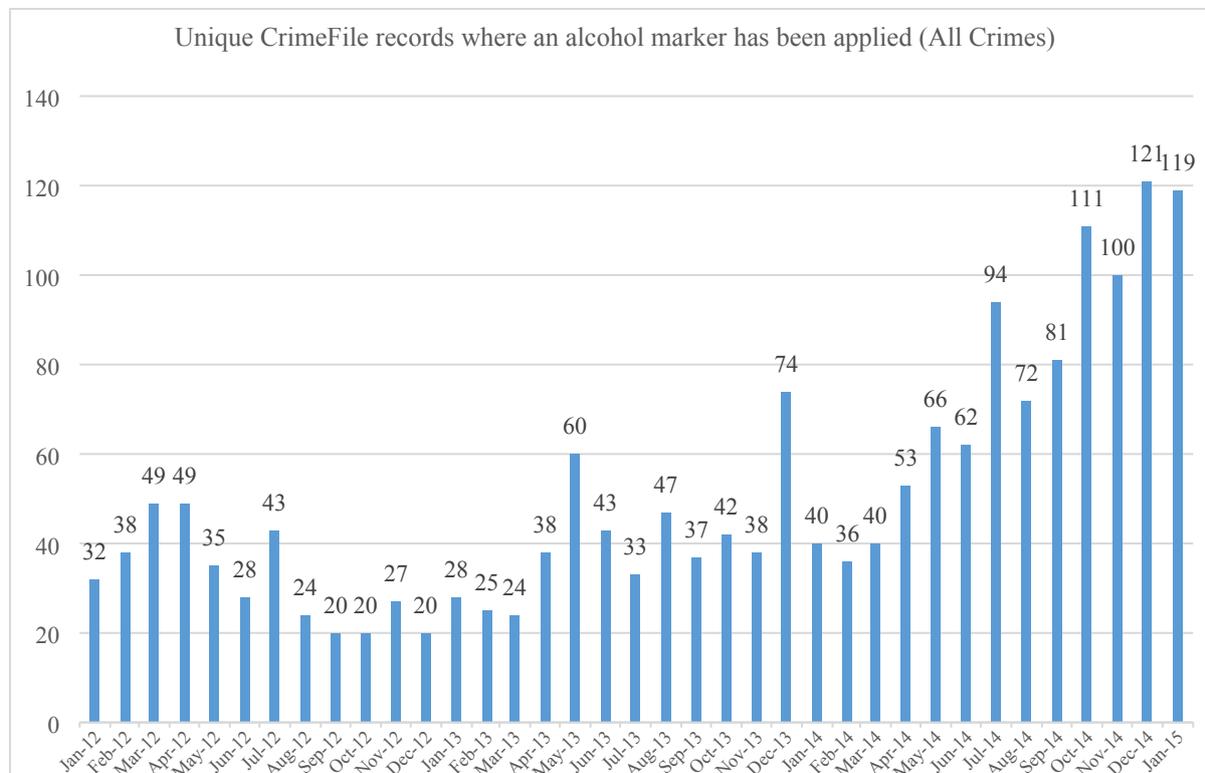
### Alcohol Related Crime

An incident becomes a crime when a notifiable offence has been committed.

During the same three year periods as detailed above, there has, conversely, been significant and noteworthy increases in rates of Alcohol related crimes within Peterborough, this is most noticeable in 2014 where there were three times the volume than 2012. It should be stressed that it is not believed that there has been a significant increase in alcohol related crimes, but more so, this is an effect of the more rigorous application of alcohol markers being applied by Cambridgeshire Constabulary. This should be taken into consideration when interpreting this section of the report.

An alcohol marker was applied to 5.6% of all crimes during 2014, however, in more recent months this has increased to almost 10%. Unsurprisingly, an application of an alcohol marker is most noticeable in violent crimes.

Where all Violent crimes across the city are scrutinised, either with or without injury, these rates increase to almost 1 in 3 (28%). Of the 1869 crimes which had an alcohol marker applied over the three year period 65% were related to violence, with 10% of criminal damage and Public Order offences also having alcohol cited.



Again, unsurprisingly, the predominance of alcohol related crimes occur in the city centre which, accounts over the three years for circa 29%.

Even with the significant increases in the application of an alcohol crime marker, there remains a level of consistency with the proportions which emanate from within the current CIA over the 3 year comparison period with little or no variation of around 14%.

Over the three year period, the rate of alcohol related crimes within the CanDo area that are closed as violence is slightly higher than the citywide rate and accounts for 71.5%.

Lincoln Road (n=61, 24%), Bourges Boulevard (n=18, 7%), Gladstone Street (n=17, 7%), Cromwell Road (n=16, 6%) and Dogsthorpe Road (n=10, 4%) are the most predominant roads in the CanDo/CIA area where crimes have had an alcohol marker applied making up half of the total over the three years for that area.

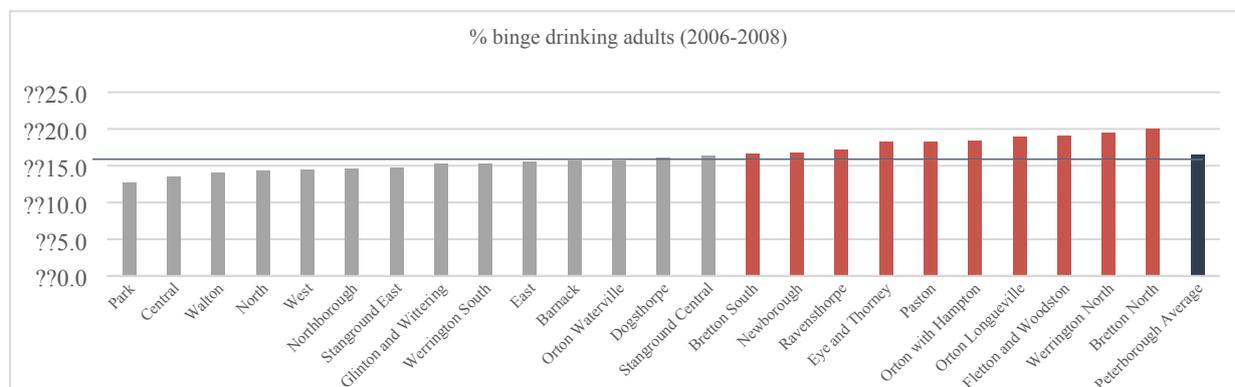
The coverage map below shows by point density all crimes, exclusive to the OP CanDo/CIA area, which had an alcohol marker applied. There are clear synergies with that of alcohol incidents shown previously, however there is a more noticeable cluster to the south of the area which is potentially an overspill from the City Centre influenced premises, though this could also be related to residential properties.



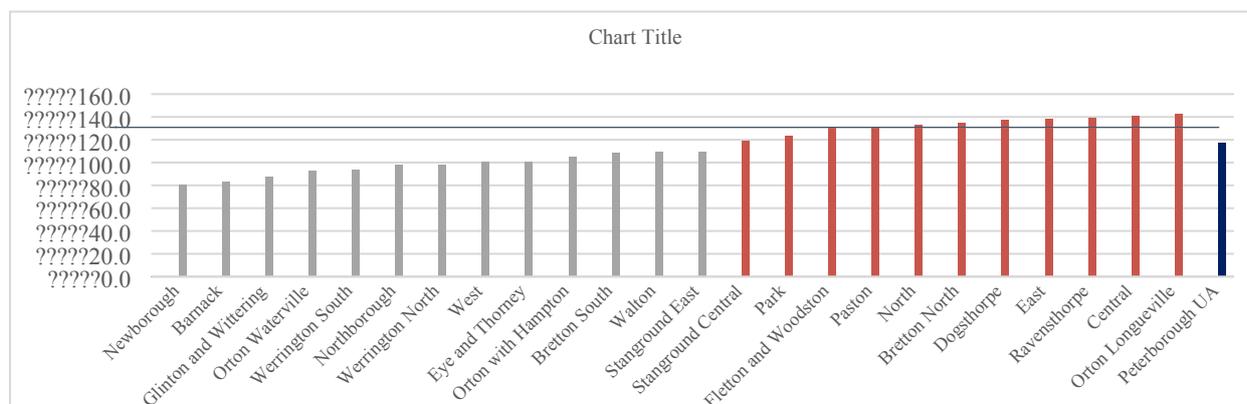
**Wider considerations - Health**

There is a good evidence base for the link between outlet density and alcohol-related harm and to suggest that a reduction in density would lead to a reduction in both alcohol-related health harm and crime and disorder. This is summarised in public health guidance from the National Institute for Health and Clinical Excellence (NICE), published in June 2010.<sup>1</sup> Underlying the NICE guidance, an extensive review<sup>2</sup> of the evidence relating to alcohol policies, including the availability of alcohol, found a clear positive relationship between increased outlet density and alcohol consumption in adults. It also found that increases in alcohol outlet density tended to be associated with increases in alcohol consumption and alcohol-related morbidity and mortality and a range of other outcomes including those related to crime. After considering this evidence, NICE concluded that reducing the number of outlets selling alcohol was an effective way to reduce alcohol-related harm.

To this end, the table below shows the latest available data (2006 – 2008) on the percentage of binge drinking adults by ward. Those wards which are higher than the Peterborough average are shaded in red, where those lower are shaded grey.

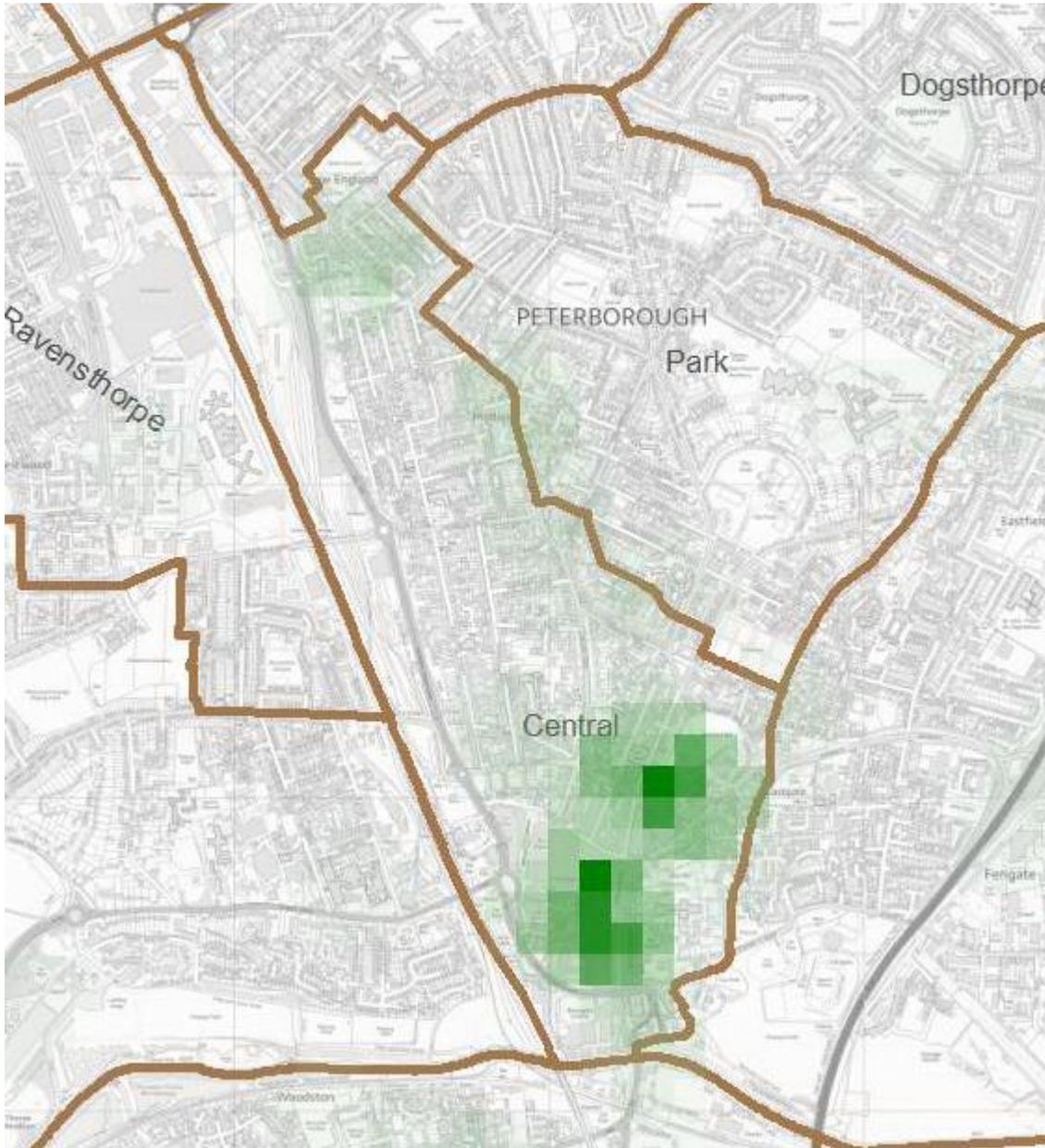


It is acknowledged that the dataset utilised is somewhat dated, though there does appear to be a observed contradiction to the relationship between outlet density rates and proportions of binge drinkers, though further consideration should be given to the ethnic distribution of these wards where we know that there are large proportions of the cities Muslim community who are less likely to drink alcohol and could therefore dilute the data outputs. This inference is somewhat proved by the chart below which, demonstrates that the wards contained within the CanDo/CIA area all feature above the Peterborough average for rates of hospital admissions due to alcohol related harm.

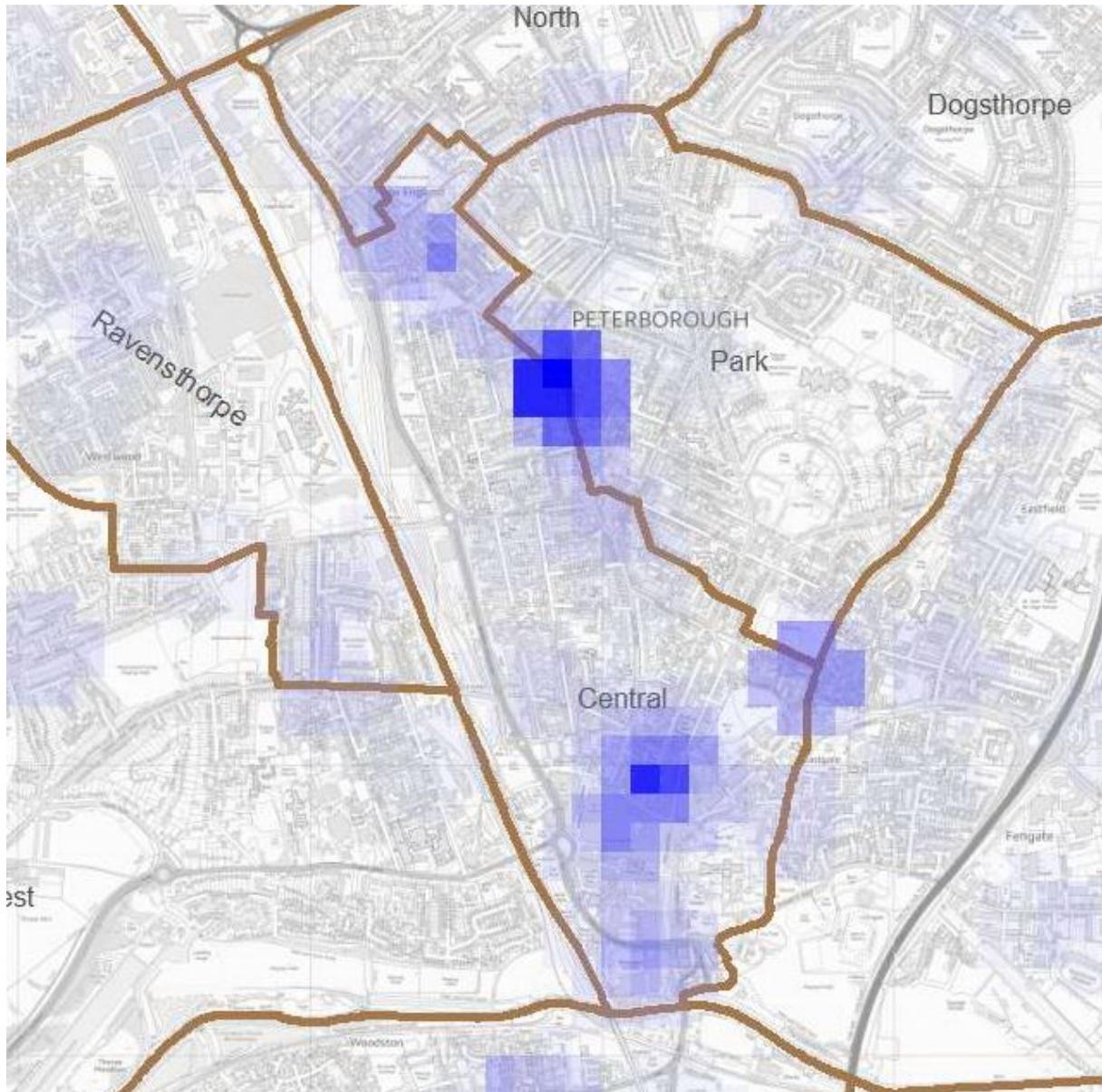


<sup>1</sup> Alcohol use disorders: Preventing the development of hazardous and harmful drinking, National Institute for Health and Clinical Excellence, June 2010  
<sup>2</sup> Interventions on Control of Alcohol Price, Promotion and Availability for Prevention of Alcohol Use Disorders in Adults and Young People, University of Sheffield review for the NICE Public Health Programme Development Group, 2009

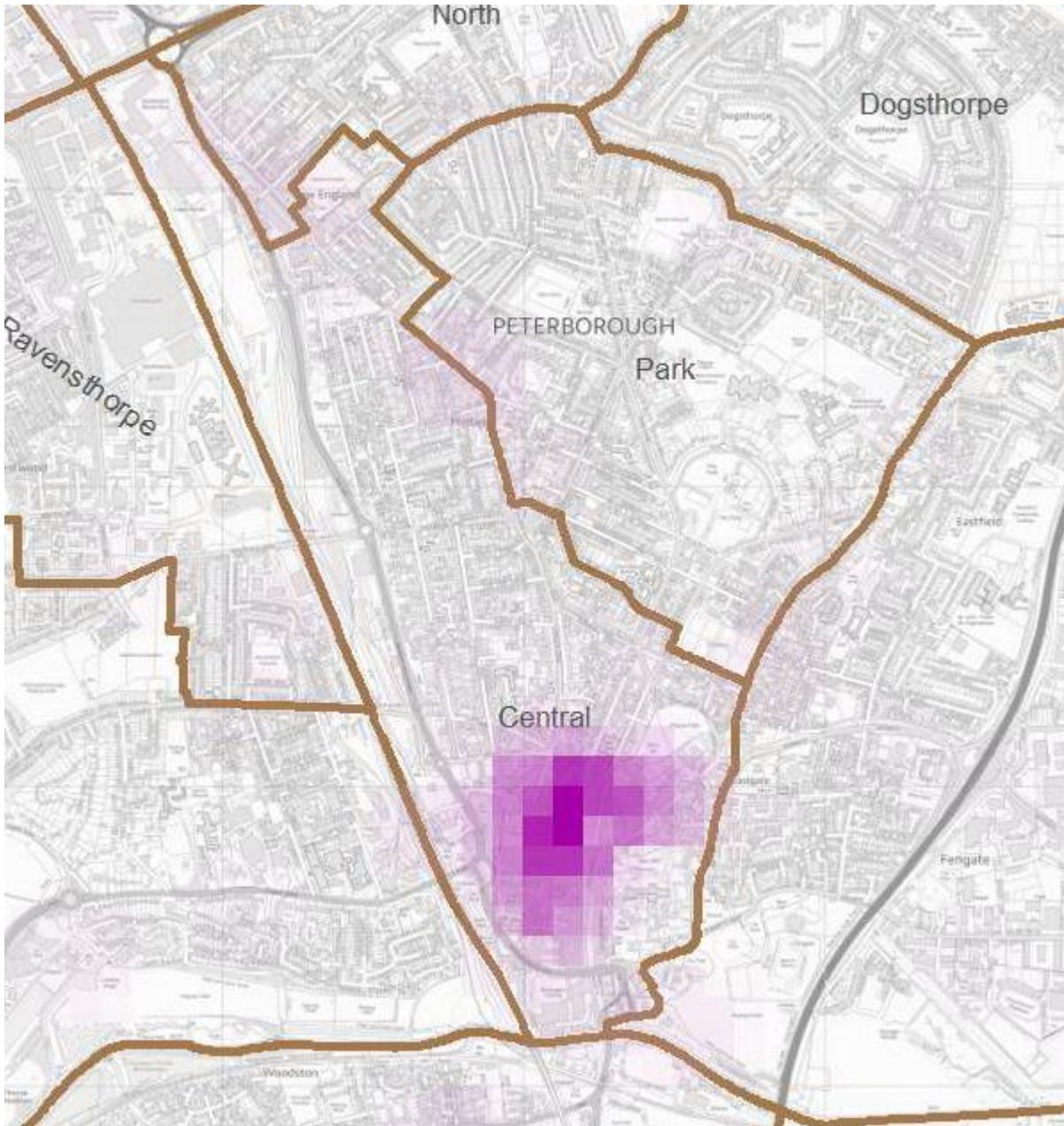
The Image below shows a heat map of current on licences.



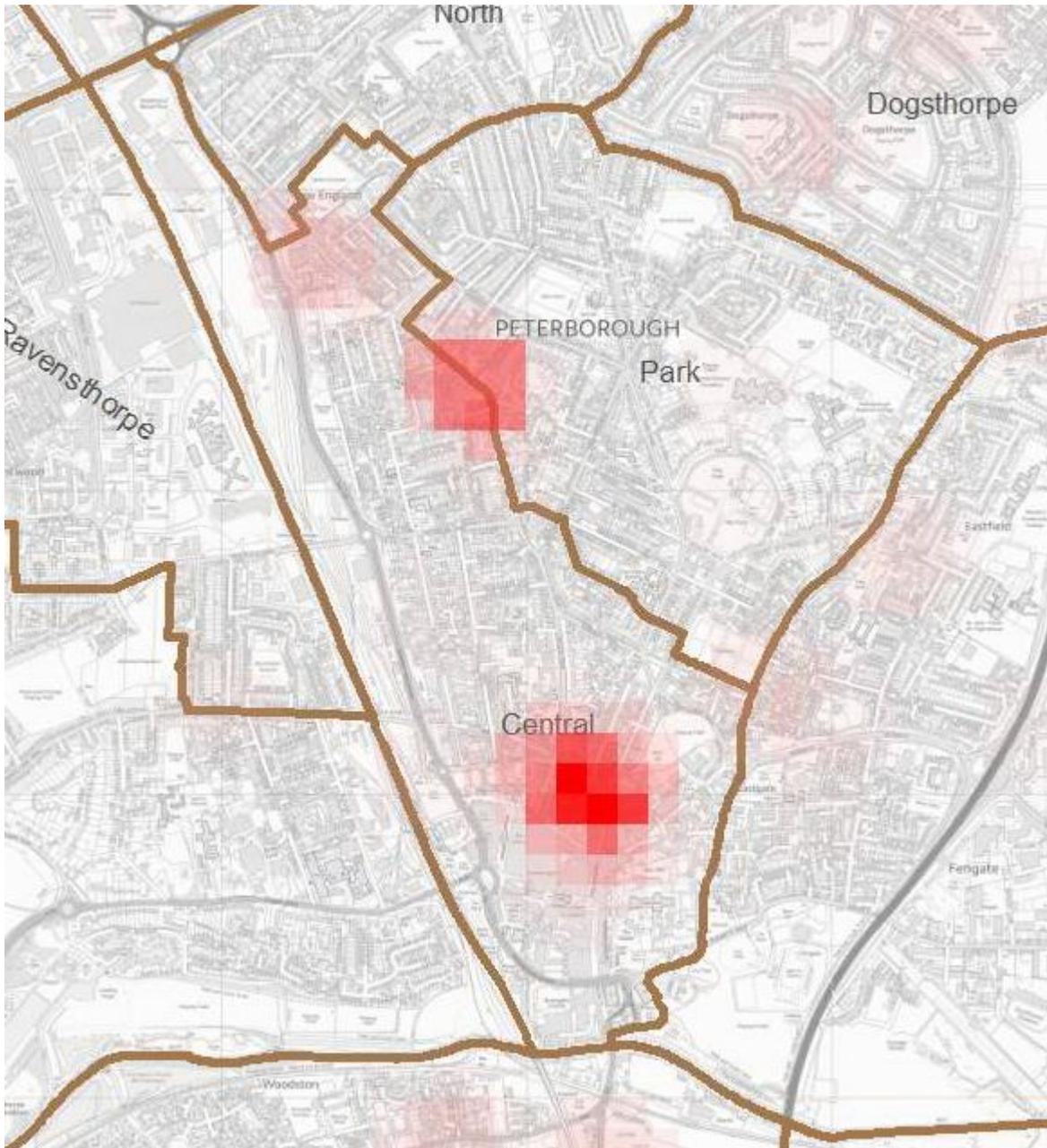
The Image below shows a heat map of current off licences.



The Image below shows a heat map of current on and off licences.



The Image below shows a heat map of current licences where no alcohol is sold



## Summary of Responses to the Consultation on the Statement of Licensing Policy

A total of eight responses were received during consultation, summary of main points raised below:

Summary of consultation response	Officer comment
<p><b>Local MP</b> Suggests adopting a Cumulative Impact policy into the following areas; Lower part of Eastfield Road due to large number of licensed premises all selling cheap strong alcohol, Broadway Cemetery, Lower part of Broadway, Huntley Grove, Vergette Street, Monument Street, Stanley Recreation Ground, Crawthorne Road, Crawthorne Street and Padholme Road. Issues in the area include; street drinking, vagrancy, ASB, litter, parking</p>	<p>It is for members to determine if sufficient evidence exists, to adopt a Cumulative Impact Policy in the areas suggested. Is the area 'saturated' with licensed premises? And, is there sufficient evidence to establish that it is having a negative impact on the objectives?</p> <p>The Licensing Act 2003 is not the primary mechanism to deal with general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises.</p>
<p><b>Two Residents of Eastfield:</b> Suggest Eastfield Road should have a Cumulative impact policy, due to increase in the amount of shops providing alcohol leading to incidents caused by excessive alcohol, e.g. fights, drug abuse, drunks in the street, arguments, graffiti, litter, disruptive behaviour of patrons, residents feel uncomfortable / threatened, speeding cars</p>	
<p><b>Eastfield Park Residents Association</b> Suggests Eastfield Road should have a Cumulative Impact Policy due to number of licensed premises.</p>	
<p><b>MANERP (Millfiled and New England Regeneration Partnership)</b> Area is sensitive, volatile and neglected, has a history of alcohol fuelled ASB exacerbated by growth of off sales premises. Supports the continuation of the cumulative Impact Policy in the Op-Can-Do area of Peterborough, states that the area is still over saturated which negatively impacts on the four objectives. Continuing the CIP will prevent the proliferation of alcohol outlets</p>	<p>Recommend that the current CI area in Op-Can-Do is retained. Refer to Peterborough Cumulative Impact Assessment review March 2015. <b>(Appendix D)</b></p>
<p><b>Cambridgeshire Police and Crime Commissioner</b> Supports the Policy and amendments, and partnership working with Cambridgeshire Constabulary</p>	
<p><b>One Resident in Gladstone Street</b> Suggests that the policy has loop holes, is contradictory, and is deliberately written in this way to confuse and avoid control. States that the expression 'rebuttable presumption' does not make sense. Queries why officers cannot initiate their own review (section 16.11). Queries what DCMS have to do with alcohol.</p>	<p>The policy must have regard to the Act and guidance. There is no provision within the Act to refuse a licence without providing the applicant the opportunity to put his/her case to the committee. The policy must be fair and cannot out rule any application without a fair hearing. Rebuttable presumption; within the Act there is a presumption to grant unless objections based on the objectives are received. Where an area is saturated with licensed premises</p>

	<p>and this is having a negative impact on the objectives, a CI policy can be adopted. This means there is a presumption to refuse applications where relevant representations about the cumulative impact on the licensing objectives are received, therefore rebutting the presumption to grant. A policy cannot account for every scenario, so it provides general rules for the authority to follow. The Licensing Authority has to make all decisions with a view to promoting the objectives, be evidence based and justified, in conjunction with local knowledge, the merits of the application and representations received if any.</p> <p>Licensing Officers cannot initiate their own review, however, a provision exists whereby the Licensing Authority can apply for a review and this is detailed in section 17.7.</p> <p>The Home Office have governance over alcohol and DCMS (Department for Culture Media and Sport) have governance over regulated entertainment.</p>
<p><b>Combined response from Director of Public Health, Director of People and Communities and Cabinet Member for Public Health.</b></p> <p>Page 3 – replace ‘The Local Health Board’ with The Director of Public Health.</p> <p>Page 4 – include information regarding health and wellbeing being below the national average into the description of Peterborough and District.</p> <p>Page 6 – suggestion to add text regarding the licensing authority as a responsible authority.</p> <p>Page 7 – objectives, suggestion to include more detail on each of the objectives, providing examples of what should be considered.</p> <p>Paragraph 4.4 include ‘health service’ in paragraph</p> <p>Paragraph 5.2 include the Director of Public Health</p> <p>Request that paragraph 6.7 is put in <b>bold text</b></p> <p>Paragraph 8.1 Request extra words added to this section.</p> <p>Propose to add extra paragraph at 11.1</p> <p>Paragraph 11.11 request extra information to be added to this section</p> <p>Add extra paragraphs 11.16 and 11.17 Other mechanisms for controlling cumulative impact</p>	<p>Page 3 agreed, amended to The Director of Public Health.</p> <p>Page 4, this page is a general overview of Peterborough with a licensing perspective, the suggested text is not considered appropriate in this context as public health is not (yet) a licensing objective</p> <p>Page 6 – Not agreed, The text has been incorporated into the amended policy under section 17.6 and 17.7</p> <p>Page 7 – Whilst reviewing the policy consideration was given to expanding this area, but it was decided against inclusion as guidance, opinion and best practice develops and changes over time. Further information is available and updated on the council’s website.</p> <p>Paragraph 4.4 agreed and added</p> <p>Paragraph 5.2 agreed and added</p> <p>Not agreed – by doing this it would imply that this paragraph is more important than the others.</p> <p>Paragraph 8.1 agreed and added</p> <p>Not agreed – the text is already included within 11.2</p> <p>Agreed with regards to the extra information, but added to section 11.14</p> <p>Agreed, paragraph 11.16 and 11.17 added, the licensing act is not always the most</p>

	appropriate mechanism to deal with all problems experienced
Section 12.1 and 12.2 proposal to add extra text on EMRO's and Late night levy	Not agreed, sections kept to a minimum as the council has not adopted these provisions.
Section 12.3 extra text proposed	Section 12.3 some changes made
Proposal to add new paragraph (13.1) into section 13	Agreed, new paragraph added and re numbered section 13.
Proposal to add extra bullet point in section 13.4	Not agreed, the proposed bullet point is within section 13.7
Proposal to add two extra bullet points into section 13.7	One bullet point added, the second not agreed. Unaccompanied children on licensed premises is allowed in certain circumstances.

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# **PETERBOROUGH CITY COUNCIL**

## **LICENSING ACT 2003**

### **STATEMENT OF LICENSING POLICY**

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## DEFINITIONS

**Note:** In this Policy, the following definitions are included to provide an explanation of certain terms included in the Act and therefore in the Policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

**‘the Act’** means the Licensing Act 2003 (c.17)

**‘Licensable Activities’** means: -

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of Regulated Entertainment
- The provision of Late Night Refreshment

**‘The Guidance’** means the guidance issued by the Secretary of State for the Department of Culture, Media and Sport under s.182 of the Act.

**‘Licensed Premises’** includes club premises and events unless the context otherwise requires.

**‘Designated Premises Supervisor (DPS)’** means the person (who must be a Personal Licence Holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence or will be the Premises Licence holder.

**‘Regulated Entertainment’** is defined as;

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to that falling within the performance of live music; the playing of recorded music and the performance of dance.

In some circumstances, the provision of regulated entertainment is not licensable, for further information please go to [www.gov.uk](http://www.gov.uk) (and search for entertainment licensing)

**‘Late Night Refreshment’** means the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.

**‘Operating Schedule’** means a document containing a statement of the following matters (and any others that may be prescribed): -

- The relevant Licensable Activities
- The times at which the Licensable Activities are to take place and any other times when premises are open to the public
- Information regarding the person who will be specified in the Premises Licence as the Premises Supervisor
- Where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises
- The steps being taken to promote the Licensing Objectives

**‘Other Persons’** means

Persons who live, or are involved in a business, in the relevant licensing Authorities area and who are likely to be affected by the application and are not a Responsible Authority.

**‘Responsible Authority’** means any of the following: -

- The Chief Officer of Police
- The Fire Authority
- The enforcing authority for Health and Safety at Work
- The local planning authority
- The local weights and measures authority (Trading Standards)
- The Council responsible for minimising or preventing the risk of pollution of the environment or of harm to human health
- The body representing matters relating to the protection of children from harm
- In relation to a vessel, a navigation authority, the Environment Agency, or the British Waterways Board
- The relevant Licensing Authority
- The Director of Public Health ~~The Local Health Board~~

**‘Relevant Representations’** are representations which can be either in support of an application or against the application, (also called an objection) and must be:

- About the effect of the Premise Licence on the promotion of the licensing objectives;
- Are made by a responsible authority or any other person, have not been withdrawn and, in the case of representations made by other persons, they are not in the Council’s opinion frivolous or vexatious.
- Must relate directly to an application and received during the consultation period. Representations received outside the consultation period cannot be considered.
- An objection must relate to the licensable activities requested, how you and the objectives are likely to be adversely impacted by the activity, which the conditions proposed in the operating schedule of the application do not address or do not address sufficiently.

**‘Temporary Event Notice (TEN)’** means a Permitted Temporary Activity involving one or more Licensable Activities subject to various conditions and limitations (see section 9.5). For further information, please go to [www.gov.uk](http://www.gov.uk) (and search for alcohol licensing)

Standard TEN: Must be received no later than 10 working days prior to the event.

Late TEN: Must be received between 5 and 9 working days prior to the event

## THE CITY OF PETERBOROUGH AND DISTRICT

Peterborough is a modern and progressive City with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of 188,400 in 2013. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 350,000 people in both the East of England and East Midlands' regions.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the regions other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

An essential contribution to the continued development of the City of Peterborough are the differing types of premises and events licensed under the Licensing Act 2003. There are over 600 licensed premises offering a wide range of leisure activities, such as live music, theatres, sports venues, cinema and a vast range of restaurants offering diverse menus to suit any palate.

The embankment along with the county showground provide facilities for several open-air larger type festivals and concerts. Visitors can enjoy a vast range of outdoor leisure activities and picturesque countryside – including 2,000 acres of riverside parkland. There are two theatres offering drama, ballet and concerts – the Key Theatre and the Cresset Theatre. For sports fans, Peterborough has four sports stadia: football, speedway, ice hockey and greyhound.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

Peterborough is an intelligence led authority, the Safer Peterborough Partnership is an integrated multi-agency initiative working in partnership with the police and others to tackle many issues, e.g. crime, anti-social behaviour and alcohol related issues. This approach highlighted the 'Op Can Do' area as an area which had reached saturation and a Cumulative Impact Policy was introduced and took effect in April 2013.

## 1. INTRODUCTION

- 1.1 This Statement of Licensing Policy has been produced in accordance with s.5 of the Licensing Act 2003 (the Act) which requires the Council to review and where appropriate renew its contents on a five yearly basis (subject to changes in legislation or otherwise prescribed by the Secretary of State).
- 1.2 In reviewing the Statement of Licensing Policy the Council has considered the Guidance issued under s.182 of the Act.
- 1.3 This policy provides information and guidance to licence applicants, licence holders, objectors and Other Persons on the general approach to be taken by the Council in respect of its obligations under the Act.
- 1.4 This policy is made available in key Council offices and via the Council's website: [www.peterborough.gov.uk](http://www.peterborough.gov.uk) under business.
- 1.5 The contents within the policy have been amended in line with Local Government Association (LGA) Best Practice Framework for the Review of Licensing Policy Statements.

## 2. DISCLAIMER

- 2.1 The content of the Council's Statement of Licensing Policy is aimed only to provide guidance and should not be interpreted as legal advice. It is strongly recommended that persons obtain their own legal advice if they are not sure of the requirements of the Act and/or the Guidance and Regulations issued in accordance with it.

## 3. LICENSABLE ACTIVITIES

- 3.1 This policy relates to all those activities identified as falling within the provisions of the Act, provided to the public, to registered club members or with a view to profit as defined within the Act.
- 3.2 The Licensing Act 2003 regulates the following activities:
  - Retail sale of alcohol
  - Supply of alcohol by or on behalf of a club, or to the order of, a member of the club
  - The provision of regulated entertainment
  - The provision of late night refreshment

## 4. OBJECTIVES

- 4.1 The Council has a duty under the Act to carry out its licensing functions by promoting the licensing objectives, which are:-
  - The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 4.2 Each objective has equal importance.
- 4.3 The Council will also in carrying out its duties have regard to the Guidance, this policy and any responses to consultation regarding this policy.
- 4.4 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with its neighbouring authorities, responsible authorities such as the Police, Fire Service, [Health Service](#) etc. local

businesses, licensed trade, residents and others, towards the promotion and delivery of the objectives.

- 4.5 The Council will expect individual applicants to address the licensing objectives in their Operating Schedule having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community. This must be particularly addressed for applications within the Cumulative Impact area.
- 4.6 It is recommended and encouraged that all applicants for authorisations enter into informal discussions prior to the submission of an application in order to avoid potential problems and unnecessary hearings and appeals.

## 5. CONSULTATION

- 5.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns that require consideration as part of the licensing functions and the promotion of the licensing objectives. The Council will continue to consult with these parties upon receipt of applications where relevant, and for the further continuation and development of the Licensing Policy.
- 5.2 In reviewing this Policy, the Council consulted over a 10 week period 06 July 2015 – 13 September 2015 with the following:
- (a) Chief Officer of Police for the area;
  - (b) Fire Authority for the area
  - (ba) Director of Public Health
  - (c) Persons/bodies representative of local holders of premises licenses;
  - (d) Persons/bodies representative of local holders of club premises certificates;
  - (e) Persons/bodies representative of local holders of personal licenses
  - (f) Persons/bodies representative of businesses and residents in its area;

All responses to the consultation were given due consideration when determining the final policy.

- 5.3 A review of the policy was carried out by way of consultation with those listed in 5.2 to include a special policy. The consultation took place between 21/1/13 – 04/03/13.
- 5.4 The special policy was adopted by full council at a meeting held on 17 April 2013. Please see section 11.

## 6. FUNDAMENTAL PRINCIPLES

- 6.1 Licensing is about regulating the carrying on of licensable activities by the appropriate control of licensed premises, qualifying clubs, and temporary events together with the people who manage such premises or hold Personal Licences within the terms of the Act.
- 6.2 In circumstances where conditions are required to be attached to the various authorisations, the focus will be on matters which are within the control of the individual licensee and others in possession of relevant authorisations (please see section 14 for more information on licence conditions).
- 6.3 In setting conditions the Council will primarily focus on the direct impact of the activities taking place at, or resulting from the licensed premises on those living, working or engaged in normal activity in the vicinity of the licensed premises.
- 6.4 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned. However:

- (a) licensing law is a key aspect of such control and therefore will always form part of an all round approach to the management of the entertainment evening and night-time economy within Peterborough; and
- (b) licensees and Certificate Holders should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example, on the pavement, in a beer garden, or with the smoking ban in force, in a smoking shelter, where and to the extent that these matters are within their control.

6.5 Nothing in this policy prevents each licence application being considered on its own merits nor will it override the right of any individual to apply under the terms of the Licensing Act 2003 for a variety of permissions.

6.6 This policy does not seek to override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

6.7 If no relevant representations are received from responsible authorities or any other persons, applications must be granted as applied for. The only conditions which will be applied are those proposed within the operating schedule and any applicable mandatory condition(s).

## 7. OTHER LEGISLATION

7.1 Crime and Disorder Act 1998: Under this Act local authorities must have regard to the likely effect of the exercise of their functions, and do all they can to prevent crime and disorder in their area.

7.2 The Council will have particular regard to the likely impact of licensing on related crime and disorder in the district, particularly when considering the location, impact, operation and management of all proposed licence/certificate applications, renewals and variations of conditions. Any conditions attached to premises licences and club premises certificates will, so far as possible, consider and reflect the local crime prevention strategies.

7.3 The Council recognises that the Equality Act 2010 places a legal obligation on public authorities and has due regard to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity.

## 8. OTHER REGULATORY SYSTEMS / POLICIES

8.1 By consultation and liaison, the Council will secure the proper integration of this licensing policy with local crime prevention, [community safety](#), environment, planning, tourism, [health and wellbeing](#), race equality schemes and cultural strategies and any other relevant policy, in addition to plans introduced for the management of the City and the night-time economy. Many of these strategies are not directly related to the promotion of the four licensing objectives, but, indirectly impact upon them.

8.2 **Sexual Entertainment Venues (SEV):** On 02 December 2010 The Council adopted the amendment to the Local Government (Miscellaneous Provisions) Act 1982 (LG(MP)A 1982) with an effective commencement date of 08 February 2011. The effect of this means that premises which provide sexual entertainment on a regular basis (more than 11 occasions per year) will be required to obtain a SEV licence under LG(MP)A 1982. If the premises also require the sale and supply of alcohol, licences under both Acts will be required.

8.3 **Planning, building control and the licensing regimes:** Will be separate to avoid duplication and inefficiency. Licensing applications should not be a re-run of the planning application and should not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Where a terminal hour has been set as a condition of planning permission for the use of premises for commercial purposes that are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

- 8.4 **Cultural Strategies:** The Council will monitor the impact of licensing on the provision of regulated entertainment, and particularly live music and dancing. As part of implementing cultural strategies, proper account will be taken of the need to encourage and promote a broad range of entertainment, particularly live music, dancing and theatre, including the performance of a wide range of traditional and historic plays, for the wider cultural benefit of the communities.
- 8.5 **Public Spaces:** The Council wishes to promote a broad range of entertainment within its area including live music, dancing and theatre. To promote this policy the Council may, where appropriate, seek to obtain premises licences for Council owned public spaces within the community such as market squares, village greens, etc.
- 8.6 **Travelling Circuses:** Where types of entertainment are present in a performance by a travelling circus they will not be licensable provided that certain qualifying conditions are met. Guidance has listed these qualifying conditions as follows:
- The entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
  - The entertainment takes place between 08.00 and 23.00 on the same day
  - The entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
  - The travelling circus has not been located on the same site for more than 28 consecutive days.

It should be noted that the circuses with performing animals will not be permitted, and therefore not licensed, on Council owned land.

## 9. TEMPORARY EVENT NOTICES

- 9.1 A temporary events notice (TEN) is required for the sale of alcohol by retail, provision of regulated entertainment and/or the provision of late night refreshment, which is to take place at premises, which are currently unlicensed for the activities involved. Applicants are reminded that a limit of fewer than 500 persons at any one time applies to a temporary event and failure to comply with this limit may lead to the event closure or even prosecution. It is strongly recommended, therefore, that a means of recording the number of persons entering and leaving the premises is put into operation. There is nothing to stop a TEN being given for a premises where a premises licence is already in force although does not cover the type of event proposed.
- 9.2 If there are over 500 persons attending the event then this will fall outside the provisions of a temporary event notice and a premises licence will be required.
- 9.3 Applicants are reminded that an authorisation made under a TEN does not remove their obligations under any other legislation including that of statutory nuisance. Where necessary, permissions should be sought from the appropriate body. The Council strongly recommends that applicants familiarise themselves with these responsibilities which amongst others may include:-
- Planning permission
  - Health and Safety
  - Noise Pollution
  - Erection of temporary structures
  - Road closures
  - Use of pyrotechnics
  - Anti-social behaviour
- 9.4 As well as the limit on the number of persons permitted under a TEN the following conditions and limitations apply:-
- Duration – they are limited to events lasting for up to 168 hours (7 days);

- Use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, (this will increase to 15 with effect from 1 January 2016) but are subject to the overall aggregate of 21 days irrespective of the number of occasions on which they have been used;
- The total number of notices (this includes late and standard TENs) given by an individual within a calendar year (1 January to 31 December) – a Personal Licence Holder is limited to 50 notices in one year and another person to 5 notices
- The number of late TEN's is limited to 10 in a calendar year for a personal licence holder and two for other people. If these limits are exceeded in a calendar year, the application will be returned as void and the event will not be authorised.
- There must be a minimum period of 24 hours between events authorised under separate TEN's at the same premises by the same premises user or associate.
- Relevant persons - Police and Environmental Health have the opportunity to consider whether they should object, modify or attach conditions to a TEN based on any of the licensing objectives

9.5 When calculating the number of working days for submission of TENs, the day the notice is received and the first day of the event are excluded from the calculation. If a TEN application requests for an event to start before midnight and end after midnight this will count as two days towards the 21 day limitation.

9.6 **Standard and Late Temporary Event Notices:** There are two types of TEN, a standard TEN and a late TEN. These are subject to different processes. A standard TEN is given no later than ten working days before the event to which it relates, and a late TEN is given not before nine and not later than five working days before the event.

9.7 **Standard Temporary Event Notices:** Whilst a minimum of 10 working days' notice must be given to the Council and relevant persons for applications, it should be noted that this gives very little time for the Council to process the application and for the relevant persons to respond. Applicants are therefore encouraged to provide a minimum of 28 days' notice of a licensable event.

9.8 Where a TEN is held on premises where a premises licence or club premises certificate is in place, and the relevant persons believe that allowing the premises to be used in accordance with the TEN would undermine the licensing objectives they can object and/or modify and/or request conditions from the premises licence or club premises certificate to be applied to the TEN.

9.9 Where an objection to a TEN is received from relevant persons and not withdrawn, the licensing authority must hold a hearing to consider the objection, unless all parties agree that this is unnecessary.

9.10 **Late Temporary Event Notices:** are intended to assist premises users who are required for reasons outside their control to provide licensable activities at premises in shorter time scales. However, there is a risk that the event may receive an objection from relevant persons, where this occurs the notice will not be valid and the event will not go ahead, as there is no scope for a hearing or the application of any existing conditions.

## 10. DUPLICATION

10.1 So far as is possible, this policy is not intended to duplicate existing legislation and other regulatory regimes that already place obligations on the self-employed, employers and operators of venues both in respect of employers and of the general public when on the premises in question. Therefore, conditions and control measures which would be a duplication of existing legislative requirements, cannot be imposed in the context of licensing law as they are already provided for in other legislation.

## 11. CUMULATIVE IMPACT

- 11.1 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can consider within its licensing policy statement. This should not, however, be confused with 'need' which concerns the commercial demand for a particular type of premises, e.g. a pub, restaurant or hotel. The issue of 'need' is therefore primarily a matter for the market to decide and does not form part of this licensing policy statement.
- 11.2 The licensing authority can only adopt a special policy on cumulative impact if there is evidence that a significant number of licensed premises concentrated in one area is causing a cumulative impact on one or more of the licensing objectives.
- 11.3 Following concerns as to the perceived saturation of licensed premises in the area known as Op Can Do attached as Appendix 1 with a list of streets attached as Appendix 2, the licensing committee approved the consultation of a review of the Statement of Licensing Policy to include a special policy in that area.
- 11.4 The following steps were undertaken by the licensing authority in considering whether to adopt a special policy on cumulative impact for the Op Can Do area:
- Identified concern about the negative impact on the licensing objectives
  - Considered whether there is evidence to support the concerns identified that crime and disorder and nuisance is occurring and is associated with licensed premises
  - Consulted with those specified in section 5(3) of the Licensing Act 2003, on the proposal for a special policy in relation to new applications and variations to existing premises licences and club premises certificates and considered the outcome of the consultation
  - Having considered the available evidence and undertaken consultation, the licensing authority determined that it is appropriate to control cumulative impact.

### Special Policy on Cumulative Effect

- 11.5 The Licensing Authority has adopted (following a meeting of the full council on 17 April 2013) a special policy relating to cumulative impact in respect to all licensed premises for the Op Can Do area. The special policy took effect on 18 April 2013.
- 11.6 This special policy creates a rebuttable presumption that applications within the Op Can Do area for new premises or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, if relevant representations are received about the cumulative impact on the licensing objectives, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact already being experienced.
- 11.7 Applicants will need to address the special policy issues in their operating schedules in order to rebut such a presumption.
- 11.8 Despite the presumption against grant, responsible authorities and/or other persons will still need to make a relevant representation before the licensing authority may lawfully consider giving effect to its special policy i.e. if no representation is received, the application must be granted (subject to such conditions as are consistent with the Licensing Act 2003). Responsible authorities and other persons can make a written representation referring to information, which had been before the licensing authority when it developed its statement of licensing policy.
- 11.9 This licensing authority recognises that a special policy should never be absolute. The circumstances of each application will be considered properly and applications for licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives may be granted. After receiving representations in relation to a new application or for a variation of a licence or certificate, the licensing authority will consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the

licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

- 11.10 A special policy will not be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises.
- 11.11 The “cumulative impact” on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered.
- 11.12 A review must relate specifically to individual premises, and by its nature, “cumulative impact” relates to the effect of a concentration of many premises. Identifying individual premises in the context of a review would inevitably be arbitrary.
- 11.13 A special policy relating to cumulative impact cannot justify, and will not include provisions for a terminal hour in a particular area or impose quotas - based on either the number of premises or the capacity of those premises.
- 11.14 This special policy will be reviewed regularly in line with the statutory requirements to review the Statement of Licensing Policy unless the licensing authority deems it appropriate to review in the interim period. Consultation will take place with those identified in 5.2 of the policy, responses can be based on intelligence such as:
- Health data including wider public health and local alcohol profiles for England (LAPE) data [www.lape.org.uk](http://www.lape.org.uk)
  - Data on alcohol related and alcohol specific hospital admissions, alcohol related deaths in the local area and the number of people in a structured alcohol treatment service.
  - Data about crime and disorder or nuisance occurring, or whether activities are a threat to public safety or children from harm.
  - If -problems are occurring, to identify whether these problems are being caused by customers of licensed premises, or that the risk of cumulative impact is imminent.
  - Complaints and calls for service from residents or businesses
- 11.15 The absence of a special policy however, does not prevent any responsible authority or other persons making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.
- 11.16 Once away from licensed premises, a minority of consumers will behave badly and unlawfully. The licensing policy is part of a much wider strategy for addressing these problems. Other mechanisms both within and outside the licensing regime are available for addressing such issues. For example:
- Planning controls
  - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority
  - The provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
  - Powers of local authorities to designate parts of the local authority area as Public Spaces Protection Orders. Confiscation of alcohol from adults and children in designated areas.
  - Police enforcement of the general law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices.
  - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale).
  - Powers to close down instantly premises or temporary events to prevent a nuisance or disorder from continuing, recurring or occurring.
  - The power for responsible authorities and other persons to seek a review of a premises licence or club premises certificate.
- 11.17 The above may be supplemented by other local initiatives that seek to address these problems, for example through Safer Peterborough Partnership, in line with the strategic objectives for crime and disorder reduction in the city.

Map Showing Current CI Policy Area in Green

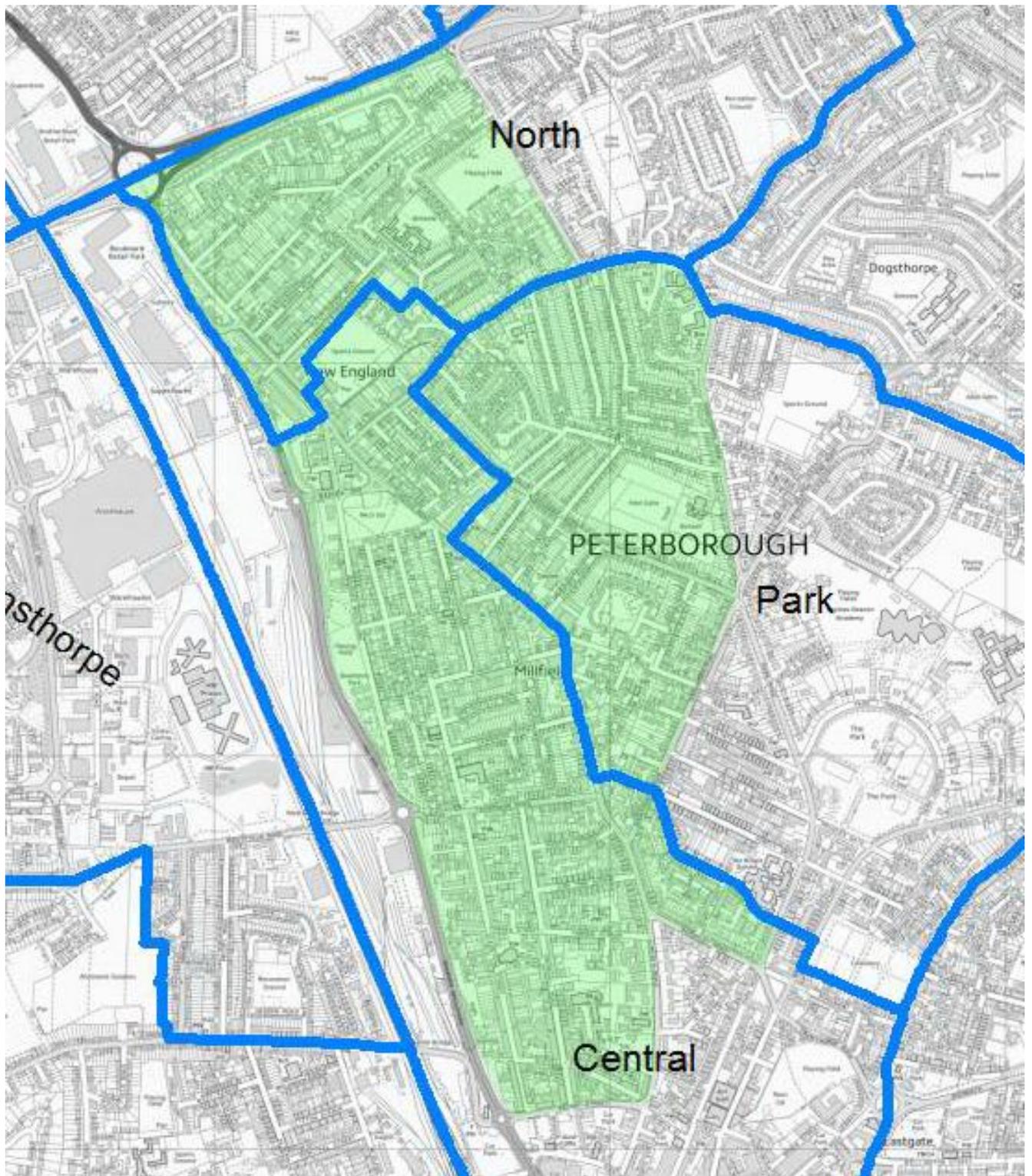


Table of Street Names Within the Current CI Area

Streets in the Op Can Do area		
Alexandra Road	Keats Way	1-359 Dogsthorpe Road
Allen Road	Keeton Road	40 - 50 Bright Street
Alma Road	Kipling Court	Beckets Close
Bamber Street	Lammas Road	Berry Court
Beech Avenue	Lawn Avenue	Boswell Close
Belham Road	Lime Tree Avenue	Burghley Mansions
Bourges Boulevard	Lincoln Road	Burns Close
Brassey Close	Link Road	Burrows Court
Brownlow Road	Lister Road	Carl Hall Court
Burghley Road	Lynton Road	Caroline Court
Burmer Road	Maskew Avenue	Cecil Pacey Court
Cambridge Avenue	Norfolk Street	Century Square
Cecil Road	North Street	Claridge Court
Chantry Close	Northfield Road	Coleridge Place
Chaucer Road	Norton Road	Connaught Mews
Church Walk	Nursery Close	Cromwell Court
Clare Road	Occupation Road	Dogsthorpe Grove
Clarence Road	Park Road	Dyson Close
Cobden Avenue	Parliament Street	Gillwell Mews
Cobden Street	Peveril Road	Gray Court
Cowper Road	Pope Way	Hamilton Court
Craig Street	Portland Avenue	Ingleborough
Cromwell Road	Russell Street	Johnson Walk
Crown Street	Scotney Street	Kimbolton Court
Dryden Road	Searjeant Street	Lincoln Gate
Eaglesthorpe	Shakespeare Avenue	Loire Court
English Street	Sheridan Road	Manor House Street
Exeter Road	Silverwood Road	Old Court Mews
Fitzwilliam Street	Springfield Road	Oxford Road
Foxdale	St James' Avenue	Parkodi Court
Fulbridge Road	St Mark's Street	Popley Court
Geneva Street	St Martins Street	'Raedwald Court
Gilpin Street	St Paul's Road	Rock Road
Gladstone Street	Stone Lane	Rosehall Court
Granville Street	Summerfield Road	Russell Mews
Green Lane	Taverners Road	Salaam Court
Hankey Street	Tennyson Road	Shelley Close
Harris Street	Thistle Moor Road	St Marks Apartments
Henry Court	Towler Street	St Marks Court
Henry Street	Vere Road	St Martins Mews
Herrick Close	Victoria street	The New Haven
Highbury Street	Warbon Avenue	Tom Lock Court
Windmill Street	Waterloo Road	up to 135 Park Road
Bamber Court	Wilberforce Road	Victoria Place
Walpole Court	York Road	

## 12. LICENSING HOURS / ZONING

- 12.1 EMRO's: Early Morning Restriction Orders, are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 12.2 LNL: Late Night Levy, is a levy imposed on businesses which sell alcohol between midnight and 6am or part thereof. Funds raised by this levy are applied to the costs of policing crime and disorder connected to those sales of alcohol.
- 12.3 The Council notes guidance on the late night levy and EMRO's and has considered the options of adopting EMRO's and/or a LNL the provisions, but and has no intention desire at this time of implementing either provision. The Council reserves the right to review ~~consider~~ this decision in the future.
- 12.4 The Council has not adopted fixed trading hours as a matter of policy. It recognises that flexible licensing hours with regard to the sale of alcohol is important to ensure that the concentrations of customers leaving premises simultaneously are avoided.
- 12.5 The Council recognises that providing consumers with greater choice and flexibility is important to a thriving evening and night-time economy however, this will be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 12.6 There is no general presumption in favour of lengthening licensing hours and accordingly the Council may when issuing new licenses or following reviews of existing licenses reject a proposal or grant it with appropriate conditions and/or different hours from those requested.
- 12.7 Shops, stores and supermarkets will normally be permitted to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons based on the four licensing objectives for restricting those hours. For example, a limitation on licensing hours may be appropriate following Police representations in the case of premises known to be a focus of disorder and disturbance because youths gather there.

## 13. CHILDREN AND LICENSED PREMISES

- 13.1 There are a great variety of premises for which licences may be sought, including theatres, cinemas, restaurants, cafes, fast food outlets, community halls and schools where children may frequent. No statement of policy can properly anticipate every issue of concern that could arise in respect of children in relation to individual premises, and therefore the individual merits of each application will be considered in each case.
- 13.2 Conditions requiring the admission of children to any premises will not generally be attached to licences or certificates (except those identified in 13.7). Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club, subject to compliance with the Act
- 13.3 Where it is deemed appropriate to attach conditions to the licence in relation to access by children, this will be for the prevention of physical, moral or psychological harm to them.
- 13.4 Venue operators seeking premises licences and club premises certificates will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events. It may also be that their own risk assessments have determined that the presence of children is undesirable or inappropriate.

- 13.5 The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedules, having regard to their particular type of premises and/or activities:-
- Effective and responsible management of the premises
  - Provision of a sufficient number of people employed or engaged to secure the protection of children, including child performers, from harm
  - Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
  - Limitations on the hours when children may be present in all or parts of the premises
  - Limitations or exclusions by age when certain activities are taking place
  - Imposition of requirements for children to be accompanied by an adult
  - Acceptance of accredited 'proof of age' cards and/or 'new type' driving licences with photographs.
- 13.6 Where no relevant representations are made to the Council, any proposed conditions in the operating schedule will be attached as conditions to the licence or certificate, subject to paragraph 14.1 below and will be enforceable.
- 13.7 Following receipt of any relevant representations, the Council will consider and determine each application, on its merits, as to whether to limit access by children or exclude them altogether from licensed premises by attaching any relevant conditions.
- 13.8 The conditions limiting and restricting access by children may include a combination of the following: -
- Limitations on the hours when children may be present in all or parts of the premises
  - Requirements for children to be accompanied by adults
  - Full exclusion of those people under 18 from the premises when any licensable activities are taking place
  - Limitations on the parts of premises to which children might be given access
  - Limitations or exclusions by age when certain specified activities are taking place e.g.
    - Where entertainment or services of an adult or sexual nature for example, lap-, table- or pole dancing, topless bar staff or striptease are commonly provided
    - Where there is a strong element of gambling on the premises (but not where there is a small number of cash prize gaming machines);
    - With a known association to drug activities – taking or dealing;
    - Where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
    - Where the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 13.9 The Council recognises the Peterborough Safeguarding Children Board as the competent body to advise on these matters.
- 13.10 **The Portman Group:** The Council commends the Portman Group Code of Practice on the naming, packaging and promotion of alcoholic drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older.
- 13.11 **Proof of Age Schemes:** The Council commends proof of age cards accredited under the Proof of Age Standards Scheme (PASS).
- 13.12 **Children and Cinemas:** In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

## 14. LICENCE CONDITIONS

- 14.1 There are three different types of condition that may be attached to a licence or certificate:  
 Proposed - those conditions offered with the operating schedule of the application:  
 Imposed - attached by licensing authority following a hearing  
 Mandatory - imposed by the Act and can be amended by the Secretary of State.  
 All conditions should be clear, enforceable, evidenced, proportional, relevant, and capable of being understood.
- 14.2 One of the key concepts of the Act is that any conditions (other than the statutory mandatory conditions and those proposed within the application) attached to licences or certificates can only be imposed to licenses at a hearing following relevant representations. Conditions will be tailored to the individual style and characteristics of the premises and events concerned.
- 14.3 The Council will only attach conditions to premise licenses and club certificates where they are appropriate for the promotion of one or more of the four licensing objectives.
- 14.4 Conditions that are appropriate for the promotion of the licensing objectives should emerge initially through the operating schedule and risk assessment carried out by a prospective licensee or certificate holder at the time of application, particularly for applications within the cumulative impact area,
- 14.5 The Council will not impose any conditions unless they are proposed or its discretion has been engaged following relevant representations having been received and upheld. In these circumstances, it may then only impose conditions as are appropriate to promote the licensing objectives arising out of the consideration of representations.
- 14.6 The Council will take into account:
- The character of the surrounding area;
  - The nature and character of the proposed operation;
  - The impact that the activity will have on those living, working or engaged in normal activities in the area concerned.
- 14.7 Conditions will generally be considered inappropriate if they are already adequately covered by other legislation.
- 14.8 The pool of conditions cover, among other things, issues surrounding:
- Crime and disorder, incorporating local crime prevention strategies, e.g. CCTV at certain premises;
  - Public safety (including fire safety and means of escape);
  - Theatres and cinemas (promotion of public safety);
  - Anti-social behaviour (inc: public nuisance, provision of clearance of litter outside premises, fly posting);
  - Protection of children from harm;
- Further information can be found via the Council's website [www.peterborough.gov.uk](http://www.peterborough.gov.uk) under 'business'
- 14.9 Any conditions not listed in the pool may be specifically tailored by this Council and attached as conditions where appropriate.
- 14.10 In determining what conditions should be attached to licences and certificates, to appropriately promote the licensing objectives, the Council will be aware of the need to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

## 15. ENFORCEMENT

- 15.1 The Council will establish arrangements with the responsible authorities on enforcement issues in addition to carrying out their own regular inspections. These protocols will provide for the targeting of agreed problem and high-risk premises.
- 15.2 All decisions and enforcement action taken by the Council will have regard to the relevant provisions of the Act, national guidance, e.g. BRDO (Better Regulation Delivery Office) Regulators' Code and the enforcement policy of the Council. To this end, the key principles of consistency, targeting, transparency and proportionality will be maintained.
- 15.3 Responsible authorities may carry out their own enforcement activities such as test purchasing, on and off sales, underage and proxy sales. Any national guidance will be observed when these activities are conducted.
- 15.4 Premises licences and club premises certificates are subject to an annual fee. The Council must suspend these authorisations for the non-payment of the annual fee. Where disputes or administrative errors arise, there is a grace period of 21 days to resolve (from the due date of the invoice). If the dispute or error is not resolved, a notice of suspension will be given to the premises providing the date (minimum of two working days) when the suspension notice takes effect.
- 15.5 Where an authorisation is suspended, any licensable activities taking place would be unauthorised and subject to further enforcement. Responsible authorities will be notified of suspension notices issued.

## **16. REVIEWS**

- 16.1 The licensing authority works in partnership with the responsible authorities to promote the licensing objectives and will aim to give licensees early warning of any concerns identified at a premises.
- 16.2 Reviews of premise licences represent a key protection for the community where matters arise at the premise in connection with any of the four licensing objectives.
- 16.3 There are certain circumstances (as detailed within guidance), when the crime prevention objective is being undermined, it is expected that revocation of the licence, even in the first instance will be seriously considered.
- 16.4 At any stage following the grant of a Premises Licence a responsible authority or any other person may request a review. Evidence would be required based on one or more of the licensing objectives.
- 16.5 If relevant representations are made about a current licence, the Council will hold a hearing to consider them, unless the Council, the applicant and those making representations agree that the hearing is not necessary.
- 16.6 Additionally a review of the licence will normally follow any action by the Police or Local Authority to close down the premises on grounds of disorder or public nuisance.
- 16.7 No more than one review will normally be permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances or where it arises following a Closure Notice or Order.
- 16.8 Where entertainment is deregulated, between 08.00 and 23.00 and it is having a negative impact on the licensing objectives, a premises licence or club premises certificate can be reviewed to bring the entertainment back under the scope of the authorisation and appropriate conditions can be applied.
- 16.9 A summary review (or expedited) is appropriate for premises experiencing serious crime or disorder. It is a fast track licence review where the Council can attach interim conditions

(where appropriate) to a premises licence where the responsible authority consider that the premises concerned is associated with serious crime or disorder or both. The Council can take the following interim steps:

- Modification of the conditions of the premises licence
- The exclusion of the sale of alcohol (or other licensable activities) from the scope of the licence
- Removal of the DPS
- Suspension of the licence

16.10 The decision takes effect immediately or as soon as the Council directs. The Council will have regard to the Guidance when processing summary reviews.

16.11 Licensing officers may not initiate their own review of premises licences.

## **17. DELEGATION / DECISION MAKING / ADMINISTRATION**

17.1 When determining applications the Council will have regard to the Guidance and this policy. Therefore, determination of applications made under the Act will be made by either the Licensing Committee, by a Sub-Committee of the Licensing Committee, or by one or more authorised officers acting in accordance with the Council's Scheme of Delegation. (See table of delegations on page 22)

17.2 A decision made by an officer under the Council's Scheme of Delegation, will be considered a decision made by the Council.

17.3 The Council will consider relevant representations made both in support of or opposition to any application.

17.4 Where a relevant representation is made then the authorised officer will liaise with the applicant and relevant parties to try and reach an agreement between them and the Council, as to the need for final determination by the Licensing Committee or Sub-Committee.

17.5 Where relevant representations are raised which cannot be resolved by mediation, matters will be referred to either of the aforementioned committees for determination.

17.6 The licensing authority is also a responsible authority and will make representations and review licenses where it considers appropriate. This does not negate the requirement for other responsible authorities or other persons from acting in their own capacity.

17.7 Where the licensing authority utilises the responsible authority provision, there is separation of responsibilities to ensure procedural fairness and eliminate any conflicts of interest. The officer acting as the responsible authority will be a different officer to that who is acting in its capacity as the licensing authority.

17.8 In cases where only positive relevant representations are received and upon agreement of the Applicant, the Licensing Authority and the other persons making those representations, it will not be necessary to hold a hearing to determine the application.

17.9 Each application will be determined on its individual merits taking into consideration the four licensing objectives.

17.10 Where it is determined that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned, on members of the public living, working or engaged in normal activity in the area concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

17.11 If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Council's consideration will balance those representations against the

wider benefits of the community. Furthermore, the Council acknowledges the advice received from the DCMS that the views of local minorities should not be allowed to predominate over the general interests of the community.

- 17.12 It may be appropriate for the Sub-Committee in some circumstances to conduct a site visit. In such circumstances, Members will observe the Members' Licensing Code of Good Practice and Procedure for Licensing Sub-Committee Site Visits.
- 17.13 All parties will receive a fair hearing.
- 17.14 The Council will ensure that Members and Officers having responsibility under the Act will receive appropriate training to administer and enforce the Act.
- 17.15 Upon request, the Licence Committee will receive regular reports on decisions made by officers to ensure that an overall picture of the state of licences in the area is maintained.
- 17.16 The Council will give comprehensive reasons for its decisions and such reasons shall also address the extent to which the decision has been made with regard to this Policy and Guidance.

## 18. APPEALS

- 18.1 **Magistrates' Court Appeals:** Other than in the case of personal licences, all appeals in connection with various decisions made by the Council will be determined by the Magistrates' Court in the area which the premises concerned are situated.
- 18.2 In the case of personal licences, the appeal must be made to the Magistrates' Court in the area in which the Council (or any part of it) which made the decision is situated.
- 18.3 Beginning with the day the appellant was notified by the Council of the decision to be appealed against; the appellant has a period of 21 days to commence his appeal by the issue of a complaint and notice of appeal to the Magistrates' Court. A fee is payable to the Court and the 21 day period is strict and cannot be extended.
- 18.4 The Council will always be a Respondent to the appeal, but in cases where a favourable decision has been made for an applicant licence holder, club or premises user against the representations of a responsible authority or an interested party or the objections of the chief officer of Police, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal and the person who made the relevant representation or the chief officer of Police will be the appellants.
- 18.5 On determining an appeal, the court may:
- Dismiss the appeal;
  - Substitute for the decision appealed against any other decision which could have been made by the Council; or
  - Remit the case back to the Council to dispose of it in accordance with the direction of the court.
- 18.6 The court may make such order as to costs as it sees fit.
- 18.7 The court, on hearing any appeal, may therefore review the merits of the decision on the facts and consider points of law or address both.
- 18.8 In hearing an appeal against any decision made by the Council, the Magistrates' Court will have regard to this licensing policy statement and the Guidance.
- 18.9 The Court can depart from both if it is justified to do so, depending on the individual circumstances.

- 18.10 This Council, therefore, when determining applications will give comprehensive reasons for its decisions.
- 18.11 Any decision made by the Magistrates' Court will be implemented by the Council immediately.

**19. EFFECTIVE DATE AND REVIEW**

- 19.1 This policy statement will take effect on 31 January 2016
- 19.2 This policy statement will be kept under review, consulted on, and will remain in existence for a period of up to five years. It is subject to review and further consultation before 7 January 2021 (subject to changes in legislation prescribed by the Secretary of State).

**20. Table: Recommended Delegations of Functions**

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for Personal Licence	If a Police objection	If no objection made
Application for Personal Licence with unspent convictions	All cases	
Application for Premise Licence/Club Premise Certificate	If a relevant representation made	If no relevant representation made
Application for Provisional Statement	If a relevant representation made	If no relevant representation made
Application to vary Premise Licence/Club Premise Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated Premise Supervisor	If a Police objection	All other cases
Request to be removed as designated Premise Supervisor		All cases
Application for transfer of Premise Licence	If a Police objection	All other cases
Applications for interim authorities	If a Police objection	All other cases
Application to review Premise Licence/club Premise Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc		All cases
Decision to object when Local Authority is a Consultee and not the relevant Authority considering the application	All cases	
Determination of a Police objection to a Temporary Event Notice	All cases	

**21. CONTACT DETAILS****THE LICENSING AUTHORITY:**

The Licensing Team  
 Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1FA  
 T: 01733 747474  
 E: [eh.licensing@peterborough.gov.uk](mailto:eh.licensing@peterborough.gov.uk)  
[www.peterborough.gov.uk](http://www.peterborough.gov.uk)  
 (under the Business section)

**THE RESPONSIBLE AUTHORITIES:****Cambridgeshire Constabulary**

Licensing Department  
 Cambs Constabulary North Division  
 4<sup>th</sup> Floor Bayard Place  
 Broadway  
 Peterborough  
 PE1 1 HZ  
 T: 01733 424438 / 424449

**Cambridgeshire Fire and Rescue:**

Cambs Fire & Rescue Service  
 Peterborough District  
 Dogsthorpe Fire Station  
 Dogsthorpe Road  
 Peterborough  
 PE1 3RE  
 T: 01733 353206

**Safeguarding Children Board**

Child Protection and Review Manager  
 Peterborough City Council  
 Children's Services – Social Care  
 2<sup>nd</sup> Floor, Bayard Place  
 Broadway  
 Peterborough  
 PE1 1FB  
 T: 01733 746020

**Environmental Health - Pollution**

Pollution Control Team  
 Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1FA  
 T: 01733 747474  
 E: [pollution.control@peterborough.gcsz.gov.uk](mailto:pollution.control@peterborough.gcsz.gov.uk)

**Health and Safety:**

e.g. Public houses, nightclubs,  
 shops, restaurants, takeaways,  
 Community centres managed by  
 a committee

Health & Safety Team  
 Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1FA  
 T: 01733 747474  
 E: [healthandsafety@peterborough.gov.uk](mailto:healthandsafety@peterborough.gov.uk)

Premises **managed** by Peterborough  
 City Council e.g. schools, leisure  
 centres

Health and Safety Executive  
 14 Cardiff Road  
 Luton  
 LU1 1PP  
 T: 01582 444200

**Planning**

Planning Services  
 Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1HF  
 T: 01733 453410  
 E: [planningcontrol@peterborough.gov.uk](mailto:planningcontrol@peterborough.gov.uk)

**Trading Standards**

Trading Standards Department  
 Peterborough City Council  
 Town Hall  
 Bridge Street  
 Peterborough  
 PE1 1HT  
 T: 01733 747474  
 T: 03454 040506 for consumer advice  
 E: [trading.standards@peterborough.gov.uk](mailto:trading.standards@peterborough.gov.uk)

**Public Health**

Director of Public Health  
 Peterborough City Council  
 2<sup>nd</sup> Floor Town Hall  
 Peterborough  
 PE1 1HQ  
 T: 01733 747474  
 E: [publichealth@peterborough.gov.uk](mailto:publichealth@peterborough.gov.uk)

**For vessels carrying more than 12 passengers the certifying authority will be: -**

Maritime & Coastguard Agency  
 Surveyor In Charge  
 Harwich Marine Office  
 East Terrace  
 Walton-on-Naze  
 Essex  
 CO14 8PY  
 T: 01255 682107

**For Vessels carrying 12 or less passengers the certifying authority will be: -**

Environment Agency  
 Kingfisher House  
 Goldhay Way  
 Orton Goldhay  
 Peterborough  
 PE2 5ZR  
 T: 01733 464277

**Further information can be found on the following links:**

Peterborough City Council website; [www.peterborough.gov.uk/business](http://www.peterborough.gov.uk/business)

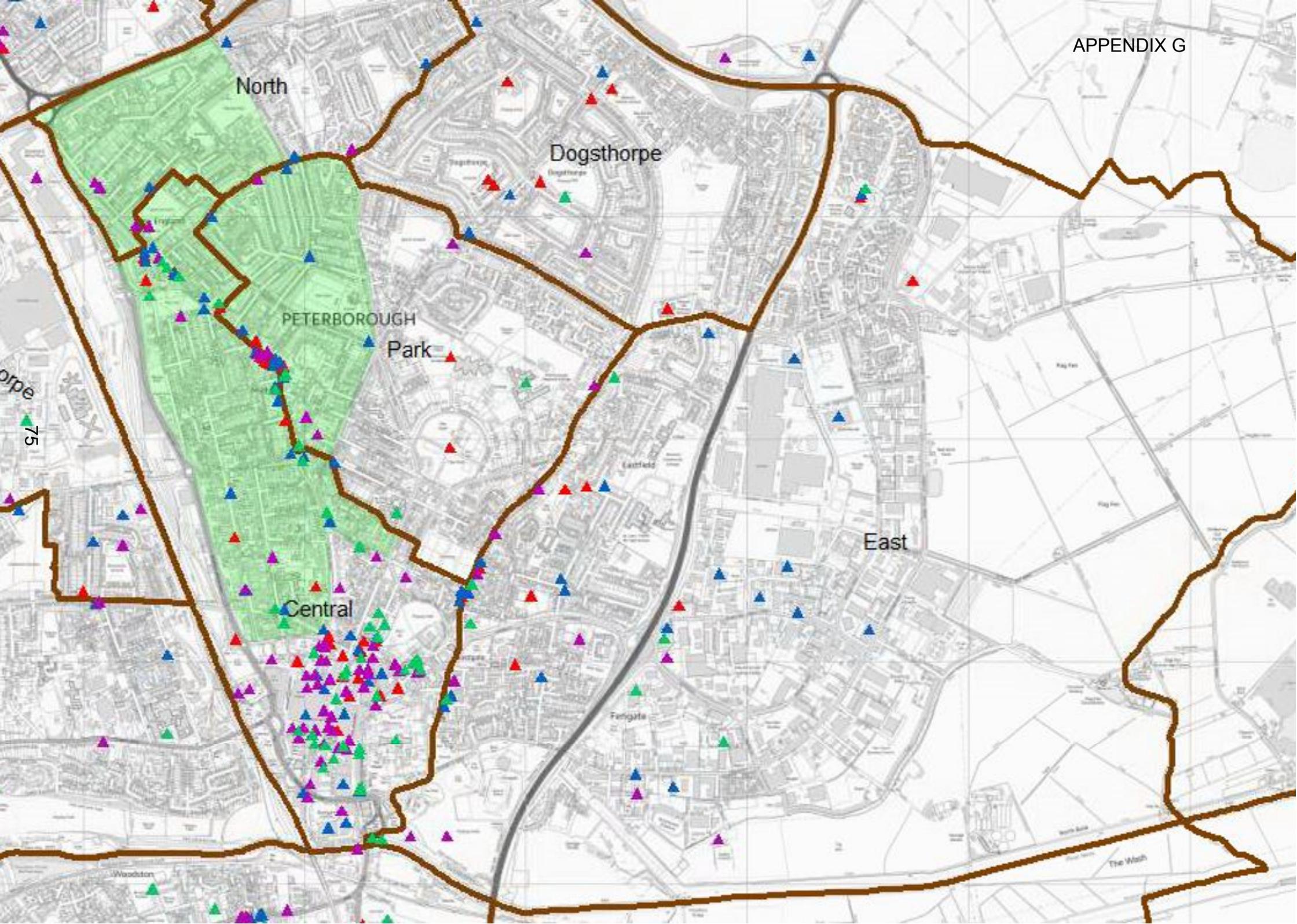
Home Office website: [www.gov.uk/government/organisations/home-office](http://www.gov.uk/government/organisations/home-office)

Guidance issued under section 182 of the Act:

[www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003](http://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003)

The Licensing Act 2003: [www.legislation.gov.uk/ukpga/2003/17/contents](http://www.legislation.gov.uk/ukpga/2003/17/contents)

Information Commissioners Office: [ico.org.uk](http://ico.org.uk)



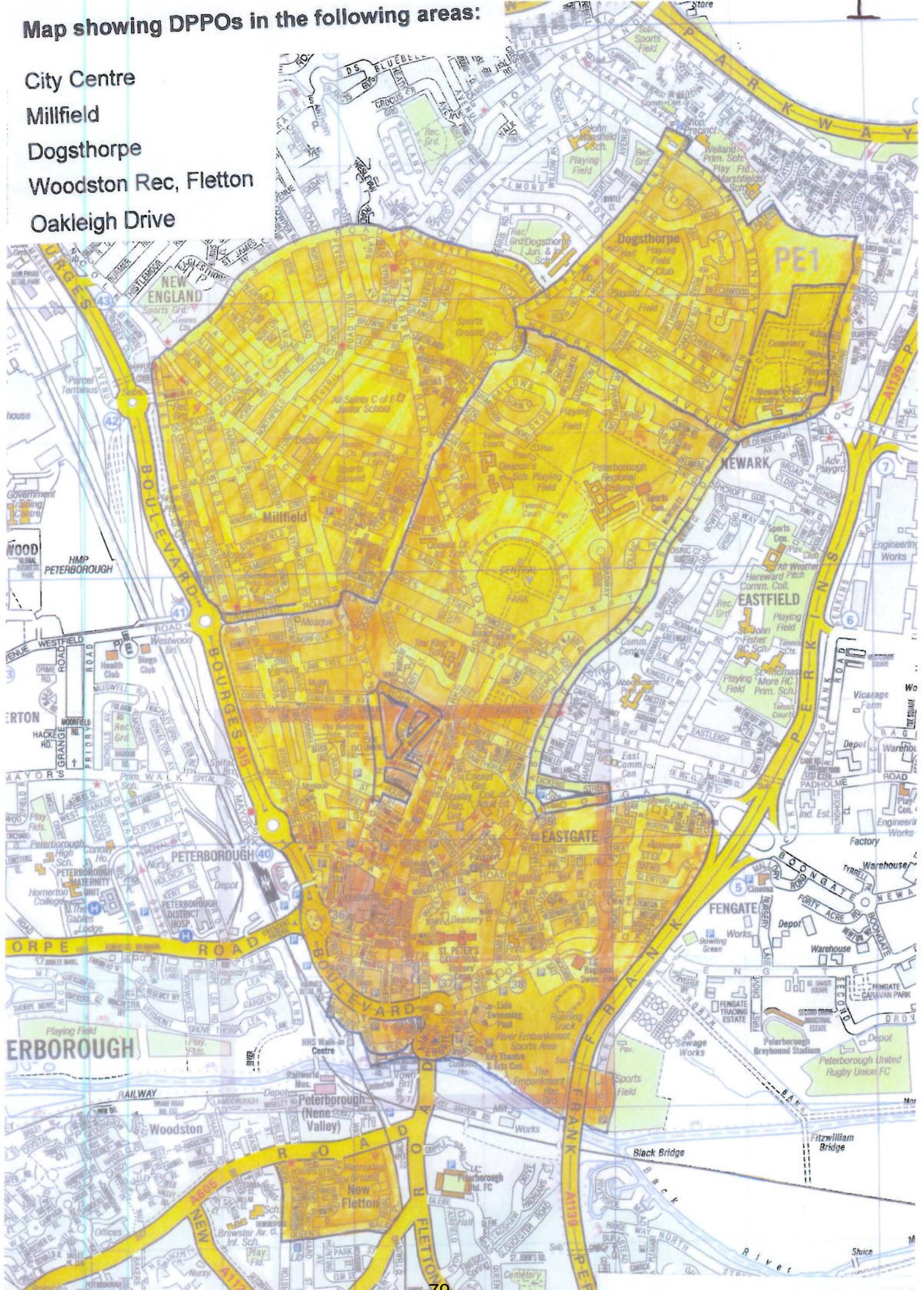
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# Map showing DPPOs in the following areas:

- City Centre
- Millfield
- Dogsthorpe
- Woodston Rec, Fletton
- Oakleigh Drive



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<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No.5</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor Nigel North, Cabinet Member for Communities and Environmental Capital	
Contact Officer(s):	Peter Gell – Head of Regulatory Services Kerry Leishman – Licensing Development Officer	Tel. 01733 453419 Tel. 01733 453502

## STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

RECOMMENDATIONS	
<b>FROM:</b> Peter Gell, Head of Regulatory Services	<b>Deadline date:</b> 7 December 2015
1. Approve the revised Statement of Principles and recommend that it be adopted by Council on 17 December 2015	

### 1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to make members aware of any amendments to the Statement of Principles.
- 1.2 To ask Members to approve the revised Statement of Principles with suggested amendments and agree to recommend approval by Full Council.

### 2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>YES</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
Date for relevant Council meeting	<b>17 December 2015</b>	Date for submission to Government Dept	<b>N/A</b>

### 3. BACKGROUND

- 3.1 Under Section 349 of the Gambling Act 2005, it is a requirement for each Council to produce, adopt and publish a Statement of Principles. This Statement will govern the way decisions are made by the Council and how it will administer its duties under the Act. Without a Statement of Principles the Council may be subject to Judicial Review for failing in its responsibilities to carry out a statutory duty.
- 3.2 The Act requires that the Statement of Principles is kept under continual review to incorporate where necessary any changes to the legislation and or Guidance as appropriate. In addition to this, the Act specifies that the Statement must be reviewed and revised on a three yearly basis.
- 3.3 The third three year period began on 31 January 2013 and therefore is due to expire on 30 January 2016. The revised Statement must be drafted and consulted upon prior to it being adopted.
- 3.4 In formulating the revised Statement, officers have given full consideration to the requirements of the Act and guidance issued by the Gambling Commission. We have also

liaised with colleagues from neighbouring authorities to ensure our Statements are consistent.

#### **4. CONSULTATION**

4.1 The following outlines the procedure taken, in providing the opportunity for members, statutory consultees and members of the public to be involved in the process of reviewing our Statement of Principles

4.2 Before determining its Statement for any three year period (as required under s.349 of the Act), the licensing authority must consult the persons listed in s349 (3) as follows:

- a. Chief Officer of Police for the area;
- b. One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the area;
- c. One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

4.3 For information purposes a list of consultees is attached at **Appendix A**.

4.4 A 10 week consultation took place between 06 July 2015 and 13 September 2015. Advice was given on the following:

- i) Options on where to access and obtain copies of the draft revised Statement
- ii) Opportunity to make relevant representations, in writing, on the draft Statement
- iii) Notification that any comments must be received by 13 September

4.5 The licensing team did not receive comment on the draft statement of principles during consultation.

4.6 Due to an update of the Gambling Commission's guidance issued to Licensing Authorities published mid consultation the Statement has been amended post consultation to include a section on local risk assessments and local area profiles but does not reflect a change of intention or direction of the policy.

4.7 The revised Statement of Principles is attached at **Appendix B**.

#### **5. ANTICIPATED OUTCOMES**

5.1 Recommendation to Council to adopt the revised Statement of Principles.

#### **6. REASONS FOR RECOMMENDATIONS**

6.1 To comply with our statutory requirement under section 349 of the Gambling Act 2005 to produce, adopt and publish a Statement of Principles.

#### **7. ALTERNATIVE OPTIONS CONSIDERED**

7.1 The alternative option is to do nothing. This presents a risk to the council as failure to adopt a policy could result in a Judicial Review being sought.

#### **8. IMPLICATIONS**

Financial Implications – Any costs in relation to the production of the Statement of Principles will be met by income from fees.

Legal Implications – As a minimum, Licensing Authorities are required to prepare and publish, every three years, a Statement of the Principles it proposes to apply when exercising its functions under the Gambling Act 2005.

**9. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Guidance issued to licensing authorities under s.25 of the Act.

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## **LIST OF CONSULTEE'S**

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

### **Responsible Authorities**

- Cambridgeshire Constabulary – the chief officer of police
- Gambling Commission
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Local Safeguarding Children Board
- Environment Agency
- HM Revenue & Customs

**One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:**

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association
- All Gambling Act 2005 Licence/Permit/Registration Holders (through the Council website under heading consultation).

**One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:**

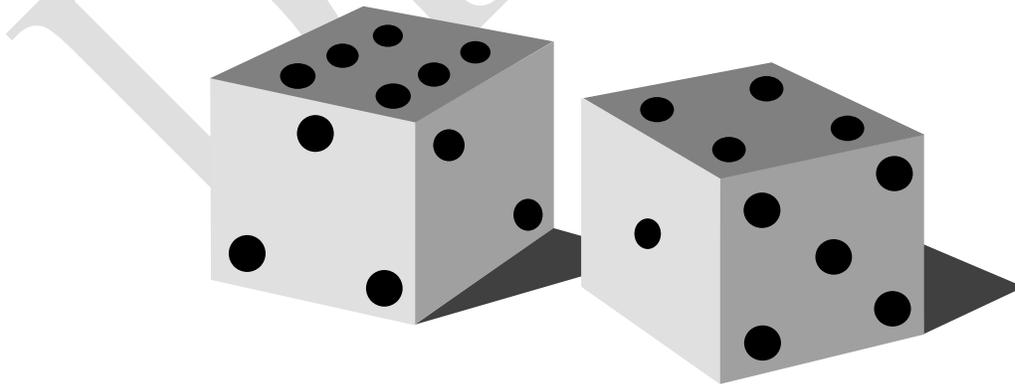
- Peterborough City Council – Ward & Parish Councillors
- GamCare
- All residents and businesses within the Peterborough area (through the Council website under heading consultation)

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# **PETERBOROUGH CITY COUNCIL**

## **GAMBLING ACT 2005**

### **STATEMENT OF PRINCIPLES**



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## THE CITY OF PETERBOROUGH

Peterborough is a modern and progressive city with a strong historical character that makes it a stimulating environment in which to live, work and visit. Between 1971 and 1991, Peterborough's population grew by 46 per cent under the New Town expansion scheme.

In the 2011 Census Peterborough had a population of approximately 183,000. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 350,000 people in both the East of England and East Midlands' regions.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the east of England.

It is only 45 minutes from central London and within striking distance of the region's other great cities - being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

When you visit Peterborough you will find a heritage city, an environment city, an event city and a modern exciting cosmopolitan city

Please refer to Appendix 1 for a map of Peterborough.

Our priorities:

~~Creating opportunities – tackling inequalities~~ Education, Skills and University

~~Creating strong and supportive communities~~ Culture, Recreation and the Arts

~~Creating the UK's environment capital~~ Safeguarding Children and Adults

Safe and Cohesive Communities

~~Delivering substantial and truly sustainable growth~~ Environment Capital and Energy  
Innovation

Growth, Regeneration and Economic Development

## DEFINITIONS

The **Council** means Peterborough City Council

The **Licensing Authority** means the Council acting as defined by section 2 of the Gambling Act 2005.

The **Act** means the Gambling Act 2005.

**Members** means Peterborough City Councillors

The **Licensing Committee** means the full committee or a sub committee of no less than three Members.

**Guidance** means the guidance issued under part 2 section 25 of the Gambling Act 2005 by the Gambling Commission in April 2006

**Child** means an individual who is less than 16 years old, as defined in part 4 section 45(1) of the Act.

A **young person** means an individual who is not a child but who is less than 18 years old, as defined in part 4 section 45(2) of the Act.

**LA** means Local Authority.

## BACKGROUND

The Gambling Act 2005 (“the Act”) gives effect to the Government’s proposals for reform of the law on gambling. The Act contains a regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting. The Act received Royal Assent on 07 April 2005.

A draft bill was published in November 2003 following a publication of a Government White Paper “A Safe Bet for Success” published in March 2002. The White Paper was the Government’s response to the report of the Gambling Review Body published in July 2001.

The Act introduced a new unified regulator for gambling in Great Britain, the Gambling Commission and a new licensing regime for commercial gambling (to be conducted by the Gambling Commission or by licensing authorities, depending on the matter to be licensed). The Act removed from licensing justices all responsibility for granting gaming and betting permissions, which they exercised previously. Instead, the Gambling Commission and licensing authorities now share between them responsibility for all matters previously regulated by licensing justices.

## **PART A - INTRODUCTION**

### **1. THE LICENSING OBJECTIVES**

1.1 The Act sets out licensing functions to be exercised by licensing authorities in relation to the licensing of premises and the grant of certain permits. In exercising most of these functions licensing authorities must have regard to the licensing objectives, which underpin the regulatory regime.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime,
- Ensuring that gambling is being conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

### **2. STATEMENT OF PRINCIPLES**

2.1 The Act requires this licensing authority to publish a ‘Statement of Principles’ that it proposes to apply when exercising its functions. This statement must be published at least every three years and amended from time to time with any amended parts re-consulted upon and subsequently re-published.

2.2 This is the fourth Statement of Principles produced by Peterborough City Council, reviewed in accordance with statutory requirement.

### **3. CONSULTATION**

3.1 Peterborough City Council consulted widely upon this statement before finalising and publishing.

3.2 The Gambling Act requires that the following parties are consulted by licensing authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005

For a full list of persons this authority consulted please refer to Appendix 2.

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3.3 The consultation took place between 06 July 2015 and 13 September 2015.

This latest draft of the policy contains the minimum of amendments and no changes to the intent or direction of the policy.

### **4. APPROVAL OF POLICY STATEMENT**

4.1 *This statement was approved at a meeting of the full council on ~~XX December 2015~~ (date to be inserted) and was published via ~~our Peterborough City Council's~~ website on (date to be inserted).~~XX December 2015~~.*

4.2 *It should be noted that this statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.*

This section will be completed subject to adoption.

### **5. DECLARATION**

5.1 Peterborough City Council would like to declare that in producing this Statement it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to Licensing Authorities issued by the Gambling Commission and any responses from those consulted on the statement.

### **6. RESPONSIBLE AUTHORITIES**

6.1 As required by regulations licensing authorities are to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

6.2 In accordance with the suggestion in the Gambling Commission's guidance to local authorities this authority designates the Local Safeguarding Children Board for this purpose.

For a full list of the Responsible Authorities in relation to premises please refer to Appendix 3 or alternatively via the council website.

### **7. INTERESTED PARTIES**

7.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence.

- 7.2 For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence, if in the opinion of this licensing authority the person:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - Has business interests that might be affected by the authorised activities; or
  - Represents persons who satisfy the above.
- 7.3 Licensing authorities are required to state the principles they will apply in exercising their powers under the Act to determine whether a person is an interested party. The principles this authority will apply are:
- 7.4 Each case shall be decided upon its own merits. This authority will not apply a rigid rule to its decision making. It will however consider the following in accordance with the Gambling Commission's guidance for local authorities.
- 7.5 When determining what "sufficiently close to the premises" means (in each case), this authority might include:
- The size of the premises
  - The nature of the premises
  - The distance of the premises from the location of the person making the representation
  - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment), and
  - The circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.
- 7.6 In relation to "persons with business interests that could be affected" it could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain, however that is unlikely to satisfy the test of being "a person with business interests that could be affected by the premises" under consideration. It should be borne in mind however that the "demand test" in the 1963 and 1968 Acts have not been preserved in the Gambling Act 2005, therefore unmet demand is not a criterion for a licensing authority in considering an application.
- 7.7 Factors that this licensing authority is likely to include are:
- The size of the premises;
  - The 'catchment' area of the premises (i.e. how far people travel to visit); and
  - Whether the person making a representation has business interests in that catchment area that might be affected.

7.8 The Gambling Commission recommended in its guidance that licensing authorities should state that interested parties include trade associations, trade unions, residents' and tenants' associations. This authority however will not generally view these bodies as interested parties unless they have a member who can be classed as an interested party under the terms of the Act e.g. lives sufficiently close to the premises to be likely to be affected by the activities applied for.

7.9 Interested parties can also be represented by other persons such as their local councillors and Members of Parliament (MP's). There is a burden on ward councillors who are also licensing committee members to avoid beyond doubt any conflict of interest; therefore care should be taken when seeking representation. If there are any doubts please contact the licensing department.

## 8. EXCHANGE OF INFORMATION

8.1 Licensing authorities are required to include in their statement, the principles to be applied under Section 29 and 30 of the Act with respect to the exchange of information between the licensing authority and the Gambling Commission, and the functions under section 350 of the Act with the respect of information between it and the other persons listed in schedule 6 of the Act:

- A Constable or Police Force
- An Enforcement Officer
- A Licensing Authority
- Her Majesty's Commissioners of Customs and Excise
- The Gambling Commission
- The National Lottery Commission
- The Secretary of State
- The Scottish Ministers

8.2 The principle that this licensing authority applies is that it will act in accordance with provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. This licensing authority shall have regard to the guidance issued by the Gambling Commission as and when it is published on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

8.3 Details of applications and representations which are referred to the Licensing Sub-Committee for determination will be detailed reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

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8.4 Should any protocols be established as regards information exchange with other bodies then they will be made available. Please contact the licensing team for further information on our protocols.

### 9. ENFORCEMENT

9.1 Licensing authorities are required to state the principles they propose to apply in exercising the functions under Part 15 of the Act with respect to the inspection of premises and the powers under Section 346 of the Act to instigate criminal proceedings in respect of the offences specified.

9.2 This licensing authority's principles are that it shall be guided by the Gambling Commission's guidance and will endeavour to be:

- proportionate – regulators should only intervene when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised
- accountable – authorities must be able to justify decisions and be subject to public scrutiny
- consistent – rules and standards must be joined up and implemented fairly.
- transparent – regulators should be open, and keep regulations simple and user friendly; and
- targeted – enforcement should be focused on the problems and minimise side effects

9.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible and adopt a risk based inspection programme.

9.4 The main enforcement and compliance role of the licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacturer, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

9.5 The licensing authority's enforcement concordat is available upon request to the licensing department.

### 10 PUBLIC REGISTER

10.1 In accordance with section 156 of the Act, Peterborough City Council maintains an electronic public register which contains premises licences issued by the authority. The register is available to view at [www.peterborough.gov.uk](http://www.peterborough.gov.uk). This information is available for inspection by members of the public at all reasonable times. Further information such as fees can also be found on the website.

### 11. DECISION MAKING / DELEGATION

- 11.1 When determining applications this licensing authority will have regard to the guidance issued by the Gambling Commission, any relevant code of practice, this policy and the licensing objectives. Determination of applications made to the licensing authority will be made either by the full council, the licensing committee, or a sub-committee of the licensing committee or by authorised officers, in accordance with section 153 of the Act.
- 11.2 Where relevant representations are raised which cannot be resolved by mediation, matters will either be referred to the licensing committee or the sub-committee of the licensing committee.

For a summary of this licensing authorities delegations permitted under the Gambling Act 2005 please refer to Appendix 4.

## 12. LICENSING AUTHORITY FUNCTIONS

- 12.1 Licensing authorities are required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing **Premises Licences**
  - issue **Provisional Statements**
  - regulate members' clubs and miners welfare institutes who wish to undertake certain gaming activities via issuing **Club Gaming permits** and/or **Club Machine Permits**
  - issue **Club Machine Permits to Commercial Clubs**
  - grant permits for the use of certain lower stake gaming machines at **Unlicensed Family Entertainment Centres**
  - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
  - issue **Licensed Premises Gaming Machine Permits** for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
  - register **Small Society Lotteries** below prescribed thresholds
  - issue **Prize Gaming Permits**
  - receive and endorse **Temporary Use Notices**
  - receive **Occasional Use Notices**
  - provide information to the Gambling Commission regarding details of licences issued
  - maintain registers of the permits and licences that are issued under these functions
  - the exercise of its powers of compliance and enforcement under the Act in partnership with the Gambling Commission and other relevant responsible authorities.

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12.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

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## **PART B - PREMISES LICENCES**

### **13. GENERAL PRINCIPLES**

13.1 Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where considered to be appropriate.

13.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives, and
- in accordance with the authority's Statement of Principles

#### **13.3 Definition of “premises”**

13.3.1 In the Act, “premises” is defined as including “any place”. Section 152 of the Act prevents more than one premises licence applying to any one place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises. However, this licensing authority will pay particular attention if there are issues about subdivisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.

13.3.2 Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter of discussion between the operator and the licensing officer.

13.3.3 The local authority will consider the Gambling Commission's Guidance and all other circumstances of the case in making any decision as to what can properly be regarded as premises.

#### **13.4 Premises “ready for gambling”**

13.4.1 The guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,

consistent with the scale of building or alterations required before the premises are brought into use.

13.4.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have the right to occupy them, then an application for a provisional statement should be made instead.

### 13.5 Location

Demand issues cannot be considered with regards to the location of premises but that considerations in terms of licensing objectives can. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

### 13.6 Duplication with Other Regulatory Regimes

This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of any application. The licensing authority will listen to, and consider carefully, any concerns about conditions which cannot be met by licensees due to planning restrictions, should such a situation arise.

### 13.7 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives, this licensing authority has considered the Gambling Commission's guidance to local authorities and some comments are made below.

13.7.1 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** – This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's guidance does however envisage that licensing authorities should pay particular attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located in such areas and whether conditions may be suitable such as the provision of door supervisors.

13.7.2 This licensing authority has noted the Gambling Commission's guidance where it states that licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance.

**13.7.3 Ensuring that gambling is conducted in a fair and open way** – This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

Further guidance on this issue may be provided by the Gambling Commission and if so this authority will have regard to it, when available.

**13.7.4 Protecting children and other vulnerable persons from being harmed or exploited by gambling** – This licensing authority has noted that Gambling Commission guidance states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children).

**13.7.5** There is no definition of ‘vulnerable person’ and it is noted that the Gambling Commission are not seeking to offer one, but this could include people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Should a practical definition prove possible in future then this statement will be updated with it, by way of a revision.

This licensing authority will consider this licensing objective on a case by case basis.

## **13.8 Conditions**

**13.8.1** Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects

**13.8.2** Decisions upon individual conditions will be made on a case by case basis, although there are a number of measures this licensing authority may consider using should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which they can meet the licensing objectives effectively.

**13.8.3** This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the

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licensing objectives. These matters are in accordance with the Gambling Commission's guidance.

13.8.4 This authority will also ensure where necessary and deemed appropriate that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where these machines are located
- access to the area where the machines are located is supervised
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

13.8.5 As the licensing authority we note that there are conditions which we are unable to attach to premises licences, these are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that a membership of a club or body be required for casino and bingo clubs (the Act specifically removed the membership requirement)
- conditions in relation to stakes, fees, winning or prizes

13.8.6 This licensing authority may consider a need for door supervisors in terms of the licensing objectives for protection of children and vulnerable persons and preventing premises becoming a source of crime or disorder. Door supervisors at casinos or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where this authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act. This authority may however consider imposing the requirement of a Criminal Record Bureau check on door supervisors, by way of a condition on a licence.

13.8.7 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate for particular cases but it will need to be decided whether these shall be SIA licensed or not. It will not be automatically assumed that they shall be.

### **13.9 Risk Assessments**

Under new social responsibility code provisions from April 2016 licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- When applying for a variation of a premises licence
- To take into account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

### **13.10 Local Area Profiles**

Such risk assessments can make reference to the council's Area Profile which may be compiled with respect to reported gambling-related problems in an area. At the time of preparing this edition of the Statement of Principles there has been no evidence presented to support the assertion that any part of Rutland CountyPeterborough City Council had or is experiencing problems from gambling activities. This position will be kept under review.

## **14. ADULT GAMING CENTRES**

- 14.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to address these issues.
- 14.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
  - CCTV
  - supervision of entrances / machine areas
  - physical separation
  - location of entry
  - notices / signage
  - self-barring schemes
  - provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 14.3 The question of sub-division of such premises has become an issue and been the subject of Gambling Commission Guidance. There must be no direct entry from one adult gaming centre into another. This Authority will take note of the guidance issued in respect of such applications.

## **15. LICENSED FAMILY ENTERTAINMENT CENTRES**

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- 15.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 15.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:
- CCTV
  - supervision of entrances / machine areas
  - notices / signage
  - physical separation of areas
  - specific opening hours
  - self-barring schemes
  - provision of information leaflets / helpline numbers for organisations such as GamCare
  - suspected child truancy handling training

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 15.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Gambling Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

For a full list of machine categories please refer to appendix 5.

## 16. CASINOS

This authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the powers to do so. Should this authority decide in the future to pass such a resolution, it will update this statement with details of that resolution. Any such decision would need to be made by full council.

## 17. BETTING PREMISES

- 17.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's guidance, take into account the size the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 17.2 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. This authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that the door supervision is both necessary and proportionate.

## 18. TRACKS

- 18.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 18.2 This licensing authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and / or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 18.3 Applicants will be expected to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
  - location of gaming machines
  - supervision of entrances / machine areas
  - notices / signage
  - provision of information leaflets / helpline numbers for organisations such as Gamcare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 18.4 **Betting Machines** – This licensing authority will as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. We will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

- 18.5 **Condition on rules being displayed** - The Gambling Commission has advised in its guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 18.6 **Applications and plans** – The Gambling Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling.

The Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."

- 18.7 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known at betting rings) must be indicated on the plan.

In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

## 19. BINGO PREMISES

- 19.1 This licensing authority notes that the Gambling Commission's guidance states:

~~It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines.— Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:~~

~~all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance  
only adults are admitted to the area where the machines are located  
access to the area where machines are located is supervised  
the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and  
at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18  
Children and young people are allowed not into bingo premises; however they are not —permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young ———people are allowed.~~

19.2 This licensing authority **must** satisfy itself that bingo can be played in any bingo premises for which a premises licence has been issued. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

19.3 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted.

## **20. TRAVELLING FAIRS**

20.1 It will fall to this licensing authority to decide whether, where category D machines and / or equal chance gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met. This licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

20.2 It has been noted that the 27-day statutory maximum for land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

## **21. PROVISIONAL STATEMENTS**

21.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expect to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

21.2 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired.

21.3 In terms of representations about premise licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, this authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which in the authority's opinion reflect a change in the operator's circumstances

## 22. REVIEWS

22.1 Requests for a review of a premise licence can be made by interested parties or responsible authorities; however, it is for this licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authorities statement of principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

22.2 This licensing authority can also initiate a review of a licence on the basis of any reason which it considers is appropriate.

22.3 Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period.

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This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

- 22.4 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- a) add remove or amend a licence condition imposed by the licensing authority;
  - b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or amend such an exclusion;
  - c) suspend the premises licence for a period not exceeding three months; and/or
  - d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

- 22.5 In particular, the licensing authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

## **PART C - PERMITS / REGISTRATIONS / NOTICES**

### **23. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS**

- 23.1 Where a premises does not hold a premises licence but wishes to provide category D gaming machines, it may apply to this licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 23.2 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children and other vulnerable persons from harm. Harm in this context is not limited to harm from gambling but includes wider protection considerations. The efficiency of such policies and procedures will each be considered on their own merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- 23.3 This licensing authority will expect that applicants demonstrate a full understanding of the licensing objectives as well as the maximum stakes and prizes of the gambling that is permissible in Unlicensed Family Entertainment Centres; that the applicant has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

### **24. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS**

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of category C and / or D. To take advantage of this entitlement, the person who holds the on-premises licence must give notice to this licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.
- 24.2 This licensing authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
  - gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
  - the premises are mainly used for gaming; or
  - an offence under the Act has been committed on the premises
- 24.3 If a premises wishes to have more than two machines, an application for a permit is required and this licensing authority shall consider that application based upon

the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Act, and “such matters as they think relevant”. This authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.

Such measures may include:

- adult machines being in site of bar
- notices / signage

24.4 It should be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

24.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

24.6 Where an application is received for more than 19 gambling machines in alcohol licensed premises Officers will have the discretion to arrange a hearing for members to consider the application.

24.7 It should be noted that this licensing authority can decide to grant the application with a smaller number of machines and / or different category of machines than applied for. Conditions (other than these) cannot be attached.

## **25. PRIZE GAMING PERMITS**

25.1 This licensing authority can grant or refuse an application for a permit, but cannot add conditions. This licensing authority can only grant an application for a permit if it has consulted with the chief officer of police about the application. This licensing authority will take into account any objections that the police may make which are relevant to the licensing objectives. Relevant considerations would be the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and issues about disorder.

25.2 Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, this licensing authority will give weight to child protection issues. Applicants will be required to set out the types of gaming that he or she is intending to offer and the applicant should be able to demonstrate:

## APPENDIX B

- that they understand the limits to stakes and prizes that are set out in regulations; and
- that the gaming offered is within the law.

25.3 The licensing authority will determine each application on its own merits.

*(The Council as a licensing authority has the remit to set its own criteria for the above statement of principles on permits – the principles as set out above reflect the general issues considered to be most relevant by a number of other licensing authorities)*

25.4 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission's guidance.

25.5 It should be noted that there are conditions in the Gambling Act 2005 to which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## 26. CLUB GAMING AND CLUB GAMING MACHINE PERMITS

26.1 Members Clubs and Miners' Welfare Institutes (but **not** Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines, of which one may be a category B3A, the others being of categories B4, C or D), equal chance gaming and games of chance as prescribed in regulations.

26.2 Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

26.3 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for the purposes other than gaming, unless the gaming is permitted by separate regulations. A members club must be

permanent in nature, not established to make commercial profit, and controlled by its members equally.

- 26.4 This licensing authority is aware that it may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
  - the applicant's premises are used wholly or mainly by children and / or young persons
  - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
  - a permit held by the applicant has been cancelled in the previous ten years; or
  - an objection has been lodged by the Gambling Commission or the police.
- 26.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **27 SMALL SOCIETY LOTTERIES**

27.1 Under the Gambling Act 2005, a lottery is unlawful unless it runs under an operating licence or is an exempt lottery. This Licensing Authority will register and administer small society lotteries as defined under the Act. Promoting or facilitating a lottery will fall into two categories:

- Licensed Lotteries (requiring an operating licence from the Gambling Commission)
- Exempt Lotteries (including small society lotteries registered with Peterborough City Council)

27.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and are defined as:

- Small society lotteries;
- Incidental non-commercial lotteries;
- Private lotteries;
- Private society lottery;
- Work lottery;
- Residents' lottery;
- Customers' lottery.

Advice regarding the definitions of the above exempt lotteries is available from the Gambling Commission website:

[http://www.gamblingcommission.gov.uk/gambling\\_sectors/lotteries.aspx](http://www.gamblingcommission.gov.uk/gambling_sectors/lotteries.aspx)

## 28. TEMPORARY USE NOTICES

- 28.1 A Temporary Use Notice (TUN) allows the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for facilities for gambling. A Temporary Use Notice may only be granted to a person or company holding a relevant operating licence issued by the Gambling Commission.
- 28.2 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of revising this Statement the relevant regulations state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 28.3 There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to licensing authorities to decide what constitutes a 'set of premises' where TUN's are received relating to the same building / site.
- 28.4 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Local Authorities.

## 29. OCCASIONAL USE NOTICES

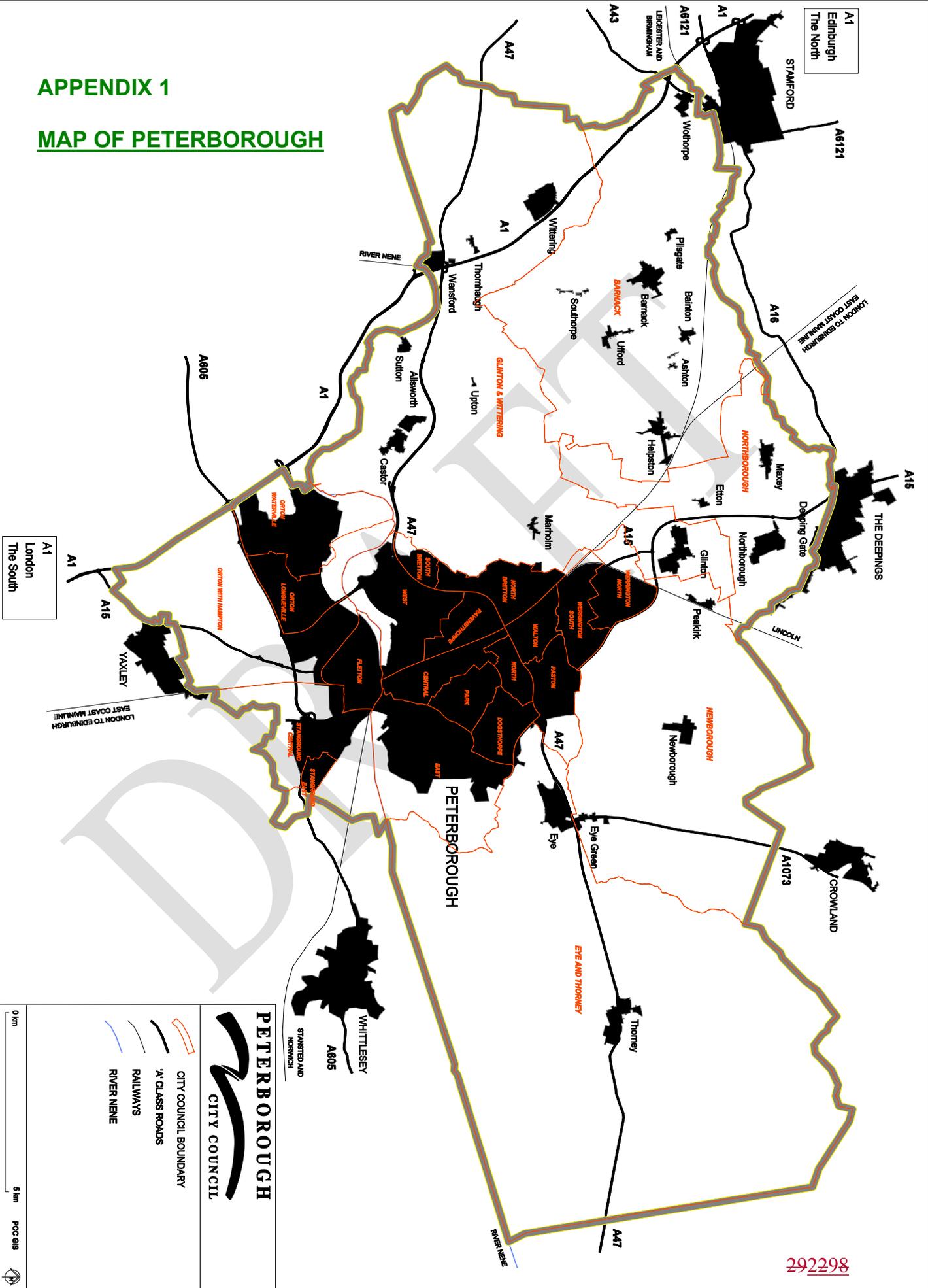
This licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## 30. ADDITIONAL INFORMATION

Further information on the application process, application forms and applicable fees can be found at [www.peterborough.gov.uk](http://www.peterborough.gov.uk)

# APPENDIX 1

## MAP OF PETERBOROUGH



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## APPENDIX 2

### LIST OF CONSULTEE'S

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

#### **Responsible Authorities**

- Cambridgeshire Constabulary – the chief officer of police
- Gambling Commission
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Local Safeguarding Children Board
- Environment Agency
- HM Revenue & Customs

**One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:**

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association
- All Gambling Act 2005 Licence/Permit/Registration Holders (through the Council website under heading consultation).

**One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:**

- Peterborough City Council – Ward & Parish Councillors
- GamCare
- All residents and businesses within the Peterborough area (through the Council website under heading consultation)

## APPENDIX 3

### **GAMBLING ACT 2005** **RESPONSIBLE AUTHORITIES CONTACT DETAILS**

#### **THE RESPONSIBLE AUTHORITIES:**

##### **Licensing Team:**

The Licensing Team  
Peterborough City Council  
Town Hall  
Bridge Street  
Peterborough  
PE1 1FA  
Telephone: 01733 747474  
Email: [gambling@peterborough.gov.uk](mailto:gambling@peterborough.gov.uk)

##### **The Gambling Commission:**

Victoria Square House  
Victoria Square  
Birmingham B2 4BP  
Tel: 0121 230 6500  
Fax: 0121 237 2236  
Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

##### **Cambridgeshire Constabulary:**

Police Licensing Department  
Cambridgeshire Constabulary North Division  
Bayard Place  
Broadway  
Peterborough  
PE1 1HZ

##### **Cambridgeshire Fire and Rescue:**

Cambridgeshire Fire & Rescue Service  
Peterborough District  
Dogsthorpe Fire Station  
Dogsthorpe Road  
Peterborough  
PE1 3RE

##### **Pollution Control:**

Pollution Control  
Peterborough City Council  
Town Hall  
Bridge Street  
Peterborough  
PE1 1FA

**Planning:**

Planning Services  
Town Hall  
Bridge Street  
Peterborough  
PE1 1HF

**HM Revenue & Customs:**

National Registration Unit  
Portcullis House  
21 India House  
Glasgow  
G2 4PZ

**Safeguarding Children Board:**

Safeguarding Service Manager  
Bayard Place  
Broadway  
Peterborough  
PE1 1FB

**For Vessels the certifying Authority will be:-**

Environment Agency  
Kingfisher House  
Goldhay Way  
Orton Goldhay  
Peterborough  
PE2 5ZR

## APPENDIX 4

Summary of licensing authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	<b>X</b>		
Policy not to permit casinos	<b>X</b>		
Fee setting (when appropriate)			<b>X</b>
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premise licence		<b>X</b>	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		<b>X</b>	
Applications for other permits			<b>X</b>
Cancellation of licensed premises gaming machine permits			<b>X</b>
Consideration of temporary use notice			<b>X</b>
Decision to give counter notice to temporary use notice		<b>X</b>	

## APPENDIX 5

Section 236 of the Act provides for the Secretary of State to make regulations to define four classes of gaming machine: categories A, B, C and D, with category B to be further divided into sub-categories.

The below table sets out the current proposals for the different categories with the maximum stakes and prizes that apply (please note the below information is subject to change upon regulations being set).

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£ <del>5</del> 2	£ <del>104,000</del> <sup>1</sup>
B2	£100 (in multiples of £10)	£500
B3	£2	£500
B3A	£ <del>4</del> 2	£500
B4	£ <del>4</del> 2	£ <del>254</del> 00
C	£1	£ <del>107</del> 0
D Non-money prize (other than a crane grab machine <del>or a coin pusher or penny falls machine</del> )	30p	£8
D Non money prize (crane grab machine)	£1	£50
D Money prize ( <del>other than a coin pusher or penny falls</del> )	10p	£5
D Combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be money prize)
D Combined money and <del>non</del> <del>money</del> non-money prize (coin pusher or penny falls machine)	<del>2</del> 40p	£ <del>152</del> 0 (of which no more than £ <del>81</del> 0 may be a money prize)

<sup>1</sup> with the option of a maximum £20,000 linked progressive jackpot on a premises basis only

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<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 6</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor North, Cabinet Member for Communities and Environment Capital	
Contact Officer(s):	Donna Hall, Public Protection Manager and Peter Gell, Head of Regulatory Services	Tel. 01733 453514

## TAXI LICENSING FEES

R E C O M M E N D A T I O N S	
<b>FROM :</b> Peter Gell, Head of Regulatory Services	<b>Deadline date :</b> N/A
<ol style="list-style-type: none"> <li>1. Approve the new schedule of fees and charges proposed for taxi licensing;</li> <li>2. Agree to a proposal to amend the Council's Constitution to enable taxi licensing fees to be set by Officers; and</li> <li>3. Agree that Operators will have the option of a 1 year or 5 year licence.</li> </ol>	

### 1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Licensing Committee in accordance with the Council's Constitution and under section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

### 2. PURPOSE AND REASON FOR REPORT

The purpose of this report is to ask the Licensing Committee to exercise the function of the authority under Schedule 2.4.4 of the Council's Constitution regarding the setting of fees for taxis and approve the new schedule of fees and charges.

### 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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### 4. BACKGROUND

#### Taxi Fee Setting

- 4.1 Taxi licensing fees are governed by the Local Government (Miscellaneous Provisions) Act 1976 which sets out the procedure for increasing the fees for vehicles, drivers and operators and any other sums as determined by the Council. Section 53 governs the setting of fees for driver's licences and section 70 governs the setting of fees for vehicles and operators.
- 4.2 The report is for the Committee to consider under paragraph 2.4.1.3 (a) of the Council's Constitution "to exercise the functions of the authority as listed in schedule 2.4.4, where these are not delegated to officers as listed at section 2.4.3", namely "hackney carriage and private hire licensing".

- 4.3 The fees have been updated and re-calculated to reflect changes in taxi licensing following the Deregulation Act. The principle changes are the move from a one year driver's licence to a three year driver's licence, and from a one year Operators licence to a five year Operators licence. The fees have been calculated to recover the costs of the authority in the delivery of this licensing function and, as required in law, will not generate a profit for the authority.
- 4.4 The new schedule of taxi licensing fees has been included at **Appendix A** of this report.
- 4.5 The Committee are asked to consider that a change to delegations in the Council's Constitution is put forward, to enable the Licensing Committee to delegate taxi licensing fee setting to the Director in line with other locally set fees. Alternatively should the Committee wish to retain involvement in taxi licence fee setting it is recommended that an amendment is put forward enabling the fee to be set in consultation with the Chair of the Licensing Committee as is currently the procedure for the Gambling Act 2005.

#### Operators Fees

- 4.6 Extending the licence renewal period up to three years for drivers, and five years for Operators will reduce the burden on the business and will also provide financial savings to them. However it is acknowledged that in respect of the Operators fees, this can amount to large sums of money becoming payable once every five years.
- 4.7 Smaller licensed Operators are common in Peterborough, several being self-employed and operating with only a single vehicle. Peterborough currently has forty five licensed operators. Thirty six of those operators have ten or less licensed vehicles. In contrast three Operators have more than fifty vehicles. It is proposed that a one year licence fee is available as an option for Operators. A one year renewal increases the administration costs of the Council and therefore does not reflect the savings passed on to the Operator by the five year renewal.

### **5. CONSULTATION**

- 5.1 In accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976, a statutory notice was placed in the Peterborough Telegraph on 1<sup>st</sup> October 2015. A notice including the schedule of fees was also made available to view in the customer area of Bayard Place and the Town Hall, and placed on the Council's website for 28 days.
- 5.2 The taxi trade were consulted by notice being provided to the Hackney Federation, a copy was sent to all private hire operators and copies were placed on the noticeboards at the ranks on Westgate and the railway station.
- 5.3 No feedback has been received on the proposed changes.

### **6. ANTICIPATED OUTCOMES**

- 6.1 It is recommended that the Committee approve the new schedule of fees for taxi licensing as attached at Appendix A.
- 6.2 It is recommended that the Committee agree that a proposal is put forward for the Constitution to be amended to enable Committee to delegate the function of setting taxi licence fees to the Director (or delegated officer). This would bring it in line with the procedure for adopting other locally set licensing fees.
- 6.3 It is recommended that provision is given to Operators to renew their licence on an annual or five yearly basis, as per the fee proposed in the consultation.

### **7. REASONS FOR RECOMMENDATIONS**

- 7.1 To comply with statutory provisions regarding fee setting.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 It was necessary to review the fee structure to reflect the changes brought about by the Deregulation Act 2015, namely a three year drivers licence and five year operator's licence.
- 8.2 The fees have been determined to ensure that they cover the service provided and do not result in profit. There were no alternatives that could be considered in this regard.

## **9. IMPLICATIONS**

- 9.1 The new schedule of fees will lead to longer renewal periods and a subsequent reduction in income for the local authority. Some of the loss will be balanced by necessary increases in other areas such as new driver applications, which have been recalculated to reflect actual costs. It is anticipated that there will be a net reduction after next year and the finance department have been advised of this.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Local Government (Miscellaneous Provisions) Act 1976  
Peterborough City Council Constitution

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**The City of PETERBOROUGH  
Local Government (Miscellaneous Provisions) Act 1976  
LICENCE FEES and CHARGES**

Notice is given that Peterborough City Council under Sections 53 and 70 of the Local Government (Miscellaneous Provisions) Act 1976 are proposing that the fees and charges be amended for Private Hire and Taxi drivers, and operators to the fee schedule as shown below. The fees have been reviewed and also amended to include recent changes in legislation regarding the duration of licences.

Any objections to the variations should be sent to the address below, stating reason for objection, within 28 days of the date of this notice. Objections may also be sent by email to [lpc@peterborough.gov.uk](mailto:lpc@peterborough.gov.uk).

A copy of this notice with the proposed changes is available for inspection free of charge at main Council Offices during normal office hours and on the Council website [www.peterborough.gov.uk](http://www.peterborough.gov.uk).

<b>Application type</b>	<b>Existing charge</b>	<b>Proposed charge</b>		
New Hackney Carriage Drivers – 3 year licence	£114 per year	£475 for three year licence		
Renewal Hackney Carriage Drivers – 3 year licence	£114 per year	£246 for three year licence		
New Private Hire Drivers – 3 year licence	£114 per year	£435 for three year licence		
Renewal Private Hire Drivers – 3 year licence	£114 per year	£246 for three year licence		
Change from private hire to Hackney carriage driver	£68	£139		
New and Renewal Hackney carriage vehicle licence	£185 + £55 for mechanical test	As existing £185 + £55 for mechanical test		
New and Renewal Private Hire vehicle licence	£151 + £55 for mechanical test	As existing £151 + £55 for mechanical test		
<b>Speciality Vehicles</b>				
New and renewal vehicle (3 yearly)	£198	As existing £198		
<b>Limousines</b>				
New vehicle (yearly)	£160 (+ fee for mechanical test)	£193 (+ fee for mechanical test)		
Renewal (yearly)	£110 (+ fee for mechanical test)	£185 (+ fee for mechanical test)		
<b>Private Hire Operators</b>				
1 to 5 vehicles	£178 per year	1 to 5 vehicles	£178 per year	£794 for 5 year licence
6 to 10 vehicles	£361 per year	6 to 10 vehicles	£356 per year	£1,684 for 5 year licence
11 to 15 vehicles	£544 per year	11 – 30 vehicles	£534 per year	£2,574 for 5 year licence
16 to 20 vehicles	£721 per year	31 – 50 vehicles	£712 per year	£3,464 for 5 year licence
21 or more vehicles	£904 per year	51 +	£890 per year	£4,354 for 5 year licence
Surcharge for a New Application Private Hire Operator		£20		
<b>Miscellaneous</b>				
Replacement Vehicle plate	£35	As existing £35		
Platform for Mounting plate	£19	As existing £19		

**APPENDIX A**

Full fixing Bracket	£24	As existing £24	
Half fixing bracket	£13	As existing £13	
Replacement Drivers Badge	£31	As existing £31	
Replacement vehicle	£20 (+ £55 for mechanical test)	As existing £20 (+ £55 for mechanical test)	
Six month test	£20 (+ £55 for mechanical test)	As existing £20 (+ £55 for mechanical test)	
DBS check admin charge	£21	£40 if assistance is required for renewal applications. Incorporated within fee for New applications	
DVLA	£5		
PH replacement door stickers	£5	As existing £5	
Meter seal	£16	As existing £16	
Data Request	£31	As existing £31	
Reinstatement of suspended vehicle	£35	As existing £35	
Plate Transfer	£35	As existing £35	
Change of address	£12	As existing £12	
Fare Card	£4	As existing £4	
Replacement exemption	£19	As existing £19	
Third and subsequent drivers Test	£48	Second and subsequent Private Hire drivers test	£76
		Second and subsequent Hackney drivers test	£113
Penalty – late badge renewal	£31	As existing £31	
Plate exemption (PH) NEW - per vehicle	£50	As existing £50	
Plate exemption renewal – per vehicle	£30	As existing £30	

KIM SAWYER  
DIRECTOR OF GOVERNANCE  
TAXI LICENSING  
PETERBOROUGH CITY COUNCIL  
TOWN HALL  
BRIDGE STREET  
PETERBOROUGH  
PE1 1HQ

<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 7</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor North	
Contact Officer(s):	Terri Martin, Regulatory Officer - Licensing Peter Gell, Strategic Regulatory Services Manager Donna Hall, Public Protection Manager	Tel. 01733 453561 Tel. 01733 453419 Tel. 01733 453514

## NEW MODEL LICENCE CONDITIONS FOR DOG BREEDING ESTABLISHMENTS

R E C O M M E N D A T I O N S	
Members are asked to:	
1. Consider the contents of the report and adopt the new Model Conditions for Licensed Dog Breeding Establishments	

### 1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to request that members agree to replace the existing conditions applicable for licensed dog breeding establishments, with the more comprehensive updated set of model conditions, from CIEH (Chartered Institute of Environmental Health), and adopt the new model conditions for licensed breeding establishments for dogs.
- 1.2 This report is for Licensing Committee to consider under its Terms of Reference 2.4.1.3 (e) "To exercise the functions of the authority as listed in Schedule 2.2.4, where these are not delegated to Officers as listed as section 2.4.3 namely licensing premises associated with live animals".

### 2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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### 3. BACKGROUND

- 3.1 The Breeding of Dogs Act 1973, 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999 regulate the business of breeding dogs for sale. No person shall keep a breeding establishment for dogs except under the authority of a licence granted in accordance with the provisions of the Act(s). Dog breeders are also required to meet the welfare requirements set out in the Animal Welfare Act 2006.
- 3.2 A dog breeder is someone who is in the business of breeding and selling dogs, regardless of the number of litters produced in a 12 month period. In addition, anyone producing five or more litters in a 12 month period should also be licensed, regardless of whether they are in the business of breeding and selling dogs. DEFRA (Department for Environment Food and Rural Affairs) have provided further information to clarify the law regarding dog breeding establishments, this is attached at **Appendix A**.
- 3.3 The Acts require local authorities to licence premises which are in the business of breeding dogs for sale. In determining whether to grant a licence for the keeping of a breeding establishment for dogs by any person at any premises, a local authority shall in particular

(but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing;

- a) That the dogs will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- b) That the dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals;
- c) That all reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases;
- d) That appropriate steps will be taken for the protection of the dogs in case of fire or other emergency;
- e) That all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment;
- f) That bitches are not mated if they are less than one year old;
- g) That bitches do not give birth to more than six litters of puppies each; and
- h) That bitches do not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies

And shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraphs (a) to (h) above.

- 3.4 The existing conditions attached to dog breeding licenses are attached at **Appendix B**.
- 3.5 The new model conditions are updated in line with best practice and guidance, and offer standards considered necessary to ensure health, safety and welfare in dog breeding establishments. The full document, CIEH Model Licence Conditions and Guidance for Dog Breeding Establishments, (from which the new model conditions have been extracted) is attached at **Appendix C**.
- 3.6 The new proposed model conditions extracted from the above document are attached at **Appendix D**.
- 3.7 Additional conditions for individual premises can be added to the model conditions where appropriate.
- 3.8 Members should be aware that licence holders who fail to comply with conditions attached to a licence are committing an offence. The Licensing department will work with premises to ensure that the transition to the new conditions will be undertaken in a sensible and proportionate manner in accordance with the council's compliance and enforcement policy.
- 3.9 There are currently four premises licenced under the Breeding of Dogs Act. If granted a licence expires after a year unless renewed.

#### **4. ANTICIPATED OUTCOMES**

- 4.1 To ensure those licensed under the Act operate in accordance with recommended best practice for the welfare of the dogs.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The new model conditions are based on best practice, formulated from a CIEH working group, and supported by DEFRA, RSPCA, Dogs Trust, British Veterinary Association, etc. in the best interests of animal welfare. If the updated conditions are not adopted, the council will not be in a position to meet its obligation to ensure the maintenance of minimum standards according to current guidance, and may be subject to challenge if the current licensed conditions resulted in a customer complaint.

#### **6. ALTERNATIVE OPTIONS CONSIDERED**

6.1 To retain the current outdated conditions.

## **7. BACKGROUND DOCUMENTS**

Breeding of Dogs Act 1973

Breeding of Dogs Act 1991

Breeding and Sale of Dogs (Welfare) Act 1999

Animal Welfare Act 2006

Department for Environment Food and Rural Affairs letter dated 13/11/2014 Definition of Licensed Dog Breeding Establishments

CIEH Model Licence Conditions and Guidance for Dog Breeding Establishments

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Department  
for Environment  
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To: Chief Executives of local authorities in England;  
All Environmental Health Officers;  
All local authority officers with responsibility for enforcing the  
dog breeding licensing and pet vending regimes; and  
those officers responsible for enforcing responsible dog  
ownership

**Date:** 13 November 2014

Dear Sir/Madam,

- 1. DEFINITION OF LICENSED DOG BREEDING ESTABLISHMENT**
- 2. ADDITIONAL CONDITIONS FOR PET SHOPS**
- 3. DEALING WITH IRRESPONSIBLE DOG OWNERSHIP:  
PRACTITIONER'S MANUAL**

I am writing to all local authorities in England about licensing dog breeding establishments, pet shops and irresponsible dog ownership.

There is a growing public interest in the effectiveness of regulation in these areas. During a debate in the House of Commons on 4 September, Defra undertook to write to local authorities in England with further information and to clarify the law in a number of respects.

### **1. Definition of licensed dog breeding establishment**

Dog breeding is regulated under three pieces of legislation: Breeding of Dogs Act 1973, Breeding of Dogs Act 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999.

The 1999 Act replaced the threshold at which a breeding establishment needed to be licensed from a place where more than two litters of puppies were born in a 12 month period to a place that was in the business of breeding and selling dogs. The 1999 Act additionally required anyone producing five or more litters from their dogs in a 12 month period to obtain a licence regardless of whether they were in the business of breeding and selling dogs.

The Home Office Circular 53/1999, which accompanied the 1999 Act, explained that Parliament *at the time* considered that the "five litter test" would in practice catch most in the business of breeding and selling dogs, whilst avoiding catching hobby breeders. Unfortunately some people have incorrectly interpreted this as a five-litter test and since the 1999 Act came into force, there have been concerns that many dog breeders who



produce less than five litters in a twelve month period but who are operating as businesses, are not being licensed.

During the Parliamentary debate on dog breeding on 4 September 2014, George Eustice MP, the Parliamentary Under Secretary of State for Farming, Food & Marine Environment made it clear that a licensed dog breeder is **someone who is in the business of breeding and selling dogs, regardless of the number of litters produced in a 12 month period.**

In summary anyone “in the business” of breeding and selling dogs (trading) needs to be licensed. Anyone producing five litters or more in a 12 month period also should be licensed **regardless** of whether they are in the business of breeding and selling dogs.

Two examples of consideration of whether someone is trading are:

- (i) profit-seeking motive - an intention to make a profit supports trading; and
- (ii) the number of transactions involved - systematic and repeated transactions support trade.

More guidance for local authorities on how to decide whether someone is operating a commercial activity is available from the HM Revenue & Customs website:

<http://www.hmrc.gov.uk/guidance/selling/badges.htm>

I am also reminding local authorities that they can, under section 1(4) of the Breeding of Dogs Act 1973 (as amended, 1999) apply conditions to individual licences in order to secure the welfare requirements in section 1(4) of the 1973 Act, as amended by the 1999 Act.

These additional conditions could include restricting the number of breeding bitches to be kept on the premises in order to meet the requirement of “suitable accommodation and size of quarters”. Dog breeders are also required to meet the welfare requirements set out in section 9 of the Animal Welfare Act 2006. More detailed information about how licensed dog breeders can meet the welfare needs set out in section 1(4) and in the Animal Welfare Act 2006 is in the *Model Conditions for Licensed Dog Breeding Establishments* produced by the Chartered Institute for Environmental Health, which is available on-line:

<http://www.cieh.org/WorkArea/showcontent.aspx?id=50814>

## **2. Pet shops licences – additional conditions**

Local authorities are reminded that they can, under the Pet Animals Act 1951, apply conditions to individual pet shop licences (for example, restricting the species that can be sold). The power to apply conditions to an individual licence is in section 1(3) of the 1951 Act and is intended to help secure the welfare requirements set out in that section.

Pet shops are also required to meet the welfare requirements in section 9 of the Animal Welfare Act 2006. More detailed information about how pet shops can do this can be found in the *Model Conditions for Pet Vending* produced by the Chartered Institute for Environmental Health, also on-line:

<http://www.cieh.org/WorkArea/showcontent.aspx?id=47606>

If you have any enquiries about the content of this letter please contact Phil Alder, Animal Welfare Team, Defra, e-mail: [philip.alder@defra.gsi.gov.uk](mailto:philip.alder@defra.gsi.gov.uk).

### **3. Dealing with irresponsible dog ownership: Practitioner's manual**

Finally, I am pleased to inform you that the practitioner's manual on dealing with irresponsible dog ownership has been published. The manual and annexes are available on-line: <https://www.gov.uk/government/publications/dealing-with-irresponsible-dog-ownership-practitioners-manual>. The manual aims to assist practitioners in local authorities (including approved social landlords) and the police in England and Wales dealing with dog-related incidents using the preventative powers in the Anti-social Behaviour, Crime and Policing Act 2014.

Yours faithfully,

A handwritten signature in black ink that reads "S. G. Ellis." The signature is written in a cursive, slightly informal style.

**SUE ELLIS**

Head of Animal Welfare Team

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**CONDITIONS SUBJECT TO WHICH THE ABOVE LICENCE IS GRANTED**

1. The number of breeding bitches accommodated at the establishment at any one time shall not exceed [insert number of dogs].
2. Accommodation provided for bitches and puppies must be in all respects suitable as regards construction, size of quarters, exercising and whelping facilities, temperature, ventilation and cleanliness, with especial regard to the breeds maintained.
3. Natural or artificial lighting of individual kennels must be sufficient to allow the proper working and cleaning of kennels, with no dark areas.
4. Kennels must be of sufficient size for dogs to stand up and turn around comfortably. If a bench is provided for the sleeping area, there must be in addition an area of similar size unbenched.
5. All excreta and fouled material must be removed at least twice daily from living areas, and at least once daily from the exercise area. The floor of the living areas must be kept clean and dry.
6. All exercise runs must have an area by the entrance which is paved or surfaced with other suitable material in order to prevent undue fouling of the ground.
7. All animals accommodated at the premises must be provided with bedding material suitable to the breeds kept and must be given adequate exercise. Where sleeping benches are provided these should be of such dimensions as to allow an adult dog of the breed maintained to lie out flat on its side.
8. Facilities must be provided for the collection of all used bedding and other waste material which must be disposed of in a manner approved by the local authority, and in a way not likely to cause harm or nuisance.
9. All animals must have access to wholesome drinking water at all times, except in the case of very young puppies.
10. Animals must be adequately supplied with suitable food and visited at suitable intervals.
11. The food preparation area and equipment must be kept clean and vermin-free at all times. Refrigeration facilities must be provided where fresh meat is used.
12. All bulk supplies of food must be kept in vermin-free containers.
13. Every precaution must be taken to eliminate flies throughout the kennel.
14. All heating appliances must be of such construction as to constitute no risk of fire, and not to endanger the health and well-being of occupants. In addition, if free-standing oil appliances are used, they must be installed in an area inaccessible to dogs. All heating and lighting should be installed in accordance with normal good practice and advice on the subject should be obtained from a fire prevention officer.
15. Animals and equipment must not be placed in such a position as to render entry or exit difficult in case of fire.
16. The licensee shall ensure that a responsible person shall at all times be in, or within reasonable distance from the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In the case of premises which are locked up outside of normal working hours, the licensee shall appoint a responsible person residing within a reasonable distance of the premises to have custody of the key. The name and address of such person shall be displayed in legible characters of the front door, or windows, of the premises and be notified to the local fire brigade. An adequate and accessible supply of water and sand and/or an efficient fire extinguisher must always be available on the premises, outside the kennels, and the positions clearly marked.
17. A register shall be kept of all bitches in the establishment, their ages, dates of heat-periods, mating, and whelping.
18. Washing and lavatory facilities must be available for staff.

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# CIEH Model Licence Conditions and Guidance for Dog Breeding Establishments



January 2014

# Breeding of Dogs Acts 1973 and 1991

## Breeding and Sale of Dogs (Welfare) Act 1999

### Model Conditions for inspection of breeding establishments

Guidance for local authorities and their authorised officers and veterinary inspectors

### Acknowledgements

The following organisations comprise the working party:

- Advisory Council on the Welfare Issues of Dog Breeding
- British Small Animal Veterinary Association
- British Veterinary Association
- City of London Corporation
- Department for Environment, Food and Rural Affairs (Defra)
- Dogs Trust
- Epping Forest District Council
- The Kennel Club
- Royal Society for the Prevention of Cruelty to Animals

This document has been prepared in the best interests of animal welfare and to advise those tasked with the inspecting, advising and licensing of dog breeding establishments. No responsibility or liability for loss or consequential loss occasioned to any person as a result of making use of this publication (including the recommended best practice contained within), is accepted by the contribution bodies, the members of the working party or the authors of this publication. It should also be borne in mind that laws change and expert advice should always be sought

as to the legal position.

### Background

In 1978 the BVA published guidelines for local authorities and their veterinary inspectors under the Breeding of Dogs Act 1973. In 1996 a working party comprising representatives of all the parties involved in the inspection and licensing of breeding establishments was set up to update and substantially increase the guidance in light of developments since the 1973 Act. In 1998 the BVA published guidance based upon the 1973 and 1991 Breeding of Dogs Acts. That guide was revised to take into account the requirements of the Breeding and Sale of Dogs (Welfare) Act 1999 and superseded previous BVA guidelines. In 2012 as a result of a specific request by Defra the current working party came together to update guidance for Inspectors to include the provisions that must be taken into account under the Animal Welfare Act 2006. In addition, guidance with regards to puppy rearing, socialisation and habituation have been produced through the Animal Welfare Foundation / RSPCA Puppy Contract and the Dogs Trust and Kennel Club Puppy Plan.

Guidelines for Standard Operating Procedures (SOPs) have been produced, all of which should help the inspection process.

This document applies to England only.

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# Breeding of Dogs Acts 1973, 1991 & Breeding and Sale of Dogs (Welfare) Act 1999 & Animal Welfare Act 2006

## Guidance for local authorities and their authorised officers and veterinary inspectors

### 1. INTRODUCTION

The 1973 Breeding of Dogs Act ('the 1973 Act') requires proprietors of breeding establishments to be licensed (see point 3 for the definition of a breeding establishment). Under the authority of the 1973 Act, local authorities may issue licences to proprietors of breeding establishments stipulating conditions which must be complied with by the licensee. No person is entitled to a licence if at the time he/she is disqualified from keeping a dog breeding establishment, pet shop or boarding kennels or if he/she has been disqualified from keeping dogs or other animals as a result of specified convictions for cruelty. However, a person aggrieved by refusal of a local authority to grant a licence or by any condition to which the licence is subject may appeal to a Magistrates' Court.

The 1991 Breeding of Dogs Act ('the 1991 Act') extends the powers of inspection to unlicensed premises, excluding a private dwelling, and is discussed further at point 5 below.

In addition, the Animal Welfare Act (2006) states that anyone responsible for an animal should take reasonable steps to ensure that the animal's needs are met.

#### These needs include:

- a suitable environment/place to live
- a suitable diet including fresh water
- the ability to exhibit normal behaviour
- housed, as appropriate, either with or apart from other animals
- protection from and treatment of pain, suffering, injury or disease

See also the Defra Codes of Practice:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69390/pb13333-cop-dogs-091204.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69390/pb13333-cop-dogs-091204.pdf)

The ability of the breeder to meet the above needs should be taken into consideration when inspecting a breeding establishment.

It should be remembered that the aim of the licensing system is to ensure that minimum standards of animal health and welfare are maintained in breeding establishments. Licence conditions will inevitably vary; however, local authorities should bear in mind the principal aims as set out in Section 1(4) of the 1973 Act as well as the Breeding and Sale of Dogs (Welfare) Act 1999 ('the 1999 Act') which amends and extends the existing breeding of dogs' legislation.

Whilst the legislation allows local authorities to specify any conditions in the licence that they consider necessary or expedient in a particular case, there is no power to impose other, unrelated, conditions in the licence. The local authority can, though, withhold a licence on grounds other than failing to satisfy Section 1(4). This discretion is referred to in that section. In addition, where a breeding establishment previously operated illegally and where the local authority believes it is necessary, prosecution proceedings may still be brought notwithstanding a licence being subsequently granted.

Throughout the text and as a licence condition, the following applies:

- Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or used in association with the breeding of dogs.
- Use of the term 'kennel' refers to combined sleeping and individual outdoor run areas unless otherwise specified.

## 2. HEALTH AND WELFARE

As highlighted above, the Animal Welfare Act 2006 makes owners and keepers responsible for ensuring that the welfare needs of their animals are met.

Anyone who is cruel to an animal, or does not provide for its welfare needs, may be banned from owning animals, fined up to £20,000 and/or sent to prison for up to 6 months.

Where there is concern for the health and welfare of the dogs, veterinary advice must be sought. For breeding establishments licensed under the 1999 Act, there are a number of safeguards to protect the health and welfare of the bitch. For example, the number of litters a bitch is allowed to have in her lifetime is restricted to six. In addition, no more than one litter may be born in any twelve month period and bitches may not be mated if they are under one year old (see also Section 6 - Health and Welfare of the Breeding Stock and Litters).

## 3. DEFINITION OF A BREEDING ESTABLISHMENT

The 1999 Act amends the definition of a breeding establishment in the 1973 Act. A breeding establishment is defined as any premises where the business of breeding dogs for sale is carried out. The reference to five litters per establishment per year within the legislation should not be considered a minimum threshold for requiring a licence. To be clear, an establishment breeding less than five litters would require a licence, where the dogs are bred for sale as a business. Defra advise that it will be a matter for local authorities and their legal advisers to decide whether or not a particular establishment is required to be licensed.

In summary, a person is presumed to be carrying out the business of breeding dogs for sale where, they breed and sell more than two litters in a 12 month period, or during any 12 month period, five or more litters are born to his/her bitches which are:

- (a) kept by him at any premises during any period of 12 months;
- (b) kept by any relative of his at those premises;
- (c) kept by him elsewhere; and
- (d) kept by any person under a breeding arrangement with him. This presumptive test will not apply if a breeder is able to prove that none of the

puppies born to bitches at their premises or under a breeding arrangement was in fact sold during the 12 month period. More detailed guidance may be found in the relevant circulars (See Annex A – Useful Information).

## 4. INSPECTION OF BREEDING ESTABLISHMENTS

Upon application for a licence which has not previously been granted, the premises must be inspected by a veterinary surgeon appointed by the local authority and a local authority officer. For subsequent applications the local authority has discretion as to whether the inspection is carried out by a veterinary surgeon, or a person with the appropriate level of competence and a local authority officer, or both. A report, following inspection, shall be considered by the local authority before determining whether or not to grant a licence.

It is recommended that inspections are carried out well before the licence date for renewal to allow for any repairs and/or maintenance to be completed before the licence expires (see also Section 1 - Accommodation).

Once a licence has been granted, regular inspections should be carried out during the licence period (12 months) to protect the health and welfare of the dogs, most particularly when there is concern over a specific breeding establishment. Routine inspections would normally take place once or twice a year, but inspections may also be unannounced.

## 5. POWERS OF INSPECTION UNDER THE 1991 ACT

The 1991 Act empowers a Justice of the Peace to issue a warrant to any authorised person (e.g. local authority inspector) to enter, by reasonable force if necessary, and inspect unlicensed premises (excluding private dwellings) where the Magistrate is satisfied that there are reasonable grounds for suspecting that a dog breeding business is being unlawfully carried out without a licence.

It should be noted that although inspection of unlicensed private dwellings is specifically excluded under the 1991 Act, Section 1(3) allows a warrant to be obtained in relation to a garage, outhouse or other structure which belongs to the premises and therefore may be inspected under this section.

Inspection of domestic premises is allowed where licensed.

## 6. FEES

The cost of inspecting premises shall be met by the local authority which has the power to charge fees in respect of applications for licences and in respect of inspections of premises. A local authority may set the level of fees with a view to recovering reasonable costs and may set different fees for different circumstances.

## 7. COMMENCEMENT AND DURATION OF THE LICENCE

A local authority has three months from the application to determine whether to grant a licence. The duration of the licence is for one year, effective from either the day stated in the application or the day the licence is granted, whichever is the later.

With previously unlicensed breeding establishments, there is an expectation that all appropriate conditions will be met before a licence is granted. However, the situation is more complicated where an application is made for a licence where improvements are necessary.

Whenever improvements/repairs are required, it is recommended that the applicant for a licence be notified in writing of:

- (i) a schedule of works (preferably agreed with the breeding establishment);
- (ii) the date by which such works must be completed; and
- (iii) the consequences of non-compliance (that is, refusal to grant a licence).

The local authority should apply discretion when taking enforcement measures during the period for compliance stated in the notice.

There may be occasions where the required remedial work is extensive. In these circumstances the local authority should agree a schedule of works to be completed over a reasonable period of time and ensure that the work is being carried out as agreed in the Schedule (see para (i) above).

Persons who shall not apply for a licence

- If they are disqualified under -
  - (a) Protection of Animals Act (1911)
  - (b) Breeding and Sale of Dogs Act (1973) as amended by Breeding and Sale of Dogs (Welfare) Act 1991 and 1999
  - (c) Animal Welfare Act (2006)
- If they have been disqualified from keeping animals under any other -
  - (a) animal welfare legislation; or
  - (b) dog control legislation;
- A person under the age of 16 years of age shall not apply for a licence (Animal Welfare Act 2006)
- A person banned under the Animal Welfare Act (2006) may not have care and control of any animal and this should be taken into consideration when cohabiting with a person applying for any licence.

## 8. OFFENCES AND DISQUALIFICATION

The court has powers to order imprisonment for a term not exceeding three months and/or a fine not exceeding level 4 on the standard scale upon conviction for keeping a dog breeding establishment without a licence.

There are additional powers for the court to order cancellation of a licence, disqualification from keeping an establishment which is required to be licensed and disqualification from having custody of any dog specified. Where the offender is not the owner, there is provision to allow the owner to make representations.

Where a disqualification order has been made in respect of custody of a dog, the court may also make an order for any dog described to be delivered to a specified person and for the offender to pay for its care until permanent arrangements are made. Local authorities should have contingency plans in case dogs need to be housed. A list of welfare and breed rescue organisations may be helpful.

Upon conviction for intentionally obstructing or delaying any person in the exercise of their powers of entry or inspection as provided for by the Breeding of Dogs Act 1991, the maximum penalty is a fine not exceeding level 4 on the standard scale.

## 9. REQUIREMENTS OF THE 1973 ACT (as amended)

Section 1(4) of the Act states:

‘In determining whether to grant a licence for the keeping of a breeding establishment for dogs by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing:

(a) that the dogs will at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;

(b) that the dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals;

(c) that all reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases;

(d) that appropriate steps will be taken for the protection of the dogs in case of fire or other emergency;

(e) that all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment;

(f) that bitches are not mated if they are less than one year old;

(g) that bitches do not give birth to more than six litters of puppies each in their lifetime; (see also Appendix A - Useful Information on Kennel Club registration of litters)

(h) that bitches do not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies; and

(i) that accurate records (in a form prescribed by regulations) are kept at the premises and made available for inspection there by any officer of the local authority, or any veterinary surgeon authorised by the local authority to inspect the premises; and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the

objects specified in the paragraphs (a) to (i) of this subsection.’

## 10. RECORD-KEEPING

Having regard to ‘...securing all the objects specified in section 1 (4) (a) to (i) ...’ above, it is essential that detailed records are kept covering all aspects concerning the health and welfare of the dogs since this will provide the inspector with valuable information on the adequacy of the various regimes in place within the breeding establishment. Records will also be helpful should problems arise and for supplying information to purchasers – completing puppy contract etc. Therefore completing and maintaining accurate records is regarded as essential.

The Breeding of Dogs (Licensing Records) Regulations 1999 (SI 1999 No 3192) prescribe the form of records to be kept by licensed breeding establishments in England and Wales. These records must be kept on the premises and made available to local authority inspectors or any veterinary surgeon authorised by the local authority (see also Appendix C).

## 11. SALE OF DOGS

The 1999 Act establishes restrictions on the sale of dogs born at licensed breeding establishments. The keeper of a licensed breeding establishment has two methods of sale. He or she may either sell a dog direct to its final home, provided the dog is not less than eight weeks old and the keeper does not know or believe that the buyer intends to sell the dog on.

Alternatively, he or she is restricted to sell to licensed third parties, namely a licensed pet shop provided the dog is wearing a collar with an identifying tag or badge indicating the licensed breeding establishment at which it was born. Extreme caution should be exercised when selling puppies to third parties.

The Sale of Dogs (Identification Tag) Regulations 1999 (Statutory Instrument 1999 No 3191) require additional information to be shown on the identifying tag, namely the date of birth of the dog and any identifying number allocated to the dog by the licensed breeding establishment where it was born.

It is an offence for a licensed pet shop to sell a dog

which, when it was supplied by the licensed breeder was wearing a collar with identification tag but was not wearing the tag when it was supplied to the purchaser.

## 12. TRANSPORT

Section 1(4)(e) of the 1973 Act is concerned with safeguarding the welfare of dogs ‘when being transported to or from the breeding establishment’. Dogs and puppies being transported under these circumstances should be properly supervised to ensure compliance with the obligations under the 1973 Act. (See the Welfare of Animals (Transport) (England) Order 2006 and Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations under Other Relevant Legislation).

## 13. INSURANCE

Insurance should be considered when operating a breeding establishment. There may be dogs housed on the premises which are ‘on loan’ for which the breeding establishment proprietor may be liable. Veterinary fees may be insured against.

Employers Liability Insurance is mandatory for employers under the Employers Liability (Compulsory Insurance) Act 1969.

Certificates of Insurance must be prominently displayed.

## 14. LICENCE DISPLAY

A copy of the licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the breeding establishment.

## 15. BREEDERS

There are generally two ways in which dog breeding establishments are operated. Some breeders maintain their stock within their private dwelling house while a number of breeders keep dogs in outside accommodation consisting of buildings of one sort or another, either attached or separated from the private dwelling but in which numbers of dogs are bred. It should be borne in mind that there are a number of breeders who keep dogs both in their private dwelling and in other buildings.

## 16. FURTHER INFORMATION

Home Office Circular Number 53/1999 provides guidance to local authorities in England on licensing dog breeding establishments.

A list of useful addresses and relevant pieces of legislation is included at the back of the guide.

# MODEL CONDITIONS

## 1. ACCOMMODATION

The following definitions are provided for the purposes of inspection:

**Kennel** – this is the physical structure and area that consists of an indoor sleeping area and outdoor run

**Run** – A run is defined as an area attached to and with direct and permanent access from a kennel

**Outdoor exercise area** – a separate area from the kennel itself where dogs may, for example, exercise, play, interact with other dogs and people

**Crate** – a safe, secure area that a dog can go into for short periods of time. Usually consists of a wire frame with a removable tray in the base for bedding, but can also be plastic, or fabric. Uses include security, transportation or following veterinary advice. NB: this should only be a temporary enclosure for a dog and only where the dog is habituated to it

### General

#### Condition

Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness; Breeding and Sale of Dogs Act 1973 S.1(4)(a)

Dogs kept in domestic premises must have free access to more than one room and every dog must be provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.

#### Guidance

Local authorities may wish to refer to Council of Europe guidelines (see Appendix D) and the Kennel Club Assured Breeder Scheme which provide useful guidelines for minimum kennel sizes. These sizes are not prescriptive. The assessor's own expertise, opinion and common sense will be applied, and consideration given to the daily routine in place, the breed, and temperament and activity levels of the animals kept.

#### Condition

Dog crates, where used (and whilst not acceptable as permanent housing) must be of sufficient size to allow each dog to be able to sit and stand at full height, step forward, turn around, stretch and lie down in a natural position and wag its tail without touching the sides of the crate and to lie down without touching another individual.

#### Guidance

Bitches with litters should be provided with further space.

### Kennel Construction

#### Condition

Where kennels are provided, within converted outbuildings, consideration must be given to cleaning, wildlife access, vermin control, natural lighting and ventilation.

#### Guidance

In new constructions, wood should not be used on exposed surfaces of walls, floors, partitions, door frames or doors in the dog kennelling area.

Existing buildings may be more expensive to adapt and less efficient to operate than new build kennels. Proposed building works may require approval from the building control department and/or planning department.

Where wood has been used in an existing construction it must be smooth and treated to render it impervious. The purpose of avoiding wood on surface structures of kennel interiors is because of the possibility of damage to the material caused by scratching or chewing by dogs. Worn and splintered material is difficult to clean, harbours bacteria, viruses and so on, and allows the splinters to penetrate the animal's skin.

#### Condition

All internal surfaces used in the construction of walls, floors, ceilings, partitions, doors and door frames must be durable, smooth and impervious, easily cleaned and disinfected. Kennels must be free from hazards and there must be no projections or rough edges liable to cause injury.

Sleeping areas of kennels must be insulated so as to

prevent extremes of temperature.

#### Guidance

All exterior wood should be properly treated against wood rot, e.g. tanalised. Only non-toxic products should be used.

The interior and exterior of the buildings should be kept in good decorative order and repair. Outer paths, gardens, exercise areas and general surroundings should be kept in good, clean, safe condition.

#### Security

##### Condition

The construction must be such that the security of the dog is ensured.

Fencing material must be safe and secure.

##### Guidance

Where galvanised welded mesh is used for fencing and cages or kennels, the wire diameter should not be less than 2mm (14 standard wire gauge) excluding any covering and the mesh size should not exceed 5cm (2in).

#### Walls and Partitions

##### Condition

Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned and disinfected.

##### Guidance

Where concrete or other building blocks or bricks are used, they should be sealed so as to be smooth and impervious, and resealed as necessary.

Junctions between vertical and horizontal sections should be coved. If impractical in existing premises, all joints should be sealed.

It is suggested that partition walls between kennels and individual exercise areas should be of solid construction and of sufficient height to prevent direct nose-to-nose contact between dogs.

Partition construction may be solid from floor to ceiling, but this should not be to the detriment of other welfare considerations such as the dog's outlook, lighting, ventilation. Suitable materials for the construction of partition walls include properly surfaced impervious brick/block constructions, moulded plastic, glass reinforced plastic (GRP) and pre-formed plastic

surfaced board.

Constructing a solid partition provides a physical barrier to infection.

#### Floors

##### Condition

Flooring must be of a non-slip, urine-resistant material. It must be laid in a way and at a fall that avoids the pooling of liquids. Slatted or wire mesh floors must not be used.

##### Guidance

It is recommended that new kennels should incorporate a damp proof membrane.

All floors of kennels and individual exercise areas should be constructed and maintained in such a condition as to prevent pooling of liquids.

##### Condition

Floors of all buildings, individual exercise areas and kennels must be of smooth, impervious materials, capable of being easily cleaned and disinfected while providing sufficient grip for the animal to walk or run without sustaining injury.

##### Guidance

In new constructions, it is recommended that floors should be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.

Communal exercise areas should also be suitably drained to prevent pooling of liquids.

#### Ceilings

##### Condition

Ceilings must be capable of being cleaned and disinfected.

#### Doors

##### Condition

Kennel doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.

##### Guidance

Where metal bars and frames are used, they should be of suitable gauge with spacing adequate to prevent dogs and puppies escaping or becoming entrapped.

Where metal edging is used, this should not present a risk of injury to the dog.

Door openings should be constructed such that the passage of water/waste is not impeded, or allowed to accumulate due to inaccessibility.

When designing kennel doors, regard should be had to the health and safety of the person working in the kennel, for example, large dogs may push against the door which may give rise to difficulties in securing the door and even to accidents to the person on the opposite side of the door when it opens outwards. A door which opens inwards may also reduce the possibility of escape. (See Health and Safety at Work Act 1974 under Other Relevant Legislation).

## Windows

### Condition

Windows must not pose a security risk and must be escape proof for the protection of the dog as well as the public.

### Guidance

When windows are so situated that they could pose a security risk, it is recommended that welded mesh or reinforced glass, polycarbonate or other impact-resistant material is used. (See Other Relevant Legislation concerning the Control of Dogs Order and the Dangerous Dogs Act).

## Drainage

### Condition

The establishment must be connected to mains drainage or an approved sewerage disposal system. (See Environmental Protection under Other Relevant Legislation)

### Guidance

Drainage channels should be provided near to the kennel edge so that urine cannot pass over walk areas in corridors and communal access areas. A separate drainage channel may be needed in the exercise area. Advice concerning waste water outlets should be sought from the Environment Agency and/or, the local authority. (See Environmental Protection under Other Relevant Legislation)

## Lighting

### Condition

During daylight hours light must be provided to

exercise and sleeping areas so that all parts are clearly visible.

### Guidance

Where practicable this should be natural light.

### Condition

Lighting must be of sufficient standard to enable efficient working both during and after daylight hours.

Supplementary lighting, adequate to allow inspection, must be provided throughout the establishment.

### Guidance

It is recommended that breeding establishments should have a low level night light for use after daylight hours.

## Ventilation

### Condition

Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

### Guidance

A balance should be struck between providing adequate ventilation while avoiding unnecessary loss of heat. Checks need to be made during the day and night to allow for temperature fluctuations. Ventilation is important in disease control. It provides protection against accumulation of odour and prevents excessive humidity. High humidity increases the risk of infectious bronchitis ('Kennel Cough').

## Kennel Design (Size, layout and exercise facilities)

### Condition

Kennels must be divided into sleeping and activity areas.

Kennels must be provided with an adequate size of sleeping area, such that dogs can stand, turn around, stretch and lie down flat in a natural position, with sufficient space for the door to open fully.

### Guidance

Special consideration should be given to whelping bitches and bitches in season. Kennels should cater for the maximum number of puppies having regard to the size of the breed and litter size. (See also Appendix D)

When constructing kennels, an appropriate design and correct materials should be used to overcome problems of noise emission and to ensure energy conservation. This is in order to minimise discomfort to the dog and risk of nuisance to persons in the vicinity of the site. (See Nuisance under Other Relevant Legislation).

All parts of the kennel should be easily accessible to undertake thorough cleaning by staff.

### Condition

Adequate exercise areas must be provided for all kennels. How much space will depend upon the size of the dog as well as the circumstances of each breeding establishment. Dogs must be able to walk, turn around easily, wag their tails without touching the kennel sides, and lie down without touching another dog.

Kennels and runs must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

Exercise areas must not be used as sleeping areas

Outdoor areas where animals exercise and interact cannot have strict temperature regulation. Dogs must not be restricted to such areas when climatic conditions may cause them distress. They must have constant access to fresh clean water, shade and shelter so they can avoid rain, wind, snow, ice or direct sunlight, etc.

In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to their run.

The run must be at least partially roofed to provide the dog with sufficient protection against all weathers.

### Guidance

Depending upon the breed, consideration should be given to covering the whole of the runs.

## Beds and Bedding

### Condition

The bed must have clean bedding and be large enough for each dog to lie flat on their side.

Beds must be suitable to allow dogs to be comfortable, ie of durable construction, be sited away from and offer protection from draughts and be of a suitable size for the size and type of dogs kept.

Bedding must be capable of being easily cleaned and disinfected.

### Guidance

All bedding material in use should be clean, non-irritant, parasite free and dry.

Chewing or destruction of bedding should not result in restricted access, rather alternative materials should be tried.

## Number of Dogs Permitted

### Condition

The maximum number of dogs to be kept at any one time is to be determined by the Local Authority (see also Appendix D).

The number of dogs permitted must relate to the number and size of the kennels or space available and should be stipulated clearly on the front sheet of the licence. The decision regarding the number of dogs permitted to be kept must take into account the maximum likely litter size as well as the effectiveness of site management.

### Guidance

This figure should include any dogs kept on the breeders' premises which are not being used for breeding and must not be exceeded.

## Temperature in Accommodation

### Condition

Heating facilities must be available in the kennel and used according to the requirements of the individual dog.

### Guidance

There should be some part of the sleeping area where the dog is able to enjoy a temperature of between 10°C -26°C. Temperature should be relevant to the type and breed of dog. If necessary, heating and/or automatic cooling/ventilation should be used to achieve this.

The materials used on the kennel exterior should offer adequate protection against temperature variations throughout the year. The difficulty of maintaining the ideal temperature is acknowledged; however, these are realistic temperatures and should not be exceeded in normal circumstances.

**Condition**

Devices used for heating and cooling must be safe and free from risk of burning or electrocution. Manufacturer's instructions must be followed. Open flame appliances must not be used. (See Health and Safety at Work Act 1974 under Other Relevant Legislation).

**Guidance**

There should be the ability to record temperatures at dog level. (See also Record Keeping at Section 6 – Health and Welfare of the Breeding Stock and Litters)..

There will be periods in the year where ambient external temperatures will cause temperatures to fluctuate above or below the recommended levels. If the higher temperature level is exceeded due to structural shortcomings rather than normal ambient temperature, then artificial means of counteracting this high temperature should be introduced.

Where temperatures fall below the recommended level, the use of individual heating lamps for dogs may prove adequate. In some circumstances additional background heating will also be required.

Failure to give adequate attention to construction and insulation may cause dogs to suffer and increase running costs. Geographical orientation will affect temperature, e.g. north facing openings make it difficult to maintain adequate heating levels. Correct orientation of the kennel will allow maximum use of natural light.

**Cleanliness**

**(see also Appendix E -Cleaning Standard Operating Procedure (SOP))**

**Condition**

All kennels, corridors, common areas, kitchens and so on must be kept clean and free from accumulations of dirt and dust so that disease control is maintained. An agreed SOP must be followed.

Each occupied kennel must be cleaned daily at a minimum.

**Guidance**

Regular disinfection should be demonstrated by keeping records of disinfecting regimes (see also SOP - Appendix E).

**Condition**

All excreta and soiled material must be removed

from all areas used by the dogs as necessary.

All sleeping areas and bedding must be kept clean and dry.

Facilities must be provided for the proper reception, storage and disposal of waste.

**Guidance**

Advice should be sought from the Environment Agency or local authority concerning removal of waste such as dog faeces, soiled material and infectious material.

**Condition**

Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment.

**Guidance**

Such pests should be adequately dealt with without delay to eradicate the infestation.

**Condition**

Foul waste water must be disposed of by discharge to the appropriate or an approved

drainage system. Those wishing to operate an incinerator must seek advice from the Environment Agency and/or the local authority. (See Environmental Protection under Other Relevant Legislation)

**Guidance**

There is a range of cleaning regimes. The regime, for which all establishments should have an SOP, should include:

1. Removal of solids
2. Washing
3. Disinfection
4. Drying

The physical collection of faeces is usual ('poop scoop' or shovel and bucket). The use of detergent and water will 'wash down'. Pressure hoses or steam cleaning will wash down more effectively. Bacteria, viruses, fungi need to be controlled by the sanitising process. Because disinfectant is washed away after a short period of time, the long term activity of chemicals used to control viruses, bacteria and fungi should be considered (see also SOP – Appendix E).

Great care should be taken when using any chemicals. Chemicals and materials should be used and

stored correctly. (See notes on COSHH Regulations under Other Relevant Legislation). Combinations of bactericides, fungicides and virucides may prove expensive to use and may not necessarily provide the best system. Professional advice should be sought for the most effective method.

The following link includes DEFRA's approved disinfectant list for statutory use on disease control.

**[http://disinfectants.defra.gov.uk/Default.aspx?Module=ApprovalsList\\_SI](http://disinfectants.defra.gov.uk/Default.aspx?Module=ApprovalsList_SI)**

(See column (v) – general orders)

Staff working from kennel to kennel further increase the risk of spreading disease. Staff should be trained in good kennel hygiene. Complete disinfection of kennel and equipment should be carried out between occupancies.

### Whelping Facilities

#### Condition

There must be a separate whelping pen or room for each whelping bitch in which to whelp. There must be direct access to the whelping area for kennel personnel without disturbing the general kennel population. Once separated there must be increased social contact with humans.

#### Guidance

Bitches should be moved to their whelping accommodation 60 days after mating or sooner if signs of imminent whelping are shown.

#### Condition

Each whelping pen must be constructed of easily cleanable impervious materials. The area must be cleaned regularly and a record kept of cleaning procedures. The whelping pen must have a divider to allow the bitch to access an area where she cannot be reached by the puppies. There must be natural daylight.

There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of mess resulting from whelping. The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.

#### Guidance

Where a bitch is whelped in a domestic environment it is acceptable for a temporary disposable covering to be used.

Varnishing wood will make it impervious.

#### Condition

The whelping area must be maintained at an appropriate temperature. The bitch must be able to move away from heat spots.

#### Guidance

There should be an area maintained between 26-28 degrees Celsius. This can be achieved with a local heat source such as a heat lamp.

Puppies under four weeks of age should be kept at a temperature between 26°C (79°F) to 28°C (82°F) with provision for the bitch to move to a cooler area.

#### Condition

Bitches must be adequately supervised during whelping and records kept of:

- time of birth of each puppy
- puppies' sex, colour and weight
- placentae passed
- any other significant events.

Bitches must be allowed a minimum of four periods a day for toileting and exercise away from their puppies.

### Bitches in Season

#### Guidance

Consideration should be given to separating bitches in season and they should not be kept with entire male dogs.

## 2. MANAGEMENT

### General

#### Condition

Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals; BDA 1973 S.1(4)(b)

The 1999 Act strengthens the requirements for dogs to be visited at suitable intervals.

The Animal Welfare Act (2006) sets out the Duty of Care which must be met by the person responsible for the animals (see Animal Welfare Act under Other Relevant Legislation)

#### Guidance

(See also Appendix L - Daily Routine SOP).

### Supervision

#### Condition

A fit and proper person must always be present to exercise supervision and deal with emergencies.

#### Guidance

Any person with responsibility for supervision should be over the age of 16.

Where staff are employed, ideally a written training policy should be provided. Training of staff, whether permanent or temporary, should be demonstrated (via appropriate training records) to have been carried out on all aspects of the care of all ages of dogs and updated regularly. Staff should be adequately trained in the work they are expected to carry out. For example, in handling dogs safely and in procedures to be followed in the event of an emergency. (See Health and Safety at Work Act 1974 under Other Relevant Legislation).

The following are regarded as essential topics to be covered in the training programme relating to the care of dogs: Animal Health and Welfare; Cleanliness and Hygiene; Feeding and Food Preparation; Disease Prevention and Control; Recognition of Sick Animals; Dog Handling; Health and Safety; Emergency Procedures, Normal Whelping and Responsible Breeding.

There are a variety of animal care courses available and staff should be encouraged to attend Relevant NVQs attained at Level 2 or the equivalent should enable staff to gain a minimum level of competency.

### Numbers of staff

#### Condition

Numbers of staff must be appropriate for the breed/type and number of dogs being bred. Numbers must be sufficient to provide the level of care set out in these model conditions.

#### Guidance

Staff numbers should be of concern when there

is evidence that the standards maintained or the condition and behaviour of the animals is being compromised, or where an unrealistic routine is in place.

#### Condition

Sufficient adequately trained staff must be available every day to carry out all the interactions and procedures with dogs specified in this document.

#### Guidance

#### Condition

Establishing the number of staff required will require an assessment of the conditions at the establishment. As a guideline, it may be considered that a full time attendant may care for up to 20 dogs. In domestic environments, it is advisable for other members of the household, or dog sitters to be provided with guidance notes in regard to general day to day care – feeding, grooming, cleaning, exercise and compatibility issues – especially where several dogs, or breeds of dogs, are involved.

#### Condition

Dogs must not be left alone for long periods and must be checked at the start and end of every working day and regularly by a member of staff at least every four hours during the day.

#### Guidance

These checks should be more frequent when bitches are imminently due to whelp, whelping and puppies that are not yet weaned (See also Section 2 – Management and Section 6 – Health and Welfare of the Breeding Stock and Litters).

### Environmental Enrichment and Exercise

#### Condition

Dogs must be provided with environmental enrichment and the ability to have some control over their environment.

#### Guidance

Toy and activity feeders that are changed regularly are ideal enrichment. There should be more toys or feeders than there are dogs in the kennel. The use of raised beds and the ability to move out of other dogs' sight should be provided (see also Puppy Plan Annex B).

#### Condition

Breeding establishments are the permanent home for some dogs and therefore provision of exercise

facilities must be adequate for the long term. Dogs must not be kept permanently confined.

Arrangements must be made for the dogs to be exercised at least twice a day.

#### Guidance

Exercise may also be provided by walking. Where dogs are exercised off the premises, reference should be made to the Clean Neighbourhoods Environment Act (2005) and the Control of Dogs Order 1992 (see Other Relevant Legislation). The name, address and telephone number (including the emergency number) of the establishment's veterinary practice should be displayed prominently preferably by the telephone.

### Handling and habituation

#### Condition

Breeding dogs must be handled and examined regularly to identify changes in health, weight and behaviour, also to ensure dogs are habituated to handling by people. This is particularly important for bitches, as fear of people will influence development of puppy behaviour

#### Guidance

An SOP for the socialisation and habituation of puppies from birth to the point of sale should be used (see also Puppy Plan Annex B and Annexes F & G on Socialisation and Habituation).

### Food and Water Supplies

#### Condition

All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed at least daily. Dogs must be fed a diet appropriate to their age, breed, activity level and stage in the breeding cycle. Dogs must be fed individually with separate bowls. Food must be stored in vermin-proof containers and fresh food must be refrigerated.

#### Guidance

The dog's weight should be monitored and recorded quarterly and diets adjusted where necessary, unless otherwise advised by a veterinary surgeon or a significant change in the dog's weight/body condition is noticed.

#### Condition

Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition and cleaned and disinfected or disposed of after each meal.

#### Guidance

If necessary, the veterinary surgeon should be consulted to advise. Special dietary considerations should be given to young and old dogs and to whelping and nursing bitches. Nutrition is particularly important during pregnancy and lactation and consideration should be given to the varying nutritional requirements of individual dogs. Body condition score should be monitored and feeding adjusted appropriately. (See also Annex H - SOP on feeding).

#### Condition

Dogs must be fed sufficiently well to maintain health.

#### Guidance

Inspectors should observe the general condition of the dogs and check on the quantity of food in store and the process of preparation.

### Weaning Procedures

#### Condition

Puppies must start the weaning process as soon as they are capable of ingesting food on their own. The food offered must be appropriate for the stage of development of the puppies.

Puppies at weaning must initially be offered food five times a day. It must be ensured that each puppy takes the correct share of the food offered.

#### Guidance

Weaning should normally commence at 3-4 weeks old. The initial diet may be liquid progressing to solid food over the ensuing period.

#### Condition

During lactation, the bitch must have sufficient appropriate food to satisfy the demands being made upon her.

**Guidance**

Lactation will last until the puppies are weaned.

Consideration should also be given to how many puppies the bitch is nursing. During lactation the bitch should be closely monitored for signs of complications (eg eclampsia). The feeding level required for the bitch after weaning will depend upon her body condition.

Where a proprietary food source is used the manufacturer's guide should be followed. Veterinary advice should be sought if in doubt.

Food provision can be used to enhance enrichment, for example through the use of devices increasing the time and effort taken to access food (e.g. puzzle feeders, activity balls, stuffed rubber toys). Where these are used they should be cleaned and disinfected thoroughly between each use. Where dogs are kept in pairs or larger groups, more devices should be available than the number of dogs, use should be monitored carefully to identify where aggression occurs. Dogs which show aggression associated with feeding, or when provided with food based enrichment, should be separated from other dogs prior to feeding.

**Kitchen Facilities****Condition**

Facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.

Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided.

A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.

**Guidance**

A separate hand basin with hot and cold running water should be provided for staff.

**Condition**

Containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests.

Cross-contamination must be avoided.

**Guidance**

Dishes and bedding should be washed separately from domestic items.

**First-Aid Kit for Dogs****Condition**

A fully maintained first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

**Guidance**

A veterinary surgeon should be consulted concerning its contents and a competent member of staff should be in charge of its maintenance.

**Isolation Facilities****Condition**

Veterinary advice must be sought for any animal with a potentially infectious disease.

**Guidance**

Where advised, the dog should be isolated immediately and the procedure documented.

**Condition**

Facilities for isolation must be available when required. Isolation facilities must be used where the presence of infectious disease is suspected or known.

**Guidance**

Procedures should be in place, and understood by all staff, to prevent the spread of infectious disease between isolated animals and the other dogs.

**Condition**

Isolation facilities must be in compliance with the other licence conditions but must be physically separate from other dogs.

**Guidance**

Intervening buildings and construction detail (ie window and door positions) should be taken into account because individual circumstances may significantly affect the recommended distance.

For airborne diseases, ideally a distance of at least 5 m (15 ft). The requirement for 5 m distance between isolation facilities and the other dogs is based upon consideration of the distance that airborne infection can carry.

**Condition**

Hands must be washed after leaving the isolation facilities before handling other dogs.

Protective clothing, footwear and equipment, for use

only in the isolation facility, must be used to reduce the spread of infection and must not be worn outside the isolation facility.

#### Guidance

The use of disposable clothing is recommended.

A management regime should be followed where an isolation case is being handled. For example, isolation cases must be cared for after all other dogs have been attended to. Records of the isolation cases and the management regime to be followed should be kept. (See also Record Keeping under Section 6 – Health and Welfare of the Breeding Stock and Litters).

#### Condition

Complete disinfection of the isolation facilities and equipment must be carried out once vacated.

### 3. DISEASE CONTROL, VACCINATION AND WORMING

#### General

#### Condition

All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases; BDA 1973 S.1(4)(c). Licence holders must take all reasonable steps to protect the animal from pain, suffering, injury and disease.

All breeding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.

#### Guidance

Registered breeders should produce a health and welfare plan (see Appendix I) approved by a veterinary surgeon. This should be updated on an annual basis and needs to take into account the health, preventive treatment, socialisation, and welfare of the animals.

### 4. EMERGENCIES/FIRE PREVENTION

#### General

#### Condition

There must be Emergency Evacuation and Contingency Plans (see Appendix J) in place which meets approval with the local authority, and in consultation with the local authority.

#### Guidance

Contingency plans should also include consideration for alternative housing for a large number of dogs.

For the occasions where it is not possible to evacuate the dogs to alternative locations other contingency measures should be in place, this may include long term provision of feed/water or euthanasia (see Appendix K on Euthanasia).

### 5. TRANSPORT

Section 1(4)(e) of the 1973 Act is concerned with safeguarding the welfare of dogs 'when being transported to or from the breeding establishment'.

#### General

#### Condition

Dogs and puppies being transported to and from breeding establishments must be properly supervised to ensure compliance with the obligations under the 1973 Act.

All appropriate steps must be taken to ensure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

Bitches must not be transported in the last stages of pregnancy, ideally not from 54 days after mating, unless to a veterinary surgeon for treatment.

Bitches must not be transported for 48 hours after whelping unless it is to see a veterinary surgeon for treatment.

#### Guidance

It is recommended that records are kept of the vehicles used when dogs are transported, as well as details of journeys undertaken (see Record-keeping section below at Section 6- Health and Welfare of the Breeding Stock and Litters). (See also the Welfare of Animals (Transport) (England) Order 2006 under Other Relevant Legislation). All vehicles are considered commercial and subject to EU Transport Regulation 1/2005.

#### Condition

Whenever dogs are transported they must be fit and healthy for the intended journey. Injured and/or diseased dogs must not be transported (except for minor illness or injury, as determined by trained and competent staff) unless they are being taken to a veterinary surgery.

**Guidance**

The transporting of distressed dogs should be avoided whenever possible.

When transporting animals, there is a general duty of care to protect them from injury or unnecessary suffering (see Article 4 of Welfare of Animals [Transport] [England] Order 2006) and to also ensure they are transported in suitable containers. If the transportation is carried out in connection with an 'economic activity', as defined by the Regulations, then there are further legal requirements to comply with under this legislation. Furthermore, there is a requirement under the Highway Code that animals should be "suitably restrained" when transported (Rule 57, Highway Code). Any vehicle used for transporting dogs should be suitable and have the correct ventilation and temperature control so that the dog remains comfortable during the journey, whatever the outside temperature. Dogs should not be left unattended in a vehicle for any length of time.

Dogs should not be fed within two hours of a journey and should be exercised immediately before they are loaded to give them the opportunity to go to the toilet.

During a journey dogs should be securely and comfortably confined. If a dog is transported alone in a container, he or she should have enough space to stand, sit erect, lie in a natural position and turn around normally while standing up for long journeys. If transported with other dogs, there should be sufficient space for all the dogs to carry out all these behaviours without touching other dogs.

If transporting adult dogs by road, sufficient breaks should be offered for water and the chance to go to the toilet.

**Condition**

Puppies must not be transported before eight weeks of age without their dam unless a veterinary surgeon agrees otherwise for health and/or welfare reasons, or in an emergency (See Welfare of Animals (Transport) Order (England) 2006 - Council Regulation (EC) No 1/2005).

**Guidance**

Where possible, puppies should be trained to stay calmly in a crate by using reward-based training prior to transportation.

**6. HEALTH AND WELFARE OF THE BREEDING STOCK AND LITTERS****Mating****Condition**

Bitches must not be mated if they are less than one year old.

BDA 1973 S. 1(4) (f)

**Guidance**

It is the responsibility of the licensee to make every reasonable effort to ensure that both sires and bitches are in good health prior to mating. This includes checking for the presence of both infectious and genetically inherited diseases which may affect the health of either parent or resulting puppies. Where necessary, veterinary advice should be sought.

Breeding stock should be selected on their temperament and genetic health. Dogs that have required surgery to rectify an exaggerated conformation that has caused adverse welfare (e.g. an excessively flat face or short nose or eyelid abnormalities etc.) should not be bred from.

Dogs with exaggerated conformations that may be associated with adverse welfare should not be bred from.

**Maximum Number of Litters****Condition**

Bitches must not give birth to more than six litters of puppies each in their lifetime;

BDA 1973 S. 1(4) (g)

**Guidance**

(See also KC guidance on number of litters - Appendix A)

**Twelve Months Between Litters****Condition**

Bitches must not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies; BDA 1973 S. 1(4) (h)

## Social Contact for Dogs and Socialisation of Puppies

### Adult Dogs

#### Condition

Social contact is very important, and all dogs used for breeding must be kept in an environment that allows adequate social contact with both other dogs and people.

#### Guidance

Social contact with other dogs may be achieved through pair or group housing, although the behaviour of individuals within each group should be monitored carefully for signs of aggression or fear. The compatibility of the dogs may vary depending on the stage of the breeding cycle (seasons and lactation) and this should be monitored carefully. Dogs which show behavioural signs of fear or anxiety associated with contact with other dogs may be better housed and exercised singly, as long as they are provided with sufficient human contact. They should not be used for breeding. A policy should be in place for monitoring the introduction of new dogs to existing groups in either domestic or kennel environments, to avoid stress to either new or resident animals.

Bitches close to whelping and when lactating should not generally be mixed with other adult dogs. On these occasions where dogs have to be kennelled on their own, the level of social contact with humans should be increased to compensate.

When the social contact is provided by humans, the contact should be for the majority of the day. When dogs are kept in a kennel environment this should be the working day and in a domestic environment the normal waking hours of the household.

### Puppies

**See also Puppy Plan (Appendix B).**

#### Condition

Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.

#### Guidance

The early experience of puppies has a profound effect on their adult behaviour, and it is important that the facility has in place an adequate programme

to socialise puppies and prepare them for life in a domestic environment. SOPs should be available so that all staff know how to appropriately socialise puppies.

Where bitches are anxious or aggressive when puppies are approached, this process should be gradual to acclimatise the bitch to the presence of people around the litter.

#### Condition

From 3 weeks old puppies must be habituated to events likely to be encountered in a domestic environment.

#### Guidance

This should include the sights and sounds in households, such as appliances, as well as differing surfaces on which to walk. Introduction to novel sights and sounds should be gradual so that puppies do not show a fearful response such as startling or withdrawal. Puppies should also be introduced to a variety of people including adults of both sexes, children of different ages, and wearing a variety of clothing styles.

#### Condition

To learn social skills with other dogs, puppies must be maintained as a litter or with puppies of a similar age and size.

#### Guidance

They should also ideally be introduced to non-aggressive and healthy, vaccinated adult dogs in addition to the bitch. However, it is also important for puppies to start to learn to be separated from others, so should be separated from litter mates and the bitch for short periods from the age of six weeks. During periods of separation there should be human social contact.

Household sounds may occur naturally in domestic environments but could be achieved through the playback of recordings for dogs housed in kennels.

### Record Keeping

**(See also Appendix C)**

#### Condition

Accurate records in a form prescribed by regulations as shown below must be kept at the premises and made available for inspection there by any officer of the local authority or any veterinary surgeon, authorised by the local authority to inspect the

premises; BDA 1973 S. 1(4) (i)

#### The Breeding of Dogs (Licensing Records)

Regulations 1999 (SI 1999 No 3192) prescribe the form of records to be kept by licensed breeding establishments. These records must be accurate and kept on the premises and made available to local authority inspectors or any veterinary surgeon authorised by the local authority.

A record must be kept by every licensed dog breeder for each breeding bitch providing the name of the bitch, date of birth, address where she is kept, breed, description, date of mating and details of sire. Licensed dog breeders must also keep a record of any litters, including the sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of sale, namely the date of sale, name and address of who was supplied and the status of the purchaser (ie, private owner or pet shop).

#### Guidance

Although the sub-section does not provide any scope for flexibility, the Home Office guidelines to local authorities expect local authorities to take into account any difficulties in relation to factors beyond the breeder's control, such as when a bitch whelps prematurely. Accurate records showing matings and whelpings will be essential.

Additional records will provide useful information to the local authority inspectors should problems arise. It is suggested that this information should include:

- The details and number of all dogs kept on the premises, including movement on and off the premises;
- oestrus dates of breeding bitches;
- microchip or tattoo numbers or other suitable form of permanent identification. If the dogs are KC or breed association registered, these numbers should also be recorded;
- where dogs are under a breeding arrangement, the details of such dogs, together with their whereabouts;
- vaccination and worming records and details of other veterinary treatment given;
- cleaning and disinfecting regimes (see also SOP);
- feeding and exercise routines;

- accommodation temperatures;
- details of any isolation cases and the management regime in place;
- details of vehicles used for transporting dogs, as well as time and length of journeys taken. Records should also show which dogs are transported and their destination;
- date and cause of death if known;
- Number of dogs required to be euthanised, reason for euthanasia, date of euthanasia and the name of the veterinary surgeon in attendance;
- Number of breeding bitches retired, details of each individual breeding bitch's microchip (or other permanent identification) number, outcome for the bitch e.g. rehomed and to where
- If dogs have come from abroad, specific additional information should be recorded.
- Health Plan (Annex I)
- health screening test results;
- puppy contract

This list is by no means exhaustive.

Documentation should also be routinely provided to purchasers of puppies, for example as a 'puppy pack', including information on the puppy's diet, worming history, five generation pedigree where relevant, any parental or puppy health check results, any veterinary treatment or ongoing medication, health insurance, socialisation history, and advice on ongoing care. Purchasers of puppies should also receive a puppy contract (AWF/RSPCA), and full contact details of the breeder. (See also Puppy Plan – Annex B).

## Other relevant legislation

### ALL LEGISLATION IS CORRECT AT DATE OF PUBLICATION – PLEASE CHECK CURRENT STATUS OF LEGISLATION AT TIME OF INSPECTION

References to other relevant legislation are made simply to alert the reader to other issues, such as those relating to health and safety matters, as well as environmental protection, which should also be considered in the operation of a breeding establishment.

References to legislation should not be taken as a detailed explanation of the law, and this publication may not refer to all legislation that may be relevant depending on the circumstances.

It should be borne in mind that laws change and expert advice should always be sought as to the current legal position.

A list of useful addresses is included at the back of the guide

### 1. Health and Safety at Work etc Act 1974

Employers must ensure the safety of their workers, both voluntary and paid, and visitors to the workplace. This is underpinned, inter alia, by the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999. A safe system of work must be in place and there must be adequate training and supervision. For example, staff employed to handle dogs must be competent and properly trained for the work they are expected to carry out.

The Health and Safety Executive ([hse.gov.uk](http://hse.gov.uk)) and/or the local authority should be contacted for further advice and information.

### 2. Control of Substances Hazardous to Health (COSHH) Regulations 2002

These Regulations require employers to:

- assess the risks to health from work activities which involve a hazardous substance, e.g., chemicals or micro-organisms;
- prevent or, where this is not reasonably practicable, adequately control exposure to the hazardous substances;

- introduce and maintain control measures;
- inform, instruct and train employees about the risks and precautions to be taken;
- regularly review risk assessments and the effectiveness of control measures.

These Regulations also cover zoonoses (diseases transmitted between animals and people, such as Salmonellosis, Toxocariasis and Toxoplasmosis) and suitable advice on risks and precautions should be brought to the attention of staff. Staff should also be appropriately vaccinated. It is vital that those working with dogs are aware of the importance of preventing disease transference. Cross-contamination risks are high and good hygiene is important.

### 3. Staff – Workplace (Health, Safety and Welfare) Regulations 1992, Health and Safety (First-Aid) Regulations 1981, Personal Protective Equipment at Work Regulations 1992

Suitable and sufficient toilet and washing facilities must be available for staff in accordance with health and safety requirements. There is a general duty on employers to ensure there is adequate first aid provision for employees. The minimum requirement is a suitably stocked first-aid box, an appointed person to take charge of first-aid arrangements and information for employees about first-aid arrangements, such as where the first-aid box is and who the appointed first-aider is. Every employer must ensure that suitable personal protective equipment is provided to his employees who may be exposed to a risk to their health or safety while at work except where and to the extent that such risk has been adequately controlled by other means which are equally or more effective. Accordingly Staff may need to be provided with items such as protective clothing, dog catching devices and muzzles.

For guidance see HSE: [www.hse.gov.uk](http://www.hse.gov.uk)

### 4. Waste – Environmental Protection Act 1990 and related legislation

Certain waste may only be passed to registered carriers or appropriate licensed or authorised disposal facilities. Those wishing to dispose of waste on their

premises or operate an incinerator must seek advice from the local authority.

The type of waste likely to be produced by breeding establishments would include faeces, soiled material, waste water, blood and other discharges, and tissue. There are regulations which pertain to the collection, carriage and disposal of such waste and place a duty of care on those producing and handling certain types of waste, particularly animal by-products. Advice should be sought from the Environment Agency Regional Office which produces information sheets and from AHVLA or from the local authority.

## 5. Nuisance – Environmental Protection Act 1990

It is important to consider the potential problem of noise and odour nuisance. Such noise or odour that is prejudicial to health or a nuisance may amount to a statutory nuisance in relation to which Local authorities may serve an abatement notice and, if this is ignored, a summons may follow. Persons aggrieved may also complain on notice.

Monitoring a single dog barking at close range may produce a reading in the region of 95 dB(A). It is important to design and site kennels to prevent any cause for complaint from neighbours. The choice of appropriate materials, and their correct use in design, in terms of preventing noise (and odour) nuisance is extremely important. It should be borne in mind that if the nuisance is unreasonable having regard to the area, a cause of action could still arise even if the nuisance was already present when the complainant moved to the area. If the nuisance amounts to a public nuisance such “prescription”, as it is known, will never be a defence.

Environmental Health Officers within the local authority should be able to give further advice and guidance on nuisance problems and related statutory provisions. Certain types of noise, for example, are the subject of specific statutory controls.

## 6. Dogs (Fouling of Land) Act 1996

This Act empowers local authorities to designate certain land for the purpose of making it an offence to allow a dog to defecate on such land. If the person in charge of a dog allows that dog to defecate on designated land and fails to remove the faeces forthwith, then that person will be guilty of an offence, unless he has reasonable excuse or has

the consent of an authorised person not to remove the faeces. It should be borne in mind that the Act specifically states that it will not be considered reasonable excuse if the person is without the means to remove the faeces or is unaware that the dog has defecated.

The Dogs (Fouling of Land) Act 1996 is only applicable in England and Wales.

Department of the Environment Circular No. 18/1996: Dogs (Fouling of Land) Act 1996 provides useful guidance on the Act. Where dogs are exercised off premises, the provisions of this Act should be borne in mind.

## 7. Dog Fouling – Clean Neighbourhoods and Environment Act 2005

Part 6 of the Clean Neighbourhoods and Environment Act 2005 relates to dogs and became law in 2006. Under this Act local authorities and parish councils in England and Wales have been given the powers to introduce new Dog Control Orders (DCOs) in respect of any land in their area to which the public are entitled or permitted to have access with or without payment.

This Act empowers local authorities to designate certain land for the purpose of providing for offences relating to the control of dogs which, inter alia, can include offences relating to the fouling of land by dogs and the removal of dog faeces.

The Dogs (Fouling of Land) Act 1996 is largely repealed by this Act. Some savings were made by Article 4 of the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 1, Transitional and Savings Provisions) (England) Order. The Dogs (Fouling of Land) Act 1996 empowered local authorities to designate certain land for the purpose of making it an offence to allow a dog to defecate on such land without removing the faeces forthwith and the savings provide that the Dogs (Fouling of Land) Act 1996 shall continue to have effect in respect of any land which is designated land before 6 April 2006, save to the extent that a DCO applies in respect of it, if the designation order in question is revoked or, if the designation order in question is amended so as to reduce the extent of the designated land, to the extent of that reduction. The savings also mean that various other legislative provisions shall continue to apply in respect of the continued effect of the 1996 Act in the form in which they were immediately prior to the enactment of the

Clean Neighbourhoods and Environment Act 2005.

## 8. The Control of Dogs Order 1992

This Order replaces and extends the Control of Dogs Order 1930 and provides that every dog, subject to specific exceptions, while in a highway or in a place of public resort shall wear a collar with the name and address of the owner inscribed on the collar or on a plate or badge attached to it. It should be noted that it is the local authority which has the power to enforce the Order, not the police force for any area.

## 9. The Welfare of Animals (Transport) Order (England) 2006

- The transport legislation, which in England administration and enforcement of Council Regulation (EC) No 1/2005 on the protection and related operations, makes it an offence to transport any animal (not exhaustive);
- that is unfit ;Unless there are arrangements for its needs to be met during the journey, including unloading at the place of destination, and for its welfare conditions to be regularly checked and appropriately maintained;
- using violence or any method likely to cause unnecessary fear, injury or suffering when handling the animals. N.B., the use of instruments administering electric shocks is recognised, but is to be avoided if at all possible.

There are general rules on the construction and maintenance of vehicles. There are also species-specific rules. Specific requirements include ventilation and loading equipment such as ramps. Animals must be transported with sufficient space to prevent suffering. There are also rules on the segregation of non-compatible animals.

Animal Transport Certificates (ATCs) must accompany vertebrate animals on most journeys as part of a economic activity, although farmers are exempted from carrying an ATC when transporting their own animals in their own means of transport on journeys up to 50 km from their holding, or as part of seasonal transhumance. The information required is set out in Article 4(1) of Council Regulation (EC) No 1/2005; there is no prescribed legal format but Defra does provide a suggested form.

## 10. Dangerous Dogs Act 1991

The Dangerous Dogs Act 1991 prohibits persons

from having in their possession or custody dogs of a type specified in Section 1. It enables restrictions to be imposed in relation to other types of dog which present a serious danger to the public and makes further provision for ensuring that dogs are kept under proper control by their owners and those in charge of them.

The Home Office has released several circulars on the 1991 and 1997 Acts and these may be obtained from the relevant Government Departments.

## 11. The Dangerous Dogs (Amendment) Act 1997

The Dangerous Dogs (Amendment) Act 1997 amends the Dangerous Dogs Act 1991 and allows the Courts limited discretion where previously a destruction order would have been mandatory.

## 12. Animal Welfare Act 2006

The Animal Welfare Act 2006 makes owners and keepers responsible for ensuring that the welfare needs of their animals are met. These include the need:

- for a suitable environment (place to live)
- for a suitable diet
- to exhibit normal behaviour patterns
- to be housed with, or apart from, other animals (if applicable)
- to be protected from pain, suffering, injury, and disease

Anyone who found guilty of an offence of causing unnecessary suffering to an animal or failing to provide for its welfare needs may, among other sanctions, be banned from owning animals, fined (in the case of causing unnecessary suffering, up to £20,000) and/or sent to prison.

## 13. Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, Council Directive 92/65/EEC

of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules.

## 14. Trade in Animals and Related Products Regulations 2011, Regulation (EC) No 998/2003

of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals

Dogs can be imported into Great Britain and therefore England for trade (N.B., the exchange of payment is not a necessary element of trade in this context), which would include breeding, from another EU Member State, Norway, Switzerland or Liechtenstein without undergoing quarantine, provided the requirements of the Trade in Animals and Related Products Regulations 2011 and Council Directive 92/65/EEC are met. N.B., Council Directive 92/65/EEC has been amended on several occasions and also makes certain requirements of Regulation (EC) No 998/2003 (of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals) part of the trade requirements.

These requirements are quite complicated and further information is available from the Animal Health and Veterinary Laboratories Agency [www.defra.gov.uk/ahvla-en/](http://www.defra.gov.uk/ahvla-en/).

## 15. Regulatory Reform Order (Fire Safety) 2005

The Order imposes a number of specific duties in relation to the fire precautions to be taken. These include:

- suitable and sufficient assessment of the risks
- implementation of preventive and protective measures
- elimination or reduction of risks from dangerous substances
- provide appropriate fire-fighting equipment, including fire detectors and alarms which is easily accessible and simple to use
- ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times and are adequate with regard to use, equipment and dimensions of the premises and the maximum number of persons who may present there at any one time
- establish and, where necessary, give effect to

appropriate procedures, including safety drills and emergency arrangements, to be followed in the event of serious and imminent danger to relevant persons

- ensure that the premises and any facilities, equipment and devices provided are maintained in efficient working order and in good repair
- appoint one or more competent person to assist in undertaking the preventive and protective measures
- provide employees, and the employer of any employees from an outside undertaking who are working in or on the premises, with comprehensible and relevant information on risks, preventive and protective measures, procedures in place
- provide employees with adequate safety training and inform them of their duties under the Order

This publication is intended to be helpful but represents only a statement of opinion. It does not contain legal advice or a complete statement of the law. It should not be used as a substitute for legal advice or as the basis for giving advice without checking the primary sources. References to legislation should not be taken as a detailed explanation of the law, and this publication may not refer to all legislation that may be relevant depending on the circumstances. Legal advice should always be obtained on specific facts or on the adaptation of model conditions to specific circumstances.

No responsibility or liability for loss or consequential loss occasioned to any person, as a result of making use of this publication (including the recommended good practice contained within), is accepted by the contributing bodies, the members of the working party or the authors of this publication. It should also be borne in mind that laws change and expert advice should always be sought as to the current legal position.

## USEFUL CONTACTS

### **Advisory Council on the Welfare Issues of Dog Breeding**

Website: [www.dogadvisorycouncil.com](http://www.dogadvisorycouncil.com)  
Email: [heather@drydraytonestate.com](mailto:heather@drydraytonestate.com)

### **Animal Health and Veterinary Laboratories Agency**

Website: [www.defra.gov.uk/ahvla-en](http://www.defra.gov.uk/ahvla-en)

### **Animal Welfare Foundation**

7 Mansfield Street, London W1G 9NQ  
Tel: 020 7908 6375  
Email: [bva-awf@bva.co.uk](mailto:bva-awf@bva.co.uk)

### **British Veterinary Association**

7 Mansfield Street, London W1M 0AT  
Tel: 020 7636 6541  
Fax: 020 7436 2970  
Email: [bvahq@bva.co.uk](mailto:bvahq@bva.co.uk)

### **British Small Animal Veterinary Association**

Woodrow House, 1 Telford Way  
Waterwells Business Park, Quedgeley,  
Gloucestershire GL2 2AB  
Tel: 01452 726700  
Fax: 01452 726701  
Website: [www.bsava.com](http://www.bsava.com)  
Email [administration@www.bsava.com](mailto:administration@www.bsava.com)

### **Chartered Institute of Environmental Health**

Chadwick Court, 15 Hatfields, London SE1 8DJ  
Tel: 020 7928 6006  
Fax: 020 7827 5862

### **Local Government Association**

Smith Square, London SW1P 3HZ  
Tel: 020 7664 3000  
Fax 020 7664 3030  
Website: [www.local.gov.uk](http://www.local.gov.uk)  
Email: [info@local.gov.uk](mailto:info@local.gov.uk)

### **Department for Environment, Food and Rural Affairs**

Nobel House, 17 Smith Square London SW1P 3JR  
Tel: 08459 33 55 77  
Website: [www.defra.gov.uk](http://www.defra.gov.uk)  
Email: [defra.helpline@defra.gsi.gov.uk](mailto:defra.helpline@defra.gsi.gov.uk)

### **Dogs Trust**

17 Wakley Street, London EC1V 7RQ  
Tel: 0207 837 0006  
Website: [www.dogstrust.org.uk](http://www.dogstrust.org.uk)  
Email: [info@dogstrust.org.uk](mailto:info@dogstrust.org.uk)

### **Health and Safety Executive**

Website: [www.hse.gov.uk](http://www.hse.gov.uk)

### **Home Office**

Direct Communications Unit  
2 Marsham Street, London SW1P 4DF  
Tel: 020 7035 4848  
Fax: 020 7035 4745  
Website: [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)  
Email: [public.enquiries@homeoffice.gsi.gov.uk](mailto:public.enquiries@homeoffice.gsi.gov.uk)

### **International Sheep Dog Society**

(Registration authority for sheep dogs)  
Clifton House, 4a Goldington Road  
Bedford MK40 3NF  
Tel: 01234 352672  
Fax: 01234 348214  
Email: [office@isds.org.uk](mailto:office@isds.org.uk)

### **The Kennel Club**

1-5 Clarges Street, Piccadilly London W1J 8AB  
Tel: 0844 463 3980  
[www.the-kennel-club.org.uk](http://www.the-kennel-club.org.uk)

### **AWF/RSPCA Puppy Contract**

[www.puppycontract.org.uk](http://www.puppycontract.org.uk)

### **Royal College of Veterinary Surgeons**

Belgravia House, 62-64 Horseferry Road  
London SW1P 2AF  
Tel: 020 7222 2001  
Fax: 020 7222 2004  
Email: [info@rcvs.org.uk](mailto:info@rcvs.org.uk)  
Website: <http://findavet.rcvs.org.uk>

### **The Royal Society for the Prevention of Cruelty to Animals**

Wilberforce Way, Southwater  
Horsham, West Sussex RH13 9RS  
Website: [www.rspca.org.uk](http://www.rspca.org.uk)

### **The Stationery Office**

Tel: 0870 600 5522

### **Trading Standards**

Please contact your local authority for details.

# APPENDIX A

## Useful information

### Kennel Club Litter Registration

The Kennel Club of the UK will not register a litter if the bitch was under one year old at the time of mating or if she has already whelped four litters. Neither will it register a first litter if the bitch has reached the age of eight years of age at the date of whelping. Also if: the offspring are the result of any mating between father and daughter, mother and son or brother and sister, save in exceptional circumstances or for scientifically proven welfare reasons; the dam has already had two litters delivered by caesarean section, save for scientifically proven welfare reasons and this only normally provided the application is made prior to the mating; or the dam was not resident at a UK address at the date of whelping.

There are schemes in place for screening for hereditary conditions in dogs. The BVA, in conjunction with the Kennel Club and the International Sheep Dog Society, encourages responsible breeding through its Canine Health Schemes. Breeders may have their dogs screened for various hereditary and breed-related conditions to assist them to make responsible breeding decisions.



**REPORTING SURGICAL CORRECTIONS TO CONFORMATIONAL PROBLEMS  
IN PEDIGREE DOGS**

The Kennel Club (KC) asks that any conformation alteration surgery is reported. Presently, the level of reporting to the KC by owners of surgical correction on their dogs far exceeds that done by veterinary surgeons. This needs to change and the profession needs to be much more proactive. The reporting forms are available on both the BVA and RCVS websites and the KC are setting up a facility to enable on-line reporting

Using the list of issues the Advisory Council on the Welfare Issues of Dog Breeding considered to be the most pressing welfare problems as an initial basis, we have created a list of the conformation problems requiring surgical correction which should therefore be the highest priority for vets to report.

Conformation problems requiring surgical correction For which the surgery should be reported to the Kennel Club
<p><b>RESPIRATORY</b>            Brachycephalic airway obstruction syndrome           <ul style="list-style-type: none"> <li>o Stenotic nares</li> <li>o Elongated soft palate</li> <li>o Everted laryngeal sacculles</li> </ul>           Laryngeal collapse            Tracheal collapse            Tracheal hypoplasia            Cleft palate            Hair lip</p>
<p><b>MUSCULOSKELETAL</b>            Any joint replacement (other than for proven trauma)            Cruciate repair            Joint dysplasia            Patellar luxation</p>
<p><b>OPHTHALMIC</b>            Adnexal problems           <ul style="list-style-type: none"> <li>o Entropion</li> <li>o Ectropion</li> <li>o Other eyelid plastic surgery</li> <li>o Distichiasis</li> <li>o Trichiasis</li> <li>o Incomplete eyelid closure</li> <li>o Diamond eye</li> <li>o Nictitating gland prolapse</li> </ul>           Lens luxation            Cataract            Glaucoma            Retinal detachment            Keratoconjunctivitis sicca            Corneal ulceration that is breed associated</p>
<p><b>CARDIAC</b>            Any cardiac or major vessel surgery (e.g. PDA)</p>
<p><b>NEUROLOGICAL</b>            Syringomyelia            Intervertebral disc protrusion            Cervical spinal instability (Wobbler syndrome)            Atlantoaxial subluxation            Lumbosacral stenosis            Dermoid sinus            Persistent hepatic portal vein            Hydrocephalus</p>
<p><b>DERMATOLOGICAL</b>            Skin fold surgery            Ear canal surgery</p>
<p><b>ALIMENTARY</b>            Dental malocclusion            Cheiloplasty            Vascular ring anomalies            Cricopharyngeal achalasia            Hiatus hernia            Gastric torsion            Pyloric stenosis</p>
<p><b>UROGENITAL</b>            Retained testicle            Vaginal prolapse            Urolithiasis            Ectopic ureter</p>
<p><b>MISCELLANEOUS</b>            Umbilical hernia            Inguinal hernia</p>

## APPENDIX B – The Puppy Plan



The latest version of the Puppy Plan, supported by Dogs Trust and the Kennel Club, can be downloaded here: [www.thepuppyplan.com/](http://www.thepuppyplan.com/)

# APPENDIX C – Record Keeping

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## STATUTORY INSTRUMENTS

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1999 No. 3192

### ANIMALS, ENGLAND AND WALES

#### The Breeding of Dogs (Licensing Records) Regulations 1999

*Made* - - - - - 29th November 1999

*Laid before Parliament* 7th December 1999

*Coming into force* - - 30th December 1999

The Secretary of State, in exercise of the powers conferred on him by section 1(4)(i) and (4A) of the Breeding of Dogs Act 1973(a), hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Breeding of Dogs (Licensing Records) Regulations 1999 and shall come into force on 30th December 1999.

(2) These Regulations shall not extend to Scotland.

2. For the purposes of section 1(4)(i) of the Breeding of Dogs Act 1973, the records referred to in that section shall be in the form set out in the Schedule to these Regulations.

Home Office  
29th November 1999

*Mike O'Brien*  
Parliamentary Under-Secretary of State

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(a) 1973 c. 60, as amended by section 2 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).

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Regulation 2

SCHEDULE

FORM OF RECORD TO BE KEPT BY LICENSED DOG BREEDER FOR EACH BREEDING BITCH

Name	Date of birth	Address where kept	Breed	Description*	Date of mating	Details of sire**	Details of litter								Total number in litter							
							Male				Female											
							Date of birth	Weight	Description*	Sale details***	Date of birth	Weight	Description*	Sale details***								

\* Enter name (in the case of puppies), colour, identifying features (if any) and registration number (if any).

\*\* Enter name, address where kept, breed, colour and registration number (if any).

\*\*\* Enter date of sale, and name, address and status (for example, private/pet shop) of purchaser.

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**EXPLANATORY NOTE***(This note is not part of the Regulations)*

The Breeding of Dogs Act 1973, as amended by the Breeding and Sale of Dogs (Welfare) Act 1999, requires the local authority to have regard to certain matters in determining whether to grant a licence for the keeping of a breeding establishment and about which conditions must be included in the licence. One such matter is that accurate records should be kept at the premises and made available for inspection (section 1(4)(i) of the 1973 Act).

These Regulations, which do not apply to Scotland, prescribe the form in which those records must be kept.

## APPENDIX D – Minimum Kennel Sizes

### Council of Europe guidelines: Kennel size

- The kennel area should be large enough to allow separate sleeping and activity areas.
- The kennel must be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual.
- The minimum kennel size should be at least 4m<sup>2</sup> for dogs under 20kg, and 8m<sup>2</sup> for dogs over 20kg. This should be increased in relation to size, and number of dogs, such that both the length and width are sufficient for all the dogs to lie outstretched at all angles with neither their tail nor snout touching the walls or another individual.
- Bitches with litters should be provided with double this space allowance.
- For post weaned stock, the following minimum enclosure dimensions and space allowances should apply (taken from Council of Europe (2006)):

Weight of dog (kg)	Minimum enclosure size (m <sup>2</sup> )	Minimum floor area/ animal (m <sup>2</sup> )	Minimum height (m)
Up to 5	4	0.5	2
Over 5 to 10	4	1.0	2
Over 10 to 15	4	1.5	2
Over 15 to 20	4	2	2
Over 20	8	4	2

- For dogs over 30kg these sizes should be scaled up accordingly and should be proportionate.

## APPENDIX E – Cleaning SOP

### Cleaning

In a domestic environment the hygiene measures that are normally used in a household will also protect the welfare and health of the dogs. Faeces should be removed from the exercise areas on a daily basis to reduce the likelihood of infection and to prevent any roundworm larvae from maturing.

When adult dogs are kennelled there is likely to be a greater level of contamination and therefore cleaning should be more structured.

Daily: remove all soiled material and wash contamination away using detergent if necessary. Dry after cleaning. Remove soiled bedding and replace with clean. Hose down and dry exercise areas where impervious material is used. Dispose of faeces according to waste regulations.

Weekly: remove all furniture from kennels, hose down using disinfectant and allow to dry before returning furniture. Replace all bedding.

Litters of puppies require a more intensive cleaning regime.

Daily: remove all soiled bedding as required to ensure the area is kept clean and dry, and dispose of appropriately. Wash soiled areas using detergent and dry while the litter is being exercised.

Recently whelped bitches require even more work.

Daily: remove all soiled bedding as required to ensure the area is kept clean and dry, and dispose of appropriately. Wash soiled areas using disinfectant twice daily and replace bedding while the bitch is being exercised.

### Bleach – Sodium Hypochlorite

Bleach is commonly thought of a disinfectant and does have some disinfectant properties. However it is not as effective at killing bacteria, viruses and fungi as more commonly used commercial disinfectants and it may cause toxic effects to animals and staff as well as degrading the structure of the building. Bleach acts as an oxidiser and is therefore corrosive to both materials and animals. High concentrations can cause ulceration of the skin and mucous membranes (inside the mouth and conjunctiva). If mixed with some other disinfectants it can release toxic gases that are harmful to both humans and animals causing severe respiratory distress. Generally bleach is not a suitable disinfectant for use in animal premises.

## APPENDIX F – Socialisation SOP

### Socialisation of puppies to people

#### Principles

Puppies need to meet a range of different people during their 'socialisation period' (between about 3 and 12 weeks of age) to ensure that they accept contact with people as a normal and positive part of life. During this period, puppies learn what is 'normal' in their environment and what to expect in different circumstances. It is therefore important for all puppies to learn that contact with all sorts of different people is a normal part of life. They also need to learn about the various types of interaction that people have with dogs. For example, they need to accept being handled all over, picked up, their feet being handled and cleaned, ears examined, coat groomed, and nails cut. They also need to learn about the various things that people do, for example, coming in and out of the house/kennel area. They also need to learn that sometimes people interact and play, but at other times they may be present but not interacting with the puppies.

The aim of a structured socialisation programme is to give puppies the best chance of coping well with the various types of people, circumstances in which they appear, and ways in which they interact with dogs, before they are homed to a domestic environment. In order to ensure that they develop a positive perception of people, it is important for the introduction of new experiences to be gradual and controlled. It is also important that puppies are not already anxious or fearful when they interact with people, as this will increase the risk that they will associate contact with a negative experience.

#### Preparation

- Plan in advance how you will ensure that puppies experience different types of people. All puppies should have contact with a minimum of four people. This should include at least one person of each gender. It should also include at least one person who is above retirement age. Puppies should also experience controlled contact with children. Ideally this should include at least one older child (> 8 years), and also a baby or toddler. For safety, children should only have contact with puppies under the supervision of their parents or

responsible adult. Where access to young children is not feasible, puppies should be exposed to the noises of babies and young children using good quality recordings.

- Prepare in advance any items which will help broaden puppies' experience of people. For example, having a brightly coloured and rustling jacket (as worn by postmen or delivery people), a motorcycle helmet, a cap, a back-pack, a pushchair, a zimmer frame and an umbrella available will mean that people engaged in socialising the puppies can introduce puppies to items that they will commonly see associated with people as adults.
- Ensure that puppies are in an environment in which they are familiar before socialisation starts
- Make sure that you have toys and food treats available before starting the socialisation sessions
- Socialisers should be familiar with behavioural signs of anxiety in puppies to ensure appropriate intensity of interaction for individual puppies

#### Socialisation to different types of people

- Puppies should be familiar and confident with their main carer before the introduction of further people. This person should spend time playing and interacting with puppies until all of the puppies in the litter approach the carer voluntarily on entering the kennel/room. Where individual puppies show signs of fear or anxiety, such as cowering at the back of the pen, moving away, trembling, or pulling back on contact, they should be given additional attention. This should involve the carer being quiet and calm, crouching or sitting a short distance away from the puppy and encouraging the puppy to approach. Approach should be rewarded with food treats. Interaction with nervous puppies should develop with gentle stroking on the chest area: avoid putting the hand directly towards the puppy's head as this may be perceived as threatening. With increased confidence, the puppy can be gradually stroked on the shoulder, back, flanks and head.

- Once all puppies in a litter confidently approach and interact with their main carer, a programme of introduction to other people can be started. Puppies' response to the introduction of one other person should be evaluated first. Signs of fear or anxiety in individual puppies should be addressed as by the main carer. Once puppies confidently interact with the second person, further new people can be introduced. These should include adults of both gender.
- When puppies are confidently interacting with a number of adults in a familiar environment, they can be introduced to people in different circumstances. For example they should experience people coming and going through a threshold (e.g. door in a household), and meeting people when they are in an outside garden or run.
- The socialisation programme can then be expanded to include contact with children where possible. Older children can interact with puppies, but should be instructed how to appropriately handle and play with puppies before the interaction begins. Contact with children should be supervised at all times to prevent the occurrence of negative experiences for either puppies or children. Where younger children or babies are introduced to puppies, they should be held by their parents. Should direct contact with children be impossible, puppies should experience the range of noises made by babies and children through use of a good quality sound recording (see SOP for introducing noises to puppies).
- Puppies should be given additional experience about the variation in the ways people might appear to them through the use of 'props'. For example people can interact with the puppies wearing a fluorescent jacket, motorcycle helmet or backpack. They can also walk past the puppies using a 'zimmer frame' or pushing a push chair or trolley. These experiences will help puppies to learn that all these variations of how people appear are a normal part of life.

### **Ensuring puppies are familiar with different types of interaction**

- In the domestic environment, dogs need to accept that people come and go regularly from the house, and that this is not a cause for either anxiety or excitement. They also need to learn

that periods of contact with family members sometimes involves interaction, but sometimes also periods when people are busy doing other things. In addition, puppies need to accept all the things that people regularly do with their dogs, such as examining their ears, smoothing them all over, reaching over them, stepping over them, drying their feet and grooming them.

- To ensure that puppies accept as normal people coming and going into a household, ensure that they experience this during the socialisation period. Puppies need to accept that it is normal for people to come and go out of their environment, and that this is neither scary, nor necessarily predictive of positive interaction. This can be achieved by asking friends or neighbours to come in and out of the area in which puppies are housed. They can be asked to sometimes ignore puppies during short visits, and sometimes interact with puppies, but only doing so once they are calm and quiet.
- To ensure that puppies have appropriate expectations of human contact they need to spend time with people when they experience play and interaction, but also periods where people are present but not interacting with puppies. This will better simulate their life with people after re-homing than always expecting people to engage in interaction with them. The latter expectation commonly develops where puppies are housed away from normal family activity and people only go in to see the puppies to play or interact with them. To make sure that puppies which are housed in kennels or quiet areas of the house develop appropriate expectations of interaction, ensure that family members spend time with the puppies when interaction does not occur, for example by sitting quietly and reading a book or watching TV.
- Every puppy should be handled all over by at least four people. They should also be picked up and cuddled, have their feet and ears examined, and be turned over. Throughout all of these interactions puppies should be observed carefully for signs of fear or anxiety. Should such behaviours occur, interactions should stop, and be subsequently re-introduced in a manner that the puppy finds less threatening.

# APPENDIX G – Habituation of Puppies SOP

## Habituation of puppies to household and potentially aversive noises

### Principles

The aim of giving puppies experience of noises before they are homed is to ensure that they perceive such noises are 'normal' and 'unimportant' to protect against the development of fear responses later in life. In order to achieve this, every puppy needs to be exposed to noises at such a volume that they never show signs of anxiety or fear. In this way, sounds become a normal part of each puppy's experience. Before starting this program, you should make sure that you are familiar with behavioural signs of anxiety and fear in dogs.

It is important that puppies are not already anxious or fearful when they first hear noises, as this will increase the risk that they will associate the noises with a negative experience. It is therefore important to ensure that puppies are relaxed, or engaged in positive behaviours such as play, before exposure to noises. Noises need to be first presented at a low volume to ensure that none of the puppies show signs of anxiety. It is better to start at a very low volume, where noises are barely audible to the human ear, to ensure that no puppies respond negatively. The puppies need to be observed to ensure that no signs of anxiety or fear occur. They should continue playing or interacting as if nothing different has happened. Where no signs of anxiety or fear are identified, the volume of the sound can be slightly increased in the subsequent session. This process is repeated, with the volume of noises increased gradually over sessions, ensuring that the puppies do not react in a negative manner. Should any puppy show signs of anxiety during a session, the sound should be stopped immediately. Once the puppy is relaxed again, the sound should be repeated but at a lower volume, such that the puppy no longer reacts. Subsequent increases in volume should be made in smaller increments.

### Preparation

- Plan in advance how you will ensure that puppies experience a range of household noises, such as washing machines, vacuum cleaners, doorbells, telephones, radio or TV, and food mixers. In a

domestic environment, this may be through direct exposure as events occur in the household; in kennels good quality recordings of these noises may be required. These are available commercially (e.g. 'Sounds Sociable' is a CD with a range of noises for puppy habituation).

- Consider how you will ensure that puppies will be exposed to sounds which do not occur in the household, such as fireworks, gunshots, traffic and thunder. These sounds are usually best introduced in a controlled manner using good quality recordings. Direct exposure of puppies to loud noises such as fireworks risks causing a fear response in some individuals.
- Ensure that puppies are in an environment in which they are familiar before habituation starts
- Make sure that you have toys and food treats available before starting the habituation
- Ensure familiarity with behavioural signs of anxiety in puppies to ensure appropriate levels of noise exposure at each stage

### Habituation to household noises

- In a domestic environment, habituation to most household noises may occur through everyday exposure. For this to occur, puppies need to spend some time in areas of the house where normal household appliances and routines occur. Where puppies are housed in a quiet area of the house, moving them to busy parts of the house for periods of time is beneficial. Exposure to louder, potentially aversive sounds, such as vacuum cleaners should be gradual. For example, initially a switched off vacuum cleaner can be left in an area occupied by puppies. Subsequently, the appliance can be moved around, whilst switched off. The next stage may be to have the appliance turned on but immobile and in an adjacent room, then in the same room, and finally both turned on and moving. During all stages of habituation, puppies should be observed carefully for signs of anxiety and fear. Where these occur, the appliance should be turned off, and subsequent sessions start again at a lower level of exposure.

- Where puppies are housed entirely in quiet areas of a house or in kennels, exposure to household noises is through playing recordings of noises. Noises should be played at times when puppies are engaged in positive activities, such as play. Recordings should be initially played at a low volume, such that they are just audible to people, and the volume increased over subsequent sessions provided that puppies do not show signs of fear. Recordings should include those noises to which dogs will commonly encounter in the domestic environment, such as telephones, doorbells, vacuum cleaners and washing machines.

#### **Habituation to non-household noises**

- Prepare or acquire good quality recordings of relevant noises in advance. The noises which commonly cause fear and anxiety in dogs are: fireworks, traffic, trains, aeroplanes, gunshots, hot air balloons and thunder. Recordings should enable the presentation of these sounds as separate elements (e.g. the 'whizz' and 'bang' of fireworks presented separately as well as together), and include the variations in types of noise which dogs are likely to encounter later in life (e.g. shotgun and rifle sounds).
- Ensure that puppies are in a familiar environment, associated with positive experiences (e.g. an area where the puppies are brought out to play). Have toys ready, and ensure there are enough people present to engage the puppies in play.
- Set up the recording in advance, so you are sure that it will play at a very low volume initially. Also start by presenting the separate elements of complex sounds if possible.
- Engage the puppies in play before starting the recording.
- Observe the puppies, and make sure none show signs of fear or anxiety. If this occurs, then stop the sound immediately. Continue to play with puppies until all are relaxed and engaged positively in play. Subsequent exposure to the sound should be at a lower volume, such that signs of anxiety or fear are not induced.
- Where puppies remain engaged in play during the recording, the volume can be slightly increased during the next session, provided puppies do not show signs of fear or anxiety.
- The protocol should be repeated dependent on the puppy's reaction, with the volume of recordings increased on each occasion.

#### **Homing puppies**

When puppies are homed, ensure that their new owners are informed of the level of habituation achieved with them. Encourage new owners to continue with the programme of habituation once the puppy is settled in its new home, emphasising the importance of the programme in preventing a serious behaviour problem in their new pet. Advise the new owner how to continue with the programme, emphasising the importance of gradual exposure.

# APPENDIX H – Feeding SOP

## Feeding

**Adults:** adult dogs (over 6-8 months old depending on breed) should be fed twice daily to provide environmental enrichment as well as nutrition. The food should be appropriate for the dog’s lifestyle and age, and consistent. Any significant changes should be made over a period of several days. Adults should also be given food in a variety of food toys that are changed on a daily basis. Care should be taken that competition for food is not going to result in aggression between dogs.

**Pregnant and lactating bitches:** The nutritional requirements for pregnant and lactating bitches are significantly greater than for other adult dogs. The food should be appropriately high quality and bitches should be fed more frequently according to the schedule below:

- Pregnant 0 – 4 weeks:** xx times daily \*
- Pregnant 4 – 6 weeks:** xx times daily \*
- Pregnant > 6 weeks:** xx times daily \*
- Lactating 0 – 2 weeks:** xx times daily \*
- Lactating 2 – 4 weeks:** xx times daily \*
- Lactating 4 – 7 weeks:** xx times daily \*

Puppies also require more frequent feeding with food appropriate for growth according to the table below:

Age	Food	Frequency
3 – 4 weeks	*	* times daily
4 – 6 weeks	*	* times daily
6 – 8 weeks	*	* times daily

\* Insert details as appropriate

After the age of four weeks puppies should be fed in individual bowls and supervised to ensure that each puppy eats its fair share of food. When necessary, individual puppies may need to be removed during feeding if they are not eating all their own food.

**Hygiene:** All food and water bowls should be thoroughly washed at least once daily. Utensils used for distributing food should be washed between feeding sessions. All food should be kept in vermin-proof containers. Food should be measured to ensure that every dog receives an appropriate amount of food.

In a domestic environment different utensils should be used to deal with dogs’ food and feeding utensils should be washed separately from those used by the people.

In a kennel environment there should be a separate kitchen to prepare dogs’ food and this should be cleaned with appropriate cleaning fluids after each feeding session.

# APPENDIX I – Health & Welfare Plan

## Breeding establishment veterinary health plan

The veterinary health plan for a breeding establishment is a statement of requirements of routine veterinary treatment. It may not be necessary for all breeding establishments to cover all the issues suggested. A list of those issues that should be included for consideration, usually in consultation with the breeder's veterinary surgeon, in establishing a health plan is below:

**Primary vaccination regime;**

**Booster vaccination regime;**

**External parasite treatment regime (breeding stock and puppies);**

**Internal parasite treatment regime (breeding stock and puppies);**

**Microchip implantation and registration regime;**

**Socialisation and habituation programme for puppies**

**Pet insurance cover for puppies**

**Routine health check arrangements;**

**Review of cleaning regime;**

**Review of quarantine/isolation arrangements.**

The health plan should be produced in consultation with the establishment's veterinary practice and must be signed and stamped by the attending veterinary surgeon.

## Medicines

All medicines should have a current Marketing Authorisation for sale in the UK, within its expiry date, and used as per instruction. They should be stored in a suitable secure cabinet. They should be protected from light and extremes of temperature.

Prescription Only Medicine – Veterinary (POM-V) medicines should only be used for the specific animals to which they are prescribed. The specific veterinary instruction should be followed.

Non Food Animal Medicine – Veterinary, Pharmacist and Suitably Qualified Person (NFA-VPS) and Authorised Veterinary medicine – General Sale List

(AVM-GSL) medicines should be used in accordance with the manufacturer's guidelines.

## Contagious/infectious diseases on the premises

All dogs subject to this licence should be vaccinated against Canine Distemper, Infectious Canine Hepatitis (Canine Adenovirus), Leptospirosis and Canine Parvovirus unless vaccination is contraindicated on the direction of the Veterinary Surgeon and recorded on individual dogs' records. It may be necessary to vaccinate against other diseases and veterinary advice should be sought.

Vaccination records should be kept for each dog and be up to date according to the vaccine manufacturer's datasheet unless certified by the veterinary surgeon.

Adequate precautions should be taken to prevent and control the spread of infectious and contagious diseases and parasites among dogs and zoonoses among dogs and visitors. Records should be kept of all vaccination and worming regimes (See also Record Keeping – Section 6).

Infectious canine bronchitis ('Kennel Cough') can be problematic in kennels, and staff should be aware of the clinical signs. However, because vaccination will depend on the local level of infection, it is recommended that the advice of a veterinary surgeon is sought.

Parasitic control should be in the health plan and the log book and should also show treatments and prevention routines for external parasites including fleas, mites, lice and ticks. Appropriate treatment must be carried out if they are found on any of the dogs. When treating these infestations it is important to take account of the life cycle of the parasite in order to achieve maximum control or even eradication. For instance, simply killing the adult flea is unlikely to provide adequate control.

Several mange mites affect dogs, including *Demodex folliculorum*, *Sarcoptes scabiei* and *Cheyletiella*, species, all of which attack the skin, and *Otodectes cynotis*, which is most commonly seen in the ears. Any of these infestations can cause illness in puppies and older dogs.

Some of these parasites can cause disease in humans. Ringworm (a fungal infection) can also be passed to humans. Early diagnosis and thorough treatment of both dogs and environment is essential if the disease is to be controlled. The veterinary surgeon should be consulted if any of these conditions is suspected or known. Particular care is required with pregnant bitches and suckling puppies when using treatments for these infestations.

For the control of roundworms, pregnant and nursing bitches should be given additional worming treatment. Breeding bitches require particular attention and veterinary advice should always be sought. As a rule of thumb, it is suggested that bitches are wormed before mating and then again after the 41st day of pregnancy with an appropriate anthelmintic. The bitch should be wormed at the same time as the puppies, every two weeks from two to twelve weeks of age. Thereafter it is recommended that puppies should be wormed at regular intervals, according to manufacturer's instructions (often monthly until 6 months of age). From 26 weeks of age into adulthood, worming should be carried out routinely – at least 4 times per year

Advice concerning dogs with tapeworms should be sought from the veterinary surgeon.

### **Health status of dogs**

There should be a daily physical inspection of every animal to check for any signs of illness or distress.

Advice from a Veterinary Surgeon should be sought where a dog shows signs of disease, injury, or illness or behavioural disorder.

If dogs are imported from abroad, appropriate health testing should be carried out.

# APPENDIX J – Emergency Evacuation/ Contingency SOP

## Introduction

All appropriate steps will be taken for the protection of the dogs in case of fire or other emergency; Breeding and Sale of Dogs Act 1973 S. 1(4)(d).

There should be an Emergency Evacuation Plan (EEP) and fire warning procedure in place. This should be posted where staff may become familiar with it. This procedure should include instructions dealing where dogs are to be evacuated to and contingency for their accommodation/care if the premises are rendered unsafe or unsuitable.

Prior to formulating an Emergency and Evacuation Plan carry out a Fire Risk Assessment (FRA) to identify any potential fire risk hazards within your establishment.

Emergency situations and the requirement to evacuate from the establishment can arise from a number of situations like; Fire, Flooding, Damage to building, Power failure and disease.

Being prepared and planning a simple but well understood procedure to be carried out in the event of an emergency is essential to offer maximum protection for you, your staff and the animals in your care. This need not be a lengthy document but should include a plan of the site giving exit points, location of telephone, emergency equipment (fire extinguishers and storage of leads/baskets/cages) rendezvous point and designated holding area for animals. The emergency contact details of a supervisor or the proprietor and the establishments Veterinary Surgeon should also be displayed.

Fire fighting equipment and detectors must be properly maintained. All electrical installations and appliances must be maintained in a safe condition. There should be a residual current circuit breaker system on each kennel block /for the premises. Heating appliances should not be sited in a location or manner where they may present a risk of fire / risk to dogs. Precaution should be taken to prevent any accumulation of material which may present a risk of fire.

## Fire Risk Assessment

1. Identify potential fire risk hazards in the workplace
2. Decide who might be in danger (staff, Visitor, animal) in each area
3. Evaluate the risks arising from hazards and what can be done
4. Record your findings
5. Keep assessment under review

There should be adequate means of raising an alarm in the event of a fire or other emergency. In the event of a fire breaking out within your establishment, remember that your safety and those of your staff is of prime importance and no risks should be taken which may compromise any person's safety. No task in tackling the fire or evacuating animals should be undertaken unless it is safe to do so.

## Upon Discovery of Fire

- Leave fire area immediately
- Close all doors behind you
- Alert occupants of building by sounding alarm (if present) or yell "Fire"
- Telephone Fire and Rescue Services dialling 999 from a safe location
- Evacuate animals when it is safe to do so to the designated holding area
- Use exit to leave building

## Upon Hearing of a Fire Condition

- If safe, staff can assist with evacuating animals / occupants
- Leave building via nearest safe exist
- Close doors behind you
- Remain Calm
- Proceed to the designated RV area

**Fire and Evacuation Action Plan**

<p><b>Planning Your Escape</b></p>	<p>You only have a short time to get out so prepare a plan of escape in advance rather than waiting until there is a fire or evacuation of the establishment. Think of another way out in case the normal route is blocked. Know where door and window keys are kept. Know where spare leads/baskets/cages are stored. Know where the RVP/Holding areas are.</p>	
<p><b>If you discover a fire</b></p>		<p>Leave fire area immediately. Close all doors behind you. Sound the alarm and call 999 from any phone. Stay calm, speak clearly and listen to the operator. Where safe to do so, assist others to evacuate and remove animals to the safe holding area. If there is a fire elsewhere in the establishment, stay where you are and await instructions or if you have to move remember to check doors with the back of your hand before opening. If it feels warm, do not open it and go another way. If there is a lot of smoke, crawl along floor where the air will be cleaner. If in doubt – Get out, Stay out and get the Fire &amp; Rescue Services Out.</p>
<p><b>Contacts in an Emergency</b></p>	<p>(enter details here) • Proprietors name and Telephone Number(s) • Supervisors Name and Telephone Number(s) • Establishments Veterinary Surgeons Name(s) and Telephone Number(s)</p>	<p>(enter details here) • Telephone at (enter location) • Emergency equipment at (enter location) • RVP at (enter location) • Animal Holding area at (enter location) • Fire Extinguishers located at (enter location) • Keys kept at (enter location)</p>
<p>RVP = Rendezvous Point</p>		

The onus is upon the breeding establishment to ensure adequate fire prevention precautions are in place.

It is recommended that plans and details for large breeding establishments are lodged with the police and fire authorities. Fire prevention advice may be sought from the Fire Prevention Officer based at your local fire station. This officer can give advice on fire drills, fire escapes, equipment and should be consulted when new buildings are constructed or existing buildings modified.

Smoke detectors are recommended and you must make sure that Fire Detection and fighting equipment are easily accessible and regularly tested. Exit routes should be kept clear. Staff should be familiar with the fire evacuation procedure by use of fire drills and how to use the fire extinguishers. The Fire Precautions (Workplace) Regulations 1997 place a duty on employers to carry out a risk assessment for the premises not covered by a fire certificate.

## APPENDIX K – Daily Routine SOP

### Daily routine

Daily routine should be set out in detail so that dogs can be cared for in an emergency or when owners are away by a person with minimal knowledge of them. The following should be set out:

- **Dogs' (pet) names, ages and general character traits** (likes & dislikes) – who mixes best, exercises, plays or sleeps with whom and general care and management of groups of dogs, where applicable.
- **General Timetable** for (daily duties) waking, feeding, cleaning, exercising, grooming and sleeping arrangements. This may also provide specific or non specific designated periods during the day when carers may leave the dogs unattended, provided the dogs are left in a secure and safe environment (indoor/outdoor kennel, fenced enclosure or kitchen/utility room) – a maximum of 3/4 hours per day being a suggested time.
- **Feeding schedules** (for each dog) containing explicit details as to the times, place, quantities, type of food required. This may be the same or several times each day or vary according to the needs of the dog(s).
- **Cleaning schedules** – what is required and when, what cleaning materials are to be used and means of disposal. This will include washing, drying and (frequency of) replacement of dogs' bedding and places (dog beds, utility room/kitchen, outdoor or indoor kennel) where the dog(s) rest/sleep and exercise (outdoor enclosures, exercise pens, gardens, paddocks etc).
- **Exercise/play** – (for each dog), or groups of dogs with explicit direction as to whether dogs are to be exercised/walked separately, or in groups and when, where, how frequently, for what length of time. Exercise may be taken in a fenced enclosure, paddock, garden, on and off the lead (private/public road, parks, woodland, fields etc). No dog(s) to be removed from the premises (other than for exercise) without (verbal/written) explicit permission from the owner.
- **Grooming** – (for each dog). Including daily brushing/combing of coat, general care (teeth, ear cleaning, bathing etc). Bathing or washing may be required, dependent on how dirty the dog becomes during the course of the day/night, or in the event that it becomes unwell (sickness, diarrhoea etc). Unless fully qualified or approved (by qualification and/ or prior agreement between owner and carer), trimming of coat, or nails, with either scissors or clippers will generally not be required. Should this be necessary, ability (qualification) or willingness to carry out such a task should be discussed prior to the owner leaving the premises.
- **Medication** (prescriptive and/or holistic) (for each dog) – oral (by mouth), or topical (applied externally), or by injection, if and when required – a time and check list (before, with or after mealtimes or specific time of the day) for administration should also be provided. If use of daily injections is required, for example for diabetic dogs, special instruction should be provided to the satisfaction of both the owner and carer, or arrangements made for a veterinary visit, if preferred.
- **Contact information Sheet** providing contact details for absent owner, Veterinary Surgeon, Dentist, Doctor, Plumber, Electrician (for household/carer requirements), etc and other family or friends who might be needed to be contacted for assistance in an emergency.
- **Special paperwork** (example attached\*\*) to be signed by both owner and carer as to both daily responsibility and in the event of urgent veterinary attention, especially, if or when, euthanasia becomes a clinical necessity. This may be more applicable in the event that any, or some, of the dogs are elderly or clinically infirm or in case of accident. The Veterinary Surgeon, looking after said dog(s), should be advised prior to the owner's absence, especially for long periods of time (holiday/business) that a carer is in sole charge. In any event, all effort must first be made to contact the owner prior to a decision by the Vet that euthanasia is the only option.

# ANNEX L – Template Inspection Proforma

LICENCE CONDITIONS INSPECTION SHEET FOR DOG BOARDING ESTABLISHMENTS										Tick boxes ✓/x	
Name	Date of Inspection	Breeding	Rescue	Boarding	Rescue	Breeding	Signature	Full Inspection	Part Inspection	Revisit	Emergency Contact displayed
Address of Establishment	Insurance	Register and Back up									
Licence on Display											
Has copy of Licence Con & Legislation											

Non Domestic Establishment	Domestic Establishment	Semi-outdoor/indoor	Number of dogs	F	M
Metal	Brick	Wooden	Litters (present)		
		Other	Litters (planned)		

## Index

Identification code	Section
1	Accommodation Kennel Unit Design: Drainage: Exercise Area and Run: walls, floors, ceilings, doors, occupant nos., security, bedding, cleanliness. Interior Surfaces: Lighting: Litter Trays: Roofing: Safety Corridors: Sizes: Temperature: Ventilation
2	Management Drinking: Eating: Refrigeration: Storage of foods: Washing equipment: Supervision: E. Enrichment: Handling: Kitchen facilities: Isolation: First Aid
3	Vac disease Con Health and Welfare Plan: Registered Vet
4	Emergency Monitoring: Emergency Evacuation and Contingency Plans
5	Transport Transportation of dogs and puppies
6	Health and Welfare of the breeding bitch Mating: Max no. of Litters: Puppy Plan: Record Keeping: S.O.P.'s
Rating 0	Does not meet the minimum standard
Rating 1	Meets standard, but with noticeable limitations
Rating 2	Meets the standard
Rating 3	Exceeds the standard
Comments	

# ANNEX L – Template Inspection Proforma

Area	Identification Code	Description	√	x	Rating	Actions or Comments	Done √
Records	4	Written emergency plan and risk assessment					
Records	6	Prescribed Forms					
Records	6	Breeding Arrangements					
Records	6	Assured Breeder Scheme					
Records	6	Permanent identification					
Records	6	Movement of dogs					
Records	6	Register and Back-up					
Records	6	S.O.Ps including Feeding and Exercise Regime					
Records	6	Vaccinations & Health records & Isolation Cases					
Records	6	Whelping records					
Records	6	Barrier nursing S.O.Ps					
Records	6	Veterinary details/displayed/health screening					
Records	4	Fire equipment records					
Records	6	Temperature records					
Records	3	Health Plan					
Records	6	Puppy Contract					
Records	6	Retired					
Records	6	Transport (Journey times)					
Records	2	Staff Training records					
Kitchen/Eating	2	Cleanliness/Condition of Eating and Drinking Vessels					
Kitchen	2	Cleanliness of Kitchen					
Kitchen/Eating	2	Refrigeration					
Kitchen/Eating	2	Washing equipment					
Kitchen/Eating	2	Storage of foods and quality kept					
Kitchen/Eating	2	Feeding regime					

# ANNEX L – Template Inspection Proforma

Area	Identification Code	Description	√	x	Rating	Actions or Comments	Done √
Unit	1	Sound and safe construction					
Unit	1	Suitable Construction Materials					
Unit	1	Sleeping accommodation sizes					
Unit	1	Secure windows, doors & fencing					
Roofing	1	Safe and Waterproof roofing					
Unit/Drainage	1	Drainage/Drain covers					
Unit	1	Escape-proof area					
Door and Corridor	1	Secure Corridor and width/secure doors					
Unit	1	Flooring					
Unit	1	Lighting					
Unit	1	Walls & Partitions					
Lighting	1	Adequate lighting					
Ventilation	1	Ventilation/Draughts					
Interior	1	Good repair, clean and sealed joints					
Temperature	1	Max-Min Thermometer/Temperature					
Unit/Temperature	1 + 4	Safe Appliances + Fire fighting equipment					
Unit	1	Waterproof sockets					
Unit	1	Sharp edges/Other hazards					
Unit	1	Dog crates					
Bedding	1	Bedding materials					
Unit	1	Windows					
Exercise Run	1	Exercise Run Area sizes					
Exercise Run	1	Access to Run					
Exercise Run	1	Clean and secure Run					
Unit	1	Whelping facilities					
Behaviour	2	Toys/Environmental enrichment					
Hygiene	1	Cleaning products					
Management	2	First Aid Kit for dogs					

# ANNEX L – Template Inspection Proforma

Area	Identification Code	Description	√	x	Rating	Actions or Comments	Done √
Isolation	2	Hygiene protocols and protective garments					
Isolation	2	Veterinary instruction					
Isolation	2	Location of isolation					
Isolation	2	Cleanliness and pocedures for use					
Isolation	2	Size if Isolation					
Transport	5	Use of vehicles for transportation					
ADDITIONAL NOTES							



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**Peterborough City Council****MODEL LICENCE CONDITIONS FOR DOG BREEDING ESTABLISHMENTS.****1. ACCOMMODATION**

- 1.1 Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness; Breeding and Sale of Dogs Act 1973 s.1(4)(a).

Dogs kept in domestic premises must have free access to more than one room and every dog must be provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.

- 1.2 Dog crates, where used (and whilst not acceptable as permanent housing) must be of sufficient size to allow each dog to be able to sit and stand at full height, step forward, turn around, stretch and lie down in a natural position and wag its tail without touching the sides of the crate and to lie down without touching another individual.

**Kennel Construction**

- 1.3 Where kennels are provided, within converted outbuildings, consideration must be given to cleaning, wildlife access, vermin control, natural lighting and ventilation.
- 1.4 All internal surfaces used in the construction of walls, floors, ceilings, partitions, doors and door frames must be durable, smooth and impervious, easily cleaned and disinfected. Kennels must be free from hazards and there must be no projections or rough edges liable to cause injury. Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

**Security**

- 1.5 The construction must be such that the security of the dog is ensured. Fencing material must be safe and secure.

**Walls and Partitions**

- 1.6 Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned and disinfected.

**Floors**

- 1.7 Flooring must be of a non-slip, urine-resistant material. It must be laid in a way and at a fall that avoids the pooling of liquids. Slatted or wire mesh floors must not be used.
- 1.8 Floors of all buildings, individual exercise areas and kennels must be of smooth, impervious materials, capable of being easily cleaned and disinfected while providing sufficient grip for the animal to walk or run without sustaining injury.

**Ceilings**

- 1.9 Ceilings must be capable of being cleaned and disinfected.

**Doors**

- 1.10 Kennel doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.

**Windows**

- 1.11 Windows must not pose a security risk and must be escape proof for the protection of the dog as well as the public.

**Drainage**

- 1.12 The establishment must be connected to mains drainage or an approved sewerage disposal system.

**Lighting**

- 1.13 During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible.
- 1.14 Lighting must be of sufficient standard to enable efficient working both during and after daylight hours. Supplementary lighting, adequate to allow inspection, must be provided throughout the establishment.

**Ventilation**

- 1.15 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

**Kennel Design (Size, layout and exercise facilities)**

- 1.16 Kennels must be divided into sleeping and activity areas.  
Kennels must be provided with an adequate size of sleeping area, such that dogs can stand, turn around, stretch and lie down flat in a natural position, with sufficient space for the door to open fully.
- 1.17 Adequate exercise areas must be provided for all kennels. How much space will depend upon the size of the dog as well as the circumstances of each breeding establishment. Dogs must be able to walk, turn around easily, wag their tails without touching the kennel sides, and lie down without touching another dog.  
Kennels and runs must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.  
Exercise areas must not be used as sleeping areas.  
Outdoor areas where animals exercise and interact cannot have strict temperature regulation. Dogs must not be restricted to such areas when climatic conditions may cause them distress. They must have constant access to fresh clean water, shade and shelter so they can avoid rain, wind, snow, ice or direct sunlight, etc.  
In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to their run.  
The run must be at least partially roofed to provide the dog with sufficient protection against all weathers.

**Beds and Bedding**

- 1.18 The bed must have clean bedding and be large enough for each dog to lie flat on their side.  
Beds must be suitable to allow dogs to be comfortable, i.e. of durable construction, be sited away from and offer protection from draughts and be of a suitable size for the size and type of dogs kept.  
Bedding must be capable of being easily cleaned and disinfected.

**Number of Dogs Permitted**

- 1.19 The maximum number of dogs to be kept at any one time is to be determined by the Local Authority  
The number of dogs permitted must relate to the number and size of the kennels or space available and should be stipulated clearly on the front sheet of the licence. The decision regarding the number of dogs permitted to be kept must take into account the maximum likely litter size as well as the effectiveness of site management.

**Temperature in Accommodation**

- 1.20 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.
- 1.21 Devices used for heating and cooling must be safe and free from risk of burning or electrocution. Manufacturer's instructions must be followed. Open flame appliances must not be used.

**Cleanliness**

- 1.22 All kennels, corridors, common areas, kitchens and so on must be kept clean and free from accumulations of dirt and dust so that disease control is maintained.  
An agreed SOP must be followed.  
Each occupied kennel must be cleaned daily at a minimum.
- 1.23 All excreta and soiled material must be removed from all areas used by the dogs as necessary.  
All sleeping areas and bedding must be kept clean and dry.  
Facilities must be provided for the proper reception, storage and disposal of waste.
- 1.24 Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment.
- 1.25 Foul waste water must be disposed of by discharge to the appropriate or an approved drainage system. Those wishing to operate an incinerator must seek advice from the Environment Agency and/or the local authority.

**Whelping Facilities.**

- 1.26 There must be a separate whelping pen or room for each whelping bitch in which to whelp. There must be direct access to the whelping area for kennel personnel without disturbing the general kennel population. Once separated there must be increased social contact with humans.
- 1.27 Each whelping pen must be constructed of easily cleanable impervious materials. The area must be cleaned regularly and a record kept of cleaning procedures. The whelping pen must have a divider to allow the bitch to access an area where she cannot be reached by the puppies. There must be natural daylight.  
There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of mess resulting from whelping. The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.
- 1.28 The whelping area must be maintained at an appropriate temperature. The bitch must be able to move away from heat spots.
- 1.29 Bitches must be adequately supervised during whelping and records kept of:
- time of birth of each puppy
  - puppies' sex, colour and weight
  - placentae passed
  - any other significant events.
- Bitches must be allowed a minimum of four periods a day for toileting and exercise away from their puppies.

**2. MANAGEMENT**

- 2.1 Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals; BDA 1973 S.1(4)(b) The 1999 Act strengthens the requirements for dogs to be visited at suitable intervals.  
The Animal Welfare Act (2006) sets out the Duty of Care which must be met by the person responsible for the animals

**Supervision**

- 2.2 A fit and proper person must always be present to exercise supervision and deal with emergencies.

**Numbers of staff**

- 2.3 Numbers of staff must be appropriate for the breed/ type and number of dogs being bred. Numbers must be sufficient to provide the level of care set out in these model conditions.
- 2.4 Sufficient adequately trained staff must be available every day to carry out all the interactions and procedures with dogs specified in this document.
- 2.5 Dogs must not be left alone for long periods and must be checked at the start and end of every working day and regularly by a member of staff at least every four hours during the day.

**Environmental Enrichment and Exercise.**

- 2.6 Dogs must be provided with environmental enrichment and the ability to have some control over their environment.
- 2.7 Breeding establishments are the permanent home for some dogs and therefore provision of exercise facilities must be adequate for the long term. Dogs must not be kept permanently confined. Arrangements must be made for the dogs to be exercised at least twice a day.

**Handling and Habituation.**

- 2.8 Breeding dogs must be handled and examined regularly to identify changes in health, weight and behaviour, also to ensure dogs are habituated to handling by people. This is particularly important for bitches, as fear of people will influence development of puppy behaviour.

**Food and Water Supplies.**

- 2.9 All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed at least daily. Dogs must be fed a diet appropriate to their age, breed, activity level

and stage in the breeding cycle. Dogs must be fed individually with separate bowls. Food must be stored in vermin-proof containers and fresh food must be refrigerated.

- 2.10 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross contamination. They must be maintained in a clean condition and cleaned and disinfected or disposed of after each meal.
- 2.11 Dogs must be fed sufficiently well to maintain health.

#### **Weaning Procedures.**

- 2.12 Puppies must start the weaning process as soon as they are capable of ingesting food on their own. The food offered must be appropriate for the stage of development of the puppies. Puppies at weaning must initially be offered food five times a day. It must be ensured that each puppy takes the correct share of the food offered.
- 2.13 During lactation, the bitch must have sufficient appropriate food to satisfy the demands being made upon her.

#### **Kitchen Facilities.**

- 2.14 Facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs. Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided. A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.
- 2.15 Containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests. Cross-contamination must be avoided.

#### **First-Aid kit for Dogs**

- 2.16 A fully maintained first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

#### **Isolation Facilities.**

- 2.17 Veterinary advice must be sought for any animal with a potentially infectious disease.
- 2.18 Facilities for isolation must be available when required. Isolation facilities must be used where the presence of infectious disease is suspected or known.
- 2.19 Isolation facilities must be in compliance with the other licence conditions but must be physically separate from other dogs.
- 2.20 Hands must be washed after leaving the isolation facilities before handling other dogs. Protective clothing, footwear and equipment, for use only in the isolation facility, must be used to reduce the spread of infection and must not be worn outside the isolation facility.
- 2.21 Complete disinfection of the isolation facilities and equipment must be carried out once vacated.

### **3. DISEASE CONTROL, VACCINATION AND WORMING**

- 3.1 All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases; BDA 1973 S.1(4)(c). Licence holders must take all reasonable steps to protect the animal from pain, suffering, injury and disease. All breeding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.

### **4. EMERGENCIES / FIRE PREVENTION.**

- 4.1 There must be Emergency Evacuation and Contingency Plans in place which meets approval with the local authority, and in consultation with the local authority.

### **5. TRANSPORT**

- 5.1 Dogs and puppies being transported to and from breeding establishments must be properly supervised to ensure compliance with the obligations under the 1973 Act.  
All appropriate steps must be taken to ensure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.  
Bitches must not be transported in the last stages of pregnancy, ideally not from 54 days after mating, unless to a veterinary surgeon for treatment.  
Bitches must not be transported for 48 hours after whelping unless it is to see a veterinary surgeon for treatment.
- 5.2 Whenever dogs are transported they must be fit and healthy for the intended journey. Injured and/or diseased dogs must not be transported (except for minor illness or injury, as determined by trained and competent staff) unless they are being taken to a veterinary surgery.
- 5.3 Puppies must not be transported before eight weeks of age without their dam unless a veterinary surgeon agrees otherwise for health and/or welfare reasons, or in an emergency (See Welfare of Animals (Transport) Order (England) 2006 – Council Regulation (EC) No 1/2005).

## **6. HEALTH AND WELFARE OF THE BREEDING STOCK AND LITTERS.**

### **Mating**

- 6.1 Bitches must not be mated if they are less than one year old.

### **Maximum Number of Litters**

- 6.2 Bitches must not give birth to more than six litters of puppies each in their lifetime.

### **Twelve Months Between Litters**

- 6.3 Bitches must not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies.

### **Social Contact for Dogs and Socialisation of Puppies**

#### **Adult Puppies**

- 6.4 Social contact is very important, and all dogs used for breeding must be kept in an environment that allows adequate social contact with both other dogs and people.

#### **Puppies** (see also Puppy Plan)

- 6.5 Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.
- 6.6 From 3 weeks old puppies must be habituated to events likely to be encountered in a domestic environment.
- 6.7 To learn social skills with other dogs, puppies must be maintained as a litter or with puppies of a similar age and size.

### **Record Keeping**

- 6.8 Accurate records in a form prescribed by regulations must be kept at the premises and made available for inspection there by any officer of the local authority or any veterinary surgeon, authorised by the local authority to inspect the premises.  
The Breeding of Dogs (Licensing Records) Regulations 1999 (SI 1999 No 3192) prescribe the form of records to be kept by licensed breeding establishments. These records must be accurate and kept on the premises and made available to local authority inspectors or any veterinary surgeon authorised by the local authority.  
A record must be kept by every licensed dog breeder for each breeding bitch providing the name of the bitch, date of birth, address where she is kept, breed, description, date of mating and details of sire. Licensed dog breeders must also keep a record of any litters, including the sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of sale, namely the date of sale, name and address of who was supplied and the status of the purchaser (i.e. private owner or pet shop).

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<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 8</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor North, Cabinet Member for Communities and Environment Capital	
Contact Officer(s):	Terri Martin, Regulatory Officer - Licensing Peter Gell, Strategic Regulatory Services Manager Donna Hall, Public Protection Manager	Tel. 01733 453561 Tel. 01733 453419 Tel. 01733 453514

## NEW MODEL LICENCE CONDITIONS FOR LICENSED PET SHOPS

<b>R E C O M M E N D A T I O N S</b>
Members are asked to:
1. Consider the contents of the report and adopt the new Model Conditions for Licensed Pet Shops.

### 1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to request that members agree to replace the existing conditions applicable for licensed pet shops, with the more comprehensive updated set of model conditions, from CIEH (Chartered Institute of Environmental Health), and adopt the new model conditions for licensed Pet Shops.
- 1.2 This report is for Licensing Committee to consider under its Terms of Reference 2.4.1.3 (e) "To exercise the functions of the authority as listed in Schedule 2.2.4, where these are not delegated to Officers as listed as section 2.4.3 namely licensing premises associated with live animals".

### 2. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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### 3. BACKGROUND

- 3.1 The Pet Animals Act 1951 and Amendment Act 1983 regulate the business of selling animals as pets. No person shall keep a pet shop except under the authority of a licence granted in accordance with the provisions of the Act(s). Pet shops are also required to meet the welfare requirements set out in the Animal Welfare Act 2006.
- 3.2 In determining whether to grant a licence for the keeping of a pet shop by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing;
- That animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
  - That animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
  - That animals, being mammals, will not be sold at too early an age;
  - That all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
  - That appropriate steps will be taken in case of fire or other emergency;

And shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects specified in paragraphs (a) to (e) above.

- 3.3 The existing conditions attached to pet shop licenses are attached at **Appendix A**.
- 3.4 The new model conditions are updated in line with best practice and guidance, and offer standards considered necessary to ensure health, safety and welfare of animals in pet shops. The full document, Model Conditions for Pet Vending Licensing 2013, (from which the new model conditions have been extracted) is attached at **Appendix B**.
- 3.5 The new proposed model conditions extracted from the above document are attached at **Appendix C**.
- 3.6 Additional conditions for individual premises can be added to the model conditions where appropriate.
- 3.7 Members should be aware that licence holders who fail to comply with conditions attached to a licence are committing an offence. The Licensing department will work with premises to ensure that the transition to the new conditions will be undertaken in a sensible and proportionate manner in accordance with the council's compliance and enforcement policy.
- 3.8 There are currently eleven premises licenced under the Pet Animals Act. If granted a licence expires after a year unless renewed.

#### **4. ANTICIPATED OUTCOMES**

- 4.1 To ensure those licensed under the Act operate in accordance with recommended best practice for the welfare of animals.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The new model conditions are based on best practice, formulated from a CIEH working group, and supported by DEFRA, RSPCA, BVA (British Veterinary Association), LGA, etc. in the best interests of animal welfare. If the updated conditions are not adopted, the council will not be in a position to meet its obligation to ensure the maintenance of minimum standards according to current guidance, and may be subject to challenge if the current licensed conditions resulted in a customer complaint.

#### **6. ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 To retain the current outdated conditions

#### **7. BACKGROUND DOCUMENTS**

Pet Animals Act 1951  
Pet Animals Act 1951 (Amendment) Act 1983  
Animal Welfare Act 2006  
CIEH Model Conditions for Pet Vending Licensing 2013

**CONDITIONS SUBJECT TO WHICH THE LICENCE IS GRANTED**

1. Animals shall at all times be kept in accommodation that is adequate in construction, size, amenities and position in the premises.
2. Where animals are kept in cages, hutches, boxes or other receptacles which are placed on top of other cages, hutches, boxes or other receptacles, effective means should be provided for preventing water, food or other droppings falling onto or contaminating the animals food or other surroundings which are underneath.
3. Animals shall be adequately supplied with suitable food and drink and shall be visited at suitable intervals. All accommodation shall be cleaned daily or as often as is necessary.
4. No mammal shall be sold unweaned or if weaned, at an age at which it should not have been weaned.
5. No animal shall be displayed in a cage, hutch, box or other receptacle in such a position that it can be interfered with by other animals or unauthorised persons.
6. Animals shall not be displayed for sale outside the premises during unsuitable weather.
7. All excreta and soiled bedding shall be stored in suitably covered metal or other impervious containers until removed from the premises as soon as practicable and disposed of to the satisfaction of the appropriate local authority. All refuse containers shall be maintained in a clean condition.
8. All necessary precautions shall be taken to prevent the introduction or harbourage of rodents, insects and any other pests to the premises.
9. All animal foods shall be stored in suitable covered metal or other impervious closed containers so that the quality of the food can be preserved. These containers should be of such design as to allow easy cleaning.
10. Animals shall not be handed to customers in unsuitable containers.
11. The licensee shall ensure that a responsible person shall at all times be in, or within, reasonable distance from the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In case of absence of the responsible resident, the licensee shall appoint a responsible person residing within a reasonable distance of the premises to have custody of a duplicate key. The name, address and telephone number of such persons shall be displayed in legible characters on the front door or window of the premises and shall be notified to the local fire brigade and police.
12. Animals and stock shall not be placed or kept in or outside the shop so as to obstruct entrance to or exit from the shop in the case of fire or other emergency.
13. Fire fighting equipment, including extinguishers, shall be provided as approved by the chief fire officer and shall be sited as so directed by him. The licensee shall ensure that the fire appliances remain accessible and maintained in a good condition.
14. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infections or contagious disease or which is infested with parasites shall be brought into or kept on the premises unless effectively isolated.
15. The maximum numbers and types of animals permitted to be kept on the premises to which the licence refers are as set out and shall not be exceeded.
16. The numbers of animals which may be kept on the premises must be displayed on the premises.
17. Exhibition animals kept in the shop should be considered as requiring proper accommodation and any animals not for sale should have a note stating that fact.
18. No animals shall be directly imported except by licensees who have satisfied the local authority as to their ability to quarantine or handle consignments of animals under suitable conditions.
19. A register of animals shall be kept by the proprietor of the pet shop which must be produced on demand by the authorised inspector.
20. Pet shops selling animals on the schedule to the Dangerous Wild Animals Act should ascertain that the buyer is licensed or duly authorised to keep such animals.

# **PETERBOROUGH CITY COUNCIL**

## **STANDARD LICENCE CONDITIONS FOR PET SHOPS**

**March 2002**

**STANDARD LICENCE CONDITIONS – SECTION A****1. Licence Display**

- 1.1 The licence, or a copy of the licence, should be suitably displayed to the public in a prominent position.

**2. Accommodation**

- 2.1 Animals must at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness and not exposed to draughts. All accommodation must be kept in good repair.
- 2.2 If animals are displayed outdoors, they must have protection appropriate to their species.
- 2.3 Housing must be constructed of non-porous materials or be appropriately treated.
- 2.4 In order to control the spread of disease, and to prevent injury, animals must not be kept in housing in such a way that they can be disturbed by other animals or by the public.
- 2.5 All livestock for sale must be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.
- 2.6 Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
- 2.7 Where accommodation is on a tiered system, water, food or other droppings must not be allowed to enter the lower housing.
- 2.8 All accessories provided in the accommodation must be suitable for the species.
- 2.9 When designing accommodation, consideration should be given to using systems which would allow removal of the animals in the case of emergency. This provision would not usually apply to aquariums and ponds.
- 2.10 For perching birds, a sufficient number of perches (as appropriate) must be provided at such a height that the bird can rest its head without its head touching the top, and its tail the bottom of the cage.

**3. Exercise Facilities**

- 3.1 Suitable and sufficient facilities must be available where appropriate.
- 3.2 N.B. For puppies, where required, a covered exercise area of at least 2.46sq metres (26 sq ft) should be provided. Exercise areas should have a minimum height of 1.8 metres (6ft) to facilitate adequate access by staff for cleaning.

**4. Register of Animals**

- 4.1 A livestock purchase register must be maintained for all livestock. A sales register must be maintained for all animals.

- 4.2 N.B. This can be by cross-reference to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact of purchaser. The name, address and telephone number of the purchaser should be obtained.
5. Stocking numbers and densities
- 5.1 The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as advised by the Licensing Officer and stated on the Licence. No other animals, other than those specified in the licence, may be stocked without prior written approval from the Licensing Authority. The Licensing Officer must be informed of any changes made to the accommodation provided.
- 5.2 Animals must be suitably located in the cages so as to avoid overcrowding (i.e. not all in one cage).
- 5.3 No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with properly placed perches and feeding and watering points to prevent that plumage being fouled or otherwise damaged.
6. Health, disease and acclimatisation
- 6.1 All stock for sale must be in good health and free from obvious parasitic infestation as far as can be reasonably determined without veterinary inspection.
- 6.2 Any sick or injured animal must receive appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision.
- 6.3 "Care and treatment" may include euthanasia but under no circumstances may an animal be euthanased other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.
- 6.4 Facilities must be provided to isolate sick animals. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size, and maintained in accordance with manufacturers' recommendations.
- 6.5 All animals must received appropriate inoculations where required for the species, as advised by the veterinary surgeon. Veterinary advice must be sought whenever necessary.
- 6.6 Any animal with an obvious, significant abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.
- 6.7 All animals must be allowed a suitable acclimatisation period before sale.
- 6.8 All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from and infectious or contagious disease, or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

- 6.9 Individual litters of puppies and kittens must be kept separate from other litters.
- 6.10 All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests. (Excluding livestock for sale or for feeding.)
7. Food and Drink
- 7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs, and at suitable intervals.
- 7.2 All food must be suitable for the species concerned.
- 7.3 Food and drink receptacles must be constructed and positioned to minimise faecal contamination and spillage.
- 7.4 A suitable and sufficient number of receptacles must be provided and cleaned at regular intervals.
8. Food Storage
- 8.1 All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers.
- 8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.
9. Observation
- 9.1 All Livestock must be attended to at regular intervals, at least once daily, appropriate to the species. It is recommended that a system of recording observation is maintained.
10. Excreta and Soiled Bedding
- 10.1 All excreta and soiled bedding must be kept in a hygienic manner and stored in impervious containers with close-fitting lids – away from direct sunlight.
- 10.2 Excreta and soiled bedding must be removed from the premises on a regular basis, at least weekly disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice.
- 10.3 All containers must be kept in a clean condition and have lids on.
11. Stock Movement
- 11.1 When receiving stock, the licensee must make every effort to ensure that it is transported in a suitable manner.
- 11.2 Any livestock received or consigned shall be transported according to the regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

N.B. For air transportation, the IATA live animals regulations must be followed as a minimum legal standard.

- 11.3 A quality padded net should be used when catching birds in an aviary.
- 12. Transportation containers
  - 12.1 Livestock must be transported or handed to purchasers in suitable containers.
- 13. Sale of Livestock
  - 13.1 No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.
  - 13.2 In the case of non-mammals, they must be capable of feeding themselves.
- 14. Dangerous Wild Animals
  - 14.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system.
  - 14.2 Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase.
- 15. Pet Care Advice
  - 15.1 Pet care leaflets or other similar written instructions must be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets.
  - 15.2 Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.
  - 15.3 Appropriate reference materials must always be available to use by staff.
- 16. Staff Training and Livestock Knowledge
  - 16.1 No animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.
  - 16.2 In respect of new applications (not renewals), at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification; or must be in the course of training, and obtain the qualification within two years of the licence being granted.
  - 16.3 The licensee must formulate a written training policy for all permanent staff, and will be required to demonstrate that systematic training is carried out.
- 17. Fire and Other Emergency Precautions
  - 17.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock.

N.B. The general maxim of “people first” is good advice.

- 17.2 Entrances and exits must be clear of obstructions at all times.
- 17.3 Suitable fire fighting equipment must be provided, maintained regularly services and sited as advised by the local Fire Protection/Prevention Officer and in consultation with the local authority.
- 17.4 The licensee or a designated keyholder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.
- N.B. A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.
- 17.5 A list of keyholders must be lodged with the local police and with the local authority.
- 17.6 In the interests of animal welfare, the following notice must be displayed at the front of the shop. “in case of an emergency, dial 999”. The number of the local police station should also be displayed.
- 17.7 When pet shops are sited within other premises, the licensee or keyholders must have access at all times to the premises containing the livestock.
- 17.8 All electrical installations and appliances must be maintained in a safe condition.

## **MODEL LICENCE CONDITIONS – SECTION B**

### **Further Recommendations**

#### 18. Sale of Livestock

- 18.1 No animal should be sold to any person under the age of 16 years who is unknown to the retailer unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 16 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian or appropriate written consent, provided that the retailer is satisfied as far as possible that:

18.1.1 the parent/guardian would not object to the acquisition;

18.1.2 the juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;

18.1.3 the juvenile’s intention towards the acquisition is consistent with the well being of the animal concerned.

#### 19. Water Quality

The maintenance of water quality standards is essential and is a simple but effective way to determine stocking densities. Water quality testing should be carried out at least once a week in centralised systems and 10% of individual tanks should likewise be tested. Unsatisfactory test results must be recorded in a register together with the corrective action taken. Further tests must be carried out when visual inspection of the tanks indicates the need.

Water Quality Criteria

(1mg/litre – 1ppm)

Cold Water		
*Dissolved oxygen	-min	6 mg/litre
*Free ammonia	-max	0.02 mg/litre
Nitrite	-max	0.2 mg/litre
Nitrate	-max	50 mg/litre above ambient tap water

Tropical Fish		
*Dissolved oxygen	-min	6 mg/litre
*Free ammonia	-max	0.02 mg/litre
Nitrite	-max	0.2 mg/litre
Nitrate	-max	50 mg/litre above ambient tap water

Tropical Marine Species		
*Dissolved oxygen	-min	5.5 mg/litre
*Free ammonia	-max	0.01 mg/litre
Nitrite	-max	0.125 mg/litre
Nitrate	-max	40 mg/litre. This is an absolute figure: it does not relate to ambient tap water
*pH (tropical marine only)	-min	8.1

\*These parameters should be checked first. Only if a problem exists with these tests is it necessary to check nitrite and nitrate levels.

- 19.2 Other species should be housed in accommodation appropriate to size, age and type of species; and to avoid overcrowding. There should be sufficient space for free and natural movement which should not be restricted by either the size of the accommodation or the number of animals in that holding. Correct temperature for the species must be maintained.



# Model Conditions for Pet Vending Licensing 2013



September 2013



This document has been prepared in the best interests of animal welfare and to improve pet shop management. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

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# Introduction

The Model Conditions set out in this document are the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.

Licensing authorities should apply and enforce the licence conditions sensibly and appropriately.

These Model Conditions should not be considered as a complete manual on animal husbandry. It is a living document which will be revised from time to time to take into account new knowledge of animal physiology and behaviour as well as advances and development in standards of animal welfare.

Local authorities in England, Scotland and Wales issue licences to proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act (1951). Before granting a licence the local authority must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with appropriate food and drink; and are adequately protected from disease and fire. The local authority may attach conditions to the licence, may inspect the licensed premises at all reasonable times and may refuse a licence if the standards at the premises are unsatisfactory or if the terms of the licence are not being complied with.

Under the Animal Welfare Act (2006)<sup>1</sup> which applies in England and Wales and the Animal Health and Welfare (Scotland) Act 2006<sup>2</sup> in Scotland those responsible for animals, including pet vendors, have a responsibility towards the welfare of the animals in their care. Under these Acts it is an offence to cause unnecessary suffering to a protected animal, whether by an act or omission. Vendors also have a legal 'duty of care' towards the animals in their care. Vendors must therefore take such steps as are reasonable in all the circumstances to meet the welfare needs of the animals, to the extent required by good practice. The Acts define an animal's needs as including:

- Its need for a suitable environment
- Its need for a suitable diet
- Its need to be able to exhibit normal behaviour patterns
- Any need to be housed with, or apart from, other animals
- Its need to be protected from pain, suffering, injury and disease

During the inspection, prior to the issue of a licence, it is important that the five needs as outlined above are considered. Defra, the Welsh Assembly Government and the Scottish Government have produced various Codes of Practice under the Animal Welfare Acts, which outline in more detail certain species' needs that can be referred to for guidance. Issues specific to pet shops and other pet vendors are covered in this document.

The Animal Welfare Acts also increased the minimum age at which a person can buy an animal to 16 and prohibit giving animals as prizes to unaccompanied children under this age. In Scotland, there is a prohibition on giving animals as prizes.

Another key objective in developing these model licensing conditions is to encourage conditions in pet shops licensing and a consistency of approach across local authorities which minimises the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending.

Humankind shares a world with animals; it is unsurprising therefore that we also share some diseases. Zoonoses, or zoonotic disease are infectious diseases transmissible between humans and other animals; many thousands of zoonotic disease have been identified. While the reported instances of transmission are infrequent, they nevertheless represent significant disease prevalence. The risk to humans depends on the kind of disease and the type of exposure.

<sup>1</sup> [www.defra.gov.uk/foodfarm/farmanimal/welfare/act](http://www.defra.gov.uk/foodfarm/farmanimal/welfare/act)

<sup>2</sup> [www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp\\_20060011\\_en.pdf](http://www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp_20060011_en.pdf)

**Legislation/Orders that are relevant<sup>3</sup>:****England**

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(England) Order 2006
- Animal Welfare Act 2006
- Docking of Working Dogs' Tails (England) Regulations 2007
- Mutilations (Permitted Procedures)(England) Regulations 2007
- EU Wildlife Trade Regulations: Council Regulation (EC) No. 338/97, implements CITES (Convention on International Trade in Endangered Species of Flora and Fauna) in the European Community
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

**Scotland**

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Control of Dogs (Scotland) Act 2010
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(Scotland) Order 2006
- Animal Health and Welfare (Scotland) Act 2006
- The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010
- The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

**Wales**

- Pet Animals Act 1951
- Animal Welfare Act 2006
- The Welfare of Animals (Transport) (Wales) Order 2007
- The Docking of Working Dogs' Tails (Wales) Regulations 2007
- Mutilations (Permitted Procedures) (Wales) Regulations 2007
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

The working group agreed that the LGA Model Standards<sup>4</sup> needed to be updated whilst anticipating secondary legislation under the Animal Welfare Act 2006. These conditions should therefore not be seen as a substitute for secondary legislation.

<sup>3</sup> All legislation referred to in this document is intended to represent the most recent version

<sup>4</sup> Local Government Association (1998) "The Pet Animals Act 1951: Model standards for pet shop licence conditions", LGA Publications

**The groups consulted included:**

- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Department for Environment, Food and Rural Affairs (Defra)
- Dogs Trust
- Federation of Companion Animal Societies
- Feline Advisory Bureau
- Local Government Association
- Ornamental Aquatic Trade Association
- Pet Industry Federation
- Rabbit Welfare Association & Fund
- Reptile and Exotic Pet Trade Association
- Royal Society for the Prevention of Cruelty to Animals

**Special thanks also to:**

- Peter Scott – Zoo and Aquatic Veterinary Group/Companion Animal Welfare Council
- William H Wildgoose – Fish Veterinary Society/Midland Veterinary Surgery
- Ian Strachan – Scottish Government
- Wood Green Animal Shelters
- OneKind

**Definition of terms**

\*\* A batch should be defined as a group of animals arriving from the same supplier, at the same time

\*\*m<sup>2</sup> is a measurement of area. One m<sup>2</sup> measures one metre by one metre. Consequently two m<sup>2</sup> measures 2 metres by 1 metre. (4 square metres measures 2 metres by 2 metres).

# Schedule A – General conditions

## 1. Licence Display

### 1.1 Condition

The licence or a copy of the licence must be suitably displayed to the public in a prominent position

#### Guidance

For security reasons, the licence should not display the licence holder's home address.

## 2. Accommodation

### 2.1 Condition

Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.

#### Guidance

Animals should be able to move around freely, climb, fly, swim and jump where appropriate, and be comfortable in their environment. Definitions of appropriate sizes and materials are in the appropriate schedules to this document. Regular maintenance and repair will prevent injury from damaged housing. Temperature monitoring devices should be provided. It is important to avoid draughts.

### 2.2 Condition

Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.

#### Guidance

The spread of airborne infections can be a significant risk. Excessive or inadequate humidity can cause other health problems.

### 2.3 Condition

If animals are displayed outdoors, they must have protection appropriate to their species

#### Guidance

This should include shelter from wind, rain or snow and/or the sun and predators if appropriate.

### 2.4 Condition

In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.

#### Guidance

Appropriate housing will prevent direct transmission of disease and injuries. This will maintain structural integrity and ensure dry, easily cleansed surfaces. In general, untreated wood is not an appropriate material as it cannot be thoroughly cleaned.

### 2.5 Condition

Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.

#### Guidance

An area to hide away, if needed, will help to reduce stress levels for the animals. In addition to signs, other measures maybe required, such as limiting access to some sides of animal enclosures. Care should be taken to avoid sensory contact between prey and predator species.

### 2.6 Condition

All animals for sale must be readily accessible and easy to inspect by staff.

#### Guidance

This should help to ensure that the cage is kept clean and hygienic and animals can be easily observed for illness or injury

**2.7 Condition**

Accommodation must be cleaned as often as necessary to maintain good hygiene standards

**Guidance**

To maintain a clean environment, a cleaning Standard Operating Procedure (SOP) should be provided and should detail the routine daily cleaning regime and the procedure for cleaning between periods of occupation. Soiled bedding should be removed frequently to ensure animals do not have to lie in it.

**2.8 Condition**

Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing

**Guidance**

This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together.

**2.9 Condition**

All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

**Guidance**

To stimulate the performance of natural behaviours.

**3. Exercise Facilities****3.1 Condition**

Suitable and sufficient facilities must be available where appropriate.

**Guidance**

Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise.

**4. Register of Animals****4.1 Condition**

A purchase register must be maintained for all animals detailing their source and identification where appropriate,

**Guidance**

This can be by cross referenced to an invoice file. The purpose of the register is to ascertain the source of the animals.

**4.2 Condition:**

A sales register must be maintained for:

**4.2.1 Dogs****4.2.2 Cats****4.2.3 Psittacines****4.2.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976****Guidance**

The purpose of the register is for emergency contact of purchasers. The name, address and telephone number of the purchaser should be obtained. This is not required for other species.

**4.3 Condition**

Animals under veterinary treatment must be identifiable.

**5. Stocking Numbers and Densities****5.1 Condition**

No animals other than those specified in the licence, may be stocked.

The licence conditions should clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details.

Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations.

**5.2 Condition**

Where appropriate, all animals must be housed in social groups of suitable size.

**Guidance**

Details can be found in the relevant schedules.

**6. Health Disease and Acclimatisation****6.1 Condition**

All animals for sale must be in good health

**Guidance**

Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt.

Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately.

All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary.

A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.

## 6.2 Condition

Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

### Guidance

"Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

## 6.3 Condition

Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.

### Guidance

Isolated animals should be kept in a secure, comfortable location where their condition and needs can be kept, also detailing treatment. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.

## 6.4 Condition

Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

### Guidance

Information on any known conditions should be provided to the new owner.

## 6.5 Condition

All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

### Guidance

Precautions should include regular cleaning (see 2.6) and good personal hygiene of staff in addition to effective quarantine of incoming groups of animals except for fish. Staff handling animals should wash or disinfect, and rinse if appropriate, their hands between groups. The shop should be registered with a veterinary practice and there should be veterinary input to SOPs where appropriate. It is important that the supplying breeders should have a policy for inherited and infectious disease control agreed. Staff should be aware of zoonotic transmission.

## 6.6 Condition

All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

### Guidance

"Rodent" and "Insect" excludes animals for sale or feeding

## 7. Food and Drink

### 7.1 Condition

Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals. All food must be suitable for the species concerned.

### Guidance

Water should be available at all times except for those species where it may be harmful. An SOP should be produced for basic nutritional needs for each species or species group, and age group if appropriate. The owner should be advised to continue feeding consistent with the diet given by the pet shop.

**7.2 Condition**

Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

**Guidance**

Faecal and urine contamination is a risk to health. Maintaining a clean environment may require regular cleaning of receptacles. Receptacles should be thoroughly cleaned before being moved between batches/groups

**8. Food Storage****8.1 Condition**

All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.

**Guidance**

Such containers prevent spoilage of the food or attraction of rodents or pests to the premises.

**8.2 Condition**

The containers and equipment used for feeding must be kept in a clean and sound condition.

**Guidance**

There must be suitable facilities for cleaning of receptacles and equipment which should be separate from staff facilities.

**9. Observation****9.1 Condition**

All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

**Guidance**

Regular checks and observation records aid in early detection of illness, injury or behavioural problems and should be considered very important for all animals.

A system of recording observation should be maintained.

**10. Disposal of Waste****10.1 Condition**

All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.

**Guidance**

This is important for biosecurity and odour reduction.

Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice. Premises should maintain a contract for removal with an appropriate company and adhere to local authority regulations.

There should be appropriate arrangements in place for removal of dead animals.

**11. Transportation to the Premises****11.1 Condition**

When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.

**11.2 Condition**

Any animals received or consigned shall be transported according to the regulations laid down in current legislation.

**11.3 Condition**

Animals must be transported or handed to purchasers in suitable containers,

**Guidance**

Buyers should be advised how to transport animals home so as to minimise stress.

**12. Sale of Animals****12.1 Condition**

No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.

**Guidance**

Young mammals require nutritional and behavioural support from their mothers.

**12.2 Condition**

In the case of non-mammals, they must be capable of feeding themselves.

### 13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

#### 13.1 Condition

When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.

##### Guidance

Safety of staff and the general public should be of utmost importance and safety barriers may aid in this, as well as prevention of escape.

#### 13.2 Condition

The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

##### Guidance

The primary requirements of the Act are to protect the public but there are also welfare implications.

Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation and care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from Defra/Scottish Government.

### 14. Pet care advice, staff training and knowledge

#### Condition

New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.

##### Guidance

Qualifications should be City & Guilds or Level 3 equivalent and appropriate to the species kept.

#### 14.1 Condition

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.

##### Guidance

Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets. Information can be in the form of Codes of Practice issued by governments. In addition, information may also be made available electronically.

#### 14.2 Condition

Appropriate reference materials on the care of each species must always be available for use by staff.

##### Guidance

Further advice can be obtained from the organisations listed in the 'Useful Contacts' section at the back of this document.

#### 14.3 Condition

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 and/or suitable experience/training.

#### 14.4 Condition

The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

##### Guidance

Further advice, guidance and training can be obtained from the organisations listed in the Useful Contacts section.

## 15. Fire and other emergency precautions

### 15.1 Condition

Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.

#### Guidance

Staff should be aware of these procedures and a copy should be displayed for staff to refer to as and when needed. Evacuation should be regularly practised and practices recorded. All staff should undergo regular training and records should be kept of such training.

### 15.2 Condition

Entrances and exits must be clear of obstructions at all times.

#### Guidance

To facilitate risk free evacuation if needed, when designing accommodation, consideration should be given to using systems which would allow timely removal of the animals in the case of emergency. This provision would not usually apply to aquaria and ponds.

### 15.3 Condition

Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.

#### Guidance

This will ensure that, if needed, the equipment will function correctly. Staff should be properly trained on the use of equipment provided.

### 15.4 Condition

The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.

#### Guidance

A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

### 15.5 Condition

A list of key holders must be logged with the local police and local authority.

#### Guidance

For contact in cases of emergency.

### 15.6 Condition

In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".

#### Guidance

For information of the public in cases of emergency, when a staff member is not on site.

### 15.7 Condition

When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.

#### Guidance

This is vital for access to the animals at all times to ensure correct care is provided

### 15.8 Condition:

All electrical installations and appliances must be maintained in a safe condition.

#### Guidance

For health and safety of staff and animals.

### 15.9 Condition

There must be an effective contingency plan for essential heating, ventilation and aeration/ filtration systems, as appropriate.

#### Guidance

Some species are very sensitive to temperature fluctuation.

## Schedule B – Dogs

### 1. Condition

Puppies must be weaned before leaving the mother.

#### Guidance

To ensure puppies can eat the food provided. Puppies must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations prohibits the transport of puppies without their mother before this age.

### 2. Condition

The minimum kennel size must be:

- 2.1 For a batch of small breed puppies – max 6 pups – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
- 2.2 For a batch of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
- 2.3 For a batch of large breed puppies – max 2 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

#### Guidance

The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each puppy to be able to walk, turn around and wag its tail without touching the sides of the kennel. The puppies should have sufficient room to play, stand on their hind limbs and to lie down without touching another individual. The kennel size required will increase in relation to the size and number of puppies housed at any one time. The length and the width should be sufficient to allow all the puppies to lie outstretched without their noses or tails touching the walls or other individuals. In certain circumstances it is permissible to have separate exercise areas to sleeping areas but in such cases puppies must be given access to the exercise area at

least four times a day. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of puppies.

### 3. Condition

Suitable and sufficient exercise facilities must be available and accessible where appropriate..

### 4. Condition

Extreme temperatures must be avoided.

#### Guidance

Puppies are relatively sensitive to high/ low temperatures. Temperatures should not normally go below 12°C or exceed 26°C

### 5. Condition

General bedding must include an adequate amount of absorbent material.

#### Guidance

The use of enough absorbent material allows urine and faeces to be contained and reduce contamination of the puppies.

### 6. Condition

Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.

#### Guidance

Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided

### 7. Condition

A specific lying place must be provided lined with soft material,

#### Guidance

The use of soft material will prevent skin lesions being caused by soiling or pressure sores.

### 8. Condition

Puppies must be fed at least four times daily, at appropriate intervals.

#### Guidance

The diet should be appropriate for puppies.

**9. Condition**

Puppies must have frequent, quality contact time with staff.

**Guidance**

“Suitable intervals” for puppies to be visited are frequent, as they require to be socialised. It is recommended that this should be a minimum of 4 times per day with 20 minutes of interaction per batch. There should be an SOP.

**10. Condition**

Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.

**Guidance**

Puppies are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the puppy with a vet.

**11. Condition**

Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.

**Guidance**

Isolating healthy puppies does not allow them to exhibit natural behaviour patterns.

**12. Condition**

There must be environmental enrichment in all kennels.

**Guidance**

To allow puppies to exhibit normal behaviour patterns. Toys should only be given under supervision and should be easily cleaned or replaced between batches.

\*\* Please see ‘Schedule A – General Conditions’ for food, water and isolation conditions

## Schedule C – Cats

### 1. Condition

Kittens must be weaned before leaving the mother.

#### Guidance

To ensure kittens can eat the food provided. Kittens must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related legislation prohibits the transport of kittens without their mother before this age.

### 2. Condition

The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m<sup>2</sup> additional floor space.

#### Guidance

Kittens require adequate space to play together and to have space for a litter tray and bed. Varying heights to enable climbing should each also be provided. There should be adequate space for feeding, drinking, sleeping and litter tray to be kept separate.

### 3. Condition

Extreme temperatures must be avoided.

#### Guidance

Kittens are relatively sensitive to low temperatures owing to their small body weight. Temperatures should not normally go below 15°C or exceed 26°C.

### 4. Condition

Disposable or washable bedding must be provided and kept clean.

#### Guidance

Kittens need a warm sleeping, soft area, away from the litter tray and food.

### 5. Condition

A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an

appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.

### 6. Condition

Kittens must be fed at least four times daily, at appropriate intervals.

#### Guidance

The diet should be appropriate for kittens.

### 7. Condition

Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.

#### Guidance

Diseases spread very easily between litters, both by direct contact or by sneezing. Kittens are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the kitten with a vet.

### 8. Condition

Kittens must have frequent, quality contact time with staff.

#### Guidance

It is recommended that this should be a minimum of 4 times per day with 20 minutes of specific interaction per batch. Kittens should be protected from over-handling by staff or the public as they require time to rest.

### 9. Condition

There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

#### Guidance

To allow kittens to exhibit normal behaviours, particularly climbing. Toys should be easily cleaned or replaced between batches.

## Schedule D – Rabbits

### 1. Condition

Rabbits must be correctly sexed and housed in same sex groups.

#### Guidance

Rabbits are easier to sex at 8 weeks than any earlier, which will help prevent mis-sexing and unwanted litters.

### 2. Condition

The minimum enclosure size must be:

0.4m<sup>2</sup> for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m<sup>2</sup> for up to 2 giant breed juvenile rabbits and a height of 0.5m.

These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.

#### Guidance

Dwarf Lops/Dutch rabbits are the most commonly available in pet shops and weigh up to 4kgs. The height should allow the rabbit to rear up to perform natural behaviour. Rabbits should be kept in store in groups. Rabbits need to be able to move freely and to be able to perform vital behaviours such as caecotrophy and rearing.

### 3. Condition

There must be environmental enrichment in all enclosures. A hiding place must be provided.

#### Guidance

To allow rabbits to exhibit normal behaviours, indestructible toys; cardboard boxes; chewing substrates should be provided. Toys should be easily cleaned or replaced between batches. Rabbits are prey animals and should have the opportunity to hide if scared or stressed.

### 4. Condition

Extreme temperatures must be avoided.

#### Guidance

Ambient temperature should not normally go lower than 12°C or exceed 26°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.

### 5. Condition

Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.

#### Guidance

Rabbits need a warm, softly-bedded sleeping area away from the litter and food/water.

### 6. Condition

Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.

#### Guidance

The disinfectant should be effective against both viral, bacterial and parasitic infection and safe for use on rabbits. Check with a vet or manufacturer if unsure. Diseases such as E-cuniculi can be spread via urine, so thorough cleaning is required between new occupants. Rabbits often choose to toilet in the sleeping area of a hutch and a litter tray could be placed here.

### 7. Condition

If batches are mixed you must ensure all animals are free from obvious parasitic infection.

#### Guidance

Diseases spread very easily between litters. Rabbits should be housed with batch mates where possible.

## 8. Condition

Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.

### Guidance

Rabbits teeth are open rooted and therefore constant access to good quality hay is essential, for dental health, gastrointestinal health (without a constant supply of fibrous food, rabbit GI tracts slow down) and behavioural reasons (to relieve boredom). It is vital that hay is available throughout the day and sufficient provided for them at closing time to last them until the next business day. Dry food should be provided for youngsters to assist growth, see manufacturers instructions, but should not be fed ad-lib.

## 9 Condition

Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

### Guidance

Due to the delicate digestive system, particularly under stress, if diets are to be changed then a slow transition between diets is advisable.

## Schedule E – Other small mammals

### 1. Condition

All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair),

#### Guidance

To help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups. Animals from different sources should not be mixed.

### 2. Condition

Animals must at all times be kept in suitably sized accommodation.

#### Guidance

Animals should be able to freely move around the accommodation and be able to perform natural behaviours. See attached table for species relevant sizing.

### 3. Condition

Animals must be provided with a suitable substrate in sufficient amounts.

#### Guidance

Providing sufficient and appropriate substrate keeps the accommodation clean and dry and allows digging where appropriate. There are a number of substrates available and the type used will depend on the animal kept.

### 4. Condition

Animals must be provided with a suitable bedding material in sufficient amounts.

#### Guidance

Bedding provides a place to sleep and rest, the type used will depend on the animal kept. It should be provided in sufficient quantities to enable the animal to feel secure and warm.

### 5. Condition

Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.

#### Guidance

Animals must be given the opportunity to hide as a natural instinct and be given suitable accessories to allow for stimulation and to

reduce stress. Chinchillas and Degus should be given the opportunity to use a sand bath by offering one on a regular basis, e.g. 10 minutes daily. Rodents need to express natural behaviour such as running and chewing/ gnawing. Toys such as hides, tunnels, paper bags filled with hay and fruit twigs are ideal for expressing natural foraging behaviour. Animals should be able to move away from direct lighting. Cool hides should be provided to prevent over heating.

### 6. Condition

Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.

#### Guidance

Water for small animals is usually provided in clean gravity fill drinking bottles, (which should be of a suitable size for the species) or automatic or semi – automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species; some desert-dwelling species such as jerboas [family Dipodidae] should not be given water ad- lib. Bottles should be kept clean and free from algae.

### 7. Condition

All rodents must be fed a suitable diet, ad lib and have free access to hay where required.

#### Guidance

The diet should be appropriate for the breed, life stage and species. Food should be refreshed regularly. Guinea pigs should have sufficient vitamin C in their diet. Guinea pigs are unable to synthesise Vitamin C.

### 8. Condition

All rodents must be fully weaned on admission.

## Minimum accommodation requirements – small rodents

### Area in square metres

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

## Schedule F – Ferrets

### 1. Condition

Ferrets must be at least eight weeks old

#### Guidance

Ferret kits can find separation from their mother very stressful and the stress response in a ferret often results in diarrhoea which can prove fatal.

### 2. Condition

Ferrets must be housed with batch companions

#### Guidance

Ferrets are naturally social animals that depend on the companionship of their own kind. Lone ferrets often suffer depression including poor appetite and lack of enthusiasm to move or play.

### 3. Condition

Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.

#### Guidance

Ferret kits can be easily sexed at 8 weeks of age. Adult, un-neutered hobs (males) may exhibit dominant behaviour and fight, so requiring individual accommodation. House the Jill (female) kits at a reasonable distance to prevent aggression between the hobs as they mature at around 20 weeks. Adult jills (females) should be prevented from having repeated seasons. Jills (females) left in season are prone to estrogen induced anaemia, a factor in shortening their normal lifespan. Veterinary advice should be sought.

### 4. Condition

Batches of ferrets must not be mixed.

#### Guidance

Not mixing will reduce the risk of disease spreading. Mixing can be stressful for ferrets.

### 5. Condition

The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m<sup>2</sup> additional floor space.

#### Guidance

Enclosures should be placed on a hard surface and anchored to the ground. Ferrets require space for their toilet area removed from their sleeping or eating areas. Ferrets require space to exhibit their normal active behaviour – running backwards, forwards and sideways and to climb, explore and play. Ferrets are naturally clean and will usually select one corner as their toilet

### 6. Condition

Sleeping quarters must be draught free and dark.

#### Guidance

Ideally sleeping quarters should be raised. Ferrets seek dark areas for sleeping and sleep for long hours, up to twenty a day in the winter. Their natural instinct is to hide whilst sleeping.

### 7. Condition

Ferrets must have suitable bedding.

#### Guidance

Suggested bedding includes fabric items that can be laundered, straw and dust extracted wood shavings.

### 8. Condition

Extreme temperatures must be avoided.

#### Guidance

Temperatures should not normally go below 12°C or exceed 26°C. Ferrets tolerate cold better than heat. Provide plenty of warm bedding for when it is cold. Be aware heat prostration is likely at 32°C.

## **9. Condition**

Ferret kibble must be provided at appropriate intervals.

### **Guidance**

Feed a recognised and branded ferret kibble / biscuit. Small, frequent meals or ad lib feeding are recommended as ferrets have a rapid rate of digestion

## **10. Condition**

Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

### **Guidance**

Ferrets are renowned for tipping bowls

## Schedule G – Birds

### 1. Condition

There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.

#### Guidance

Stocking densities will depend on the type of bird as well as cage dimensions and number of perches. Access to rain can be beneficial for plumage. Some species will need adequate space to fly. Chickens require an appropriate area and substrate to perch.

### 2. Condition

Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.

### 3. Condition

Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.

#### Guidance

Birds are more sensitive to high temperatures.

### 4. Condition

There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.

#### Guidance

Birds should not have to compete for drinkers/feeders and risk exclusion. Passerines should have food available at all times. Enrichment and feeding devices need to be provided for larger psittacids. For parrots, it is preferable to use swinging systems such that the keeper does not need to enter the cage in order to change food/ water. Bowls should not be able to be removed from holders by the parrot.

### 5. Condition

Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.

#### Guidance

Enclosures should be placed on a hard surface. Some species require more robust materials. Materials such as loose zinc coating can be toxic to birds.

### 6. Condition

Windproof nest boxes must be provided in all outside housing and inside where appropriate.

#### Guidance

Many birds find sleeping or sheltering in nest boxes an essential form of security or for sheltering from inclement weather but it is recognised that some species, such as canaries, will rarely if ever voluntarily enter nest boxes.

### 7. Condition

Flooring must be drop-through or easily washed/hosed.

#### Guidance

If ground living birds are kept with perching birds then attention should be paid to flooring such that bumblefoot issues are addressed - i.e. no concrete/rough stone. Where natural turf flooring is used, parasite status of the birds should be checked on a regular basis every few weeks.

## Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m <sup>2</sup> ) housing up to 4 birds	Linear cms per additional bird on either cage length or depth <sup>*3</sup>
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	more than 17.5	0.225	7.5
Parakeets and Lovebirds <sup>*1</sup>	less than 25	0.42	7.5
	25-30*1	0.48	7.5
	more than 30*1	0.675	7.5
Parrots	less than 30	0.225	10
	30 – 35*2	0.4050	15
	more than 35*2	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		16	

- \*1. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.
- \*2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.
- \*3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

## Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	more than 17.5	12
Parakeets and Lovebirds *1	less than 25	10
	25-35	6
	more than 35	4
Parrots	less than 30	10
	30 – 35	6
	more than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

# Schedule H – Reptiles and Amphibians

## 1. Condition

Stocking and density must be appropriate to the species.

### Guidance

Most reptiles and amphibians are not social and may, therefore, be kept individually. Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.

Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made.

**Snakes:** may be housed individually or in small groups, of the same species. Snakes known to be cannibalistic, e.g. king snakes (*Lampropeltis* sp.), should be housed individually.

**Lizards:** only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g. *Gambelia* sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

**Tortoises and Terrapins:** only terrapins of similar size and habit and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

**Frogs and Toads:** only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog & toad) is not generally recommended. Cannibalistic species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) should be housed individually.

**Newts and Salamanders:** only species of similar size and from similar geographical areas should be kept together.

Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria

which combine fish with small reptiles and/or amphibians of appropriate species are acceptable.

## 2. Condition

The enclosure size must be appropriate to the species and adjusted according to its size.

### Guidance

**Snakes:** the length of the enclosure should be no less than two-thirds the overall length of the snake,.

**Lizards:** the length of the enclosure should be three times the full length of the lizard, or larger.

**Tortoises and Terrapins:** the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species [turtles, terrapins] the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. *Cuora* sp., *Terrapene* sp. and *Glyptemys* sp.) do not require such deep water. Terrapins must also have an adequate land basking area.

**Frogs and Toads:** the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

**Newts and Salamanders:** the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

**Height and Width:** of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

**3. Condition**

Temperature, humidity, lighting and ventilation must be appropriate to the species.

**Guidance**

Ambient and basking temperatures should be appropriate to the species concerned, with the following guidance for commonly kept species.

These are guidelines only and individual species should be researched as requirements for some species will fall outside of these recommendations. Vendors and staff must have access to relevant reference material (books, internet etc.). Basking spots may be provided by convection or radiant heat sources (e.g. light bulb, or heat mat), as appropriate to the species. Ventilation should be appropriate to the species and should allow sufficient change of air without jeopardising the temperature or humidity in the enclosure.

**4. Condition**

Lighting must be appropriate to the species.

**Guidance**

An appropriate light period should be observed. Species requiring UVB lighting, e.g. diurnal lizards and tortoises, should have appropriate UVB emitting lamps. These should be replaced according to manufacturer's recommendations. Mercury Vapour or Metal Halide UVB emitting lamps may also be used to provide a daytime heat source. UV light sources must not be screened by non UV transmitting glass or plastic. Animals should have areas of shade so that they can escape from the light if desired.

**5. Condition**

Substrate appropriate to the species must be present.

**Guidance**

Substrate should be appropriate to the species concerned and may include, but not be limited to: newspaper, paper towel, bark chip, wood chip, terrarium humus, moss, gravel, calcium carbonate, terrarium sand etc. Measures should be taken to ensure that substrate is not ingested.

**6. Condition**

Enrichment must be provided appropriate to the species.

**Guidance**

Décor should be appropriate to the species and should not be harmful, e.g. sharp rocks, toxic or injurious plants. Décor should be secure and not able to fall and cause injury. Enclosure should be furnished in such a fashion as to allow inhabitants to exhibit natural behaviour, e.g. climb or hide where appropriate.

**7. Condition**

Food and water must be provided in the appropriate manner for the species.

**Guidance**

Feeding habits vary between species and between individuals. Staff should have knowledge of the requirements for all the species held. Food should be presented in a form or pattern that is acceptable to the species concerned. Food supplements [vitamin and minerals] should be provided as appropriate to the species concerned. Live food intended for use should be housed in suitable escape proof containers, and fed appropriately. Fresh foods [salads] should be kept refrigerated where appropriate. Frozen foods intended for use must be stored in an appropriate deep freeze and defrosted thoroughly before use. Feeding records for hatchling snakes should be kept and made available to purchasers. Fresh water should be available at all times, with the exception of certain desert species, such as *Uromastyx* sp. which should be offered water periodically. Certain species, such as chameleons, do not drink from standing water and should be offered water appropriately, e.g. by a dripper system or sprayer.

**8. Condition**

Hygiene: enclosures must be cleaned appropriately.

**Guidance**

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be

appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

## **9. Condition**

Handling must be kept to a minimum at all times.

### **Guidance**

Handling must be kept to a minimum at all times. Staff should receive training on how to handle animals and animals which may be aggressive should only be handled by competent staff. Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected.. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards.

# Schedule I – Fish

## 1. Condition

Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

### Cold Water Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

### Tropical Freshwater Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

### Tropical Marine Species

Free Ammonia	max 0.01mg/l
Nitrite	max 0.125mg/l
Nitrate	max 100mg/l
pH	min 8.1
Dissolved Oxygen	min 4.0 mg/l

#### Guidance

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment,

acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

## 2. Condition

Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly. On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

#### Guidance

One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.

## 3. Condition

Holding systems must be cleaned and checked regularly.

#### Guidance

Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.

## 4. Condition

No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

#### Guidance

No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought.

# Information

## Register of Wild Animals and Endangered Species

Some species are listed on the Annexes of EU Wildlife Trade Regulations which implement CITES [Convention on International Trade in Endangered Species]. Species listed on Annex A of EU Wildlife Trade Regulations [Council Regulation (EC) No. 338/97] must have a valid Article 10 Certificate and may require microchipping or closed ring. Species listed on Annex B do not require Certificates but the vendor should be able to provide proof the animal was acquired legally.

Further information is available from Animal Health, Wildlife Licensing and Registration Service:  
1-15 Temple Quay House, 2 The Square,  
Bristol, BS1 6EB

Wild-caught specimens listed on Annex IV of the EU Habitats Directive [Council Directive 92/43 EEC] collected within the EU require the appropriate Certification. Captive-bred specimens are exempted from such requirements.

## Breeding and Sale of Dogs Act

Puppies/dogs should be identifiable whilst at the shop. Under this legislation, the record should show:

- The identification of the animal
- The date of birth, breed, sex and any distinguishing features
- Details of any veterinary care provided while under care of the shop In addition, it is also good practice to record:
  - Details of any feedback provided to the breeder on health issues such as disease or inherited defects
  - Details of any health screening tests performed on the parents

Microchip is the preferred method of identification.

## Useful Contacts

All pet shop licences are issued by your local authority who should be your first point of contact

### General

#### British Veterinary Zoological Society

Email: [secretary@bvzs.org](mailto:secretary@bvzs.org)

#### Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London SE1 8DJ  
Telephone: 020 7928 6006  
[www.cieh.org](http://www.cieh.org)

#### Department for Environment, Food and Rural Affairs

Animal Welfare Unit, Nobel House, 17 Smith Square  
London SW1P 3JR Telephone: 08459 33 55 77  
Email: [helpline@defra.gsi.gov.uk](mailto:helpline@defra.gsi.gov.uk)  
<https://www.gov.uk/government/topics/wildlife-and-animal-welfare>

#### Local Government Association,

c/o LGconnect, Local Government Group,  
Local Government House, Smith Square,  
London SW1P 3HZ  
Telephone: 020 7664 3000  
Email: [info@local.gov.uk](mailto:info@local.gov.uk)  
[www.lga.gov.uk](http://www.lga.gov.uk)

### Veterinary Contacts

#### British Small Animal Veterinary Association

Woodrow House, 1 Telford Way,  
Waterwells Business Park, Quedgeley,  
Gloucester GL2 2AB  
Telephone: 01452 726700  
[www.bsava.com](http://www.bsava.com)

#### British Veterinary Association

7 Mansfield Street,  
London W1G 9NQ  
Telephone: 020 7636 6541  
Email: [bvahq@bva.co.uk](mailto:bvahq@bva.co.uk)  
[www.bva.co.uk](http://www.bva.co.uk)

#### Royal College of Veterinary Surgeons

Belgravia House, 62-64 Horseferry Road,  
London SW1P 2AF  
[www.rcvs.org.uk](http://www.rcvs.org.uk)

### All Species

#### The Blue Cross

Shilton Road, Burford, Oxon OX18 4PF  
Tel: 01993 822651  
Email: [info@bluecross.org.uk](mailto:info@bluecross.org.uk)  
[www.bluecross.org.uk](http://www.bluecross.org.uk)

#### Pet Industry Federation

Bedford Business Centre,  
170 Mile Road, Bedford MK42 9TW  
Telephone: 01234 273 933  
[www.petcare.org.uk](http://www.petcare.org.uk)

#### People's Dispensary for Sick Animals (PDSA)

Head Office, Whitechapel Way,  
Priorslee, Telford, Shropshire TF2 9PQ  
Telephone: 01952 290999  
[www.pdsa.org.uk](http://www.pdsa.org.uk)

#### Royal Society for the Prevention of Cruelty to Animals

RSPCA Enquiries Service, Wilberforce Way,  
Southwater, Horsham, West Sussex RH13 9RS  
Telephone: 0300 1234 555  
[www.rspca.org.uk](http://www.rspca.org.uk)

#### Wood Green Animal Shelters

Kings Bush Farm, London Road,  
Godmanchester, Cambs PE29 2NH  
Telephone: 0844 248 8181  
Email: [info@woodgreen.org.uk](mailto:info@woodgreen.org.uk)  
[www.woodgreen.org.uk](http://www.woodgreen.org.uk)

### Cats

#### International Cat Care

Taeselbury, High Street, Tisbury,  
Wiltshire SP3 6LD  
Telephone: 01747 871872  
Email: [info@icatcare.org](mailto:info@icatcare.org)  
[www.icatcare.org](http://www.icatcare.org)

#### Governing Council of the Cat Fancy

5 King's Castle Business Park,  
The Drove, Bridgwater, Somerset TA6 4AG  
Telephone: 01278 427575  
Email: [info@gccfcats.org](mailto:info@gccfcats.org)  
[www.gccfcats.org](http://www.gccfcats.org)

**Dogs****Dogs Trust**

17 Wakley Street, London EC1V 7RQ  
 Telephone: 0207 833 7685  
 Email: [info@dogstrust.org.uk](mailto:info@dogstrust.org.uk)  
[www.dogstrust.org.uk](http://www.dogstrust.org.uk)

**The Kennel Club**

1-5 Clarges Street, Piccadilly, London W1J 8AB  
 Telephone: 08444 633 980  
 Email: [info@thekennelclub.org.uk](mailto:info@thekennelclub.org.uk)  
[www.thekennelclub.org.uk](http://www.thekennelclub.org.uk)

**Fish****Ornamental Aquatic Trade Association**

1st Floor Office Suite, Wessex House,  
 40 Station Road, Westbury,  
 Wiltshire BA13 3JN  
 Tel: 01373 301353  
[www.ornamentalfish.org](http://www.ornamentalfish.org)

**Permanent identification databases****Microchipping Advisory Group**

[www.bsava.com/Advice/MicrochipAdvice/  
 tabid/154/Default.aspx](http://www.bsava.com/Advice/MicrochipAdvice/tabid/154/Default.aspx)

**National Dog Tattoo Register**

Telephone: 01255 552455  
[www.dog-register.co.uk](http://www.dog-register.co.uk)

**Animalcare**

Telephone: 01904 487 687  
 Email: [office@animalcare.co.uk](mailto:office@animalcare.co.uk)  
[www.animalcare.co.uk](http://www.animalcare.co.uk)

**AVID Plc**

PO Box 190, Lewes, East Sussex BN7 9GD  
 Telephone: 0800 652 7 977  
 Email: [pettrac@avidplc.com](mailto:pettrac@avidplc.com)  
[www.avidplc.com](http://www.avidplc.com)

**Petlog**

The Kennel Club, 4A Alton House,  
 Gatehouse Way, Aylesbury, Bucks HP19 8XU  
 Telephone: 0844 463 3999  
 Email: [petlogadmin@thekennelclub.org.uk](mailto:petlogadmin@thekennelclub.org.uk)  
[www.petlog.org.uk](http://www.petlog.org.uk)

**Pet Protect**

Furness House, 53 Brighton Road,  
 Redhill, Surrey RH1 6RD  
 Telephone: 0800 587 0660  
[www.petprotect.co.uk](http://www.petprotect.co.uk)

**Rabbits and small mammals,****British Rabbit Council**

Purefoy House, 7 Kirkgate,  
 Newark, Notts NG24 1AD  
 Telephone: 01636 676042  
[www.thebrc.org](http://www.thebrc.org)

**Rabbit Welfare Association and Fund**

PO Box 603, Horsham,  
 West Sussex RH13 5WL  
 Telephone: 0844 324 6090  
 Email: [hq@rabbitwelfare.co.uk](mailto:hq@rabbitwelfare.co.uk)  
[www.rabbitwelfare.co.uk](http://www.rabbitwelfare.co.uk)

**Reptiles****REPTA (Reptile & Exotic Pet Trade Association)**

Telephone: 02380 440999  
 Email: [info@repta.org](mailto:info@repta.org) [www.repta.org](http://www.repta.org)

**Qualifications and Training**

Contact your trade association, local technical  
 or agricultural college for information on current  
 training and qualifications

**Animal Medicines Training Regulatory Authority**

Unit 1c, Woolpit Business Park,  
 Windmill Avenue, Woolpit,  
 Bury St. Edmunds IP30 9UP  
 Telephone: 01359 245801  
 Email: [info@amtra.org.uk](mailto:info@amtra.org.uk)  
[www.amtra.org.uk](http://www.amtra.org.uk)

**City & Guilds**

1 Giltspur Street, London EC1A 9DD  
 Telephone: 0844 543 0000  
[www.cityandguilds.com](http://www.cityandguilds.com)

**LANTRA**

Lantra House, Stoneleigh Park,  
 Coventry, Warwickshire CV8 2LG  
 Telephone: 0845 707 8007  
 Email: [connect@lantra.co.uk](mailto:connect@lantra.co.uk)  
[www.lantra.co.uk](http://www.lantra.co.uk)



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Registered charity no. 290350

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**Peterborough City Council****STANDARD LICENCE CONDITIONS FOR PET SHOPS****Schedule A – General conditions****1. Licence Display**

- 1.1 The licence or a copy of the licence must be suitably displayed to the public in a prominent position.

**2. Accommodation**

- 2.1 Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.
- 2.2 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.
- 2.3 If animals are displayed outdoors, they must have protection appropriate to their species.
- 2.4 In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.
- 2.5 Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.
- 2.6 All animals for sale must be readily accessible and easy to inspect by staff.
- 2.7 Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
- 2.8 Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing.
- 2.9 All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

**3. Exercise Facilities.**

- 3.1 Suitable and sufficient facilities must be available where appropriate.

**4. Register of Animals**

- 4.1 A purchase register must be maintained for all animals detailing their source and identification where appropriate.
- 4.2 A sales register must be maintained for:
- 4.2.1 Dogs**
- 4.2.2 Cats**
- 4.2.3 Psittacines**
- 4.2.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976**
- 4.3 Animals under veterinary treatment must be identifiable.
- 4.4 Exhibition animals kept in the shop should be considered as requiring proper accommodation and any animals not for sale should have a note stating that fact.

**5. Stocking Numbers and Densities**

- 5.1 No animals other than those specified in the licence, may be stocked.
- 5.2 Where appropriate, all animals must be housed in social groups of suitable size.

**6. Health Disease and Acclimatisation.**

- 6.1 All animals for sale must be in good health.
- 6.1.1 All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary. A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.

- 6.2 Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.
- 6.3 Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.
- 6.4 Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.
- 6.5 All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.
- 6.6 All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

## **7. Food and Drink**

- 7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals. All food must be suitable for the species concerned.
- 7.2 Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

## **8. Food Storage**

- 8.1 All food, excluding live foods intended for feeding to animals on the premises, must be stored in imperious closed containers.
- 8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

## **9. Observation**

- 9.1 All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

## **10. Disposal of Waste**

- 10.1 All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids, away from direct sunlight.

## **11. Transportation to the Premises**

- 11.1 When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.
- 11.2 Any animals received or consigned shall be transported according to the regulations laid down in current legislation.
- 11.3 Animals must be transported or handed to purchasers in suitable containers.

## **12. Sale of Animals**

- 12.1 No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.
- 12.2 In the case of non-mammals, they must be capable of feeding themselves.
- 12.3 No animal should be sold to any person under the age of 16 years.

## **13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976.**

- 13.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.
- 13.2 The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.
- 13.3 Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from DEFRA.

## **14. Pet Care advice, staff training and knowledge.**

- 14a. New applicants must have a qualification or be registered with a recognised body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.
- 14.1 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. Pet care leaflets or other similar written instructions must be made available to customers free of charge.
- 14.2 Appropriate reference materials on the care of each species must always be available for use by staff.
- 14.3 Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.
- 14.4 The licensee must be able to demonstrate appropriate staff training is carried out and that staff are competent in pet shop management and animal handling.

**15. Fire and other emergency precautions.**

- 15.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.
- 15.2 Entrances and exits must be clear of obstructions at all times.
- 15.3 Suitable firefighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.
- 15.4 The licensee or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.
- 15.5 A list of key holders must be logged with the local police and local authority.
- 15.6 In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises. "In case of an emergency dial 999".
- 15.7 When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.
- 15.8 All electrical installations and appliances must be maintained in a safe condition.
- 15.9 There must be an effective contingency plan for essential heating, ventilation and aeration/ filtration systems as appropriate.

**SCHEDULE B – DOGS**

1. Puppies must be weaned before leaving the mother.
2. The minimum kennel size must be:
  - 2.1 For a batch of small breed puppies – max 6 pups – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise.
  - 2.2 For a batch of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise.
  - 2.3 For a batch of large breed puppies – max 2 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise.

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.
3. Suitable and sufficient exercise facilities must be available and accessible where appropriate.
4. Extreme temperatures must be avoided.
5. General bedding must include an adequate amount of absorbent material.
6. Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.
7. A specific lying place must be provided lined with soft material.
8. Puppies must be fed at least four times daily, at appropriate intervals.
9. Puppies must have frequent, quality contact time with staff.
10. Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.
11. Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
12. There must be environmental enrichment in all kennels.

**SCHEDULE C - CATS**

1. Kittens must be weaned before leaving the mother.
2. The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m (for example, 0.6m x 1 x 1). No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m<sup>2</sup> additional floor space.
3. Extreme temperatures must be avoided.
4. Disposable or washable bedding must be provided and kept clean.
5. A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.
6. Kittens must be fed at least four times daily, at appropriate intervals.
7. Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.
8. Kittens must have frequent, quality contact time with staff.
9. There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

**SCHEDULE D – RABBITS**

1. Rabbits must be correctly sexed and housed in same sex groups.
2. The minimum enclosure size must be:  
0.4m<sup>2</sup> for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m<sup>2</sup> for up to 2 giant breed juvenile rabbits and a height of 0.5m.  
These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.
3. There must be environmental enrichment in all enclosures. A hiding place must be provided.
4. Extreme temperatures must be avoided.
5. Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.
6. Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.
7. If batches are mixed you must ensure all animals are free from obvious parasitic infection.
8. Rabbits must have a constant supply of fresh hay and water and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.
9. Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

**SCHEDULE E – OTHER SMALL MAMMALS**

1. All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair).
2. Animals must at all times be kept in suitably sized accommodation.
3. Animals must be provided with a suitable substrate in sufficient amounts.
4. Animals must be provided with a suitable bedding material in sufficient amounts.
5. Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.
6. Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.
7. All rodents must be fed a suitable diet, ad lib and have free access to hay where required.
8. All rodents must be fully weaned on admission.

**MINIMUM ACCOMMODATION REQUIREMENTS – SMALL RODENTS.**

Area in square meters.

No of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

**SCHEDULE F – FERRETS**

1. Ferrets must be at least eight weeks old
2. Ferrets must be housed with batch companions.
3. Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.
4. Batches of ferrets must not be mixed.
5. The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m<sup>2</sup>, with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m<sup>2</sup> additional space.
6. Sleeping quarters must be draught free and dark.
7. Ferrets must have suitable bedding
8. Extreme temperatures must be avoided.
9. Ferret kibble must be provided at appropriate intervals.
10. Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

**SCHEDULE G – BIRDS**

1. There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.
2. Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.
3. Ambient temperature must be appropriate for the species. Extremes of temperature must be avoided.
4. There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.
5. Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.
6. Windproof nest boxes must be provided in all outside housing and inside where appropriate.
7. Flooring must be drop-through or easily washed/hosed.

**STOCKING DENSITIES FOR BIRDS IN CAGES.**

Type	Length of Bird (cm)	Floor area (m <sup>2</sup> ) housing up to 4 birds	Linear cms per additional bird on either cage length or depth* <sup>3</sup>
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	More than 17.5	0.225	7.5
Parakeets and Lovebirds * <sup>1</sup>	Less than 25	0.42	7.5
	25 – 30* <sup>1</sup>	0.48	7.5
	More than 30* <sup>1</sup>	0.675	7.5
Parrots	Less than 30	0.225	10
	30 – 35* <sup>2</sup>	0.4050	15
	More than 35* <sup>2</sup>	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		16	

\*<sup>1</sup>. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.

\*<sup>2</sup>. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.

\*<sup>3</sup>. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

**STOCKING DENSITIES FOR BIRDS IN AVIARIES AND FLIGHTS**

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	More than 17.5	12
Parakeets and Lovebirds	Less than 25	10
	25 - 35	6
	More than 35	4
Parrots	Less than 30	10
	30 - 35	6
	More than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)



## SCHEDULE H – REPTILES AND AMPHIBIANS

1. Stocking and density must be appropriate to the species.

Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made.

**Snakes:** may be housed individually or in small groups, of the same species. Snakes known to be Cannibalistic, e.g. king snakes (*Lampropeltis* sp), should be housed individually.

**Lizards:** only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g. *Gambelia* sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

**Tortoises and Terrapins:** only terrapins of similar size and habitat and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

**Frogs and Toads:** only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog and toad) is not generally recommended. Cannibalistic species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) should be housed individually.

**Newts and Salamanders:** only species of similar size and from similar geographical areas should be kept together.

Generally mixed taxa (e.g. lizards and tortoises) are not recommended, although paludaria which combine fish with small reptiles and / or amphibians of appropriate species are acceptable.

2. The enclosure size must be appropriate to the species and adjusted according to its size.

**Snakes:** the length of the enclosure should be no less than two-thirds the overall length of the snake.

**Lizards:** the length of the enclosure should be three times the full length of the lizard, or larger.

**Tortoises and Terrapins:** the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species (turtles, terrapins) the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. *Cuora* sp., *Terrapene* sp. And *Glyptemys* sp.) do not require such deep water. Terrapins must also have an adequate basking area.

**Frogs and Toads:** the length of the enclosure should be minimum 30cm x 30cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

**Newts and Salamanders;** the length of the enclosure should be minimum 30cm x 30cm x 30cm, or at least three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal

**Height and Width:** of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

3. Temperature, humidity, lighting and ventilation must be appropriate to the species.
4. Lighting must be appropriate to the species.
5. Substrate appropriate to the species must be present.
6. Enrichment must be provided appropriate to the species.
7. Food and water must be provided in the appropriate manner for the species.
8. Hygiene: enclosures must be cleaned appropriately.
9. Handling must be kept to a minimum at all times.



**SCHEDULE I – FISH**

1. Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

**Cold Water Species.**

Free ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

**Tropical Freshwater Species**

Free ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

**Tropical Marine Species**

Free ammonia	max 0.01mg/l
Nitrite	max 0.125mg/l
Nitrate	max 100mg/l
pH	min 8.1
Dissolved Oxygen	min 4.0 mg/l

2. Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly on aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.
3. Holding systems must be cleaned and checked regularly.
4. No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

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<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 9</b>
<b>19 November 2015</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor North, Cabinet Member for Communities and Environment Capital	
Contact Officer(s):	Terri Martin, Regulatory Officer - Licensing Peter Gell, Strategic Regulatory Services Manager Donna Hall, Public Protection Manager	Tel. 01733 453561 Tel. 01733 453419 Tel. 01733 453514

## **NEW MODEL LICENCE CONDITIONS FOR CAT BOARDING ESTABLISHMENTS**

<b>R E C O M M E N D A T I O N S</b>
Members are asked to:
1. Consider the contents of the report and adopt the new Model Conditions for Licensed Cat Boarding Establishments (Catteries)

### **1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of this report is to request that members agree to replace the existing conditions applicable for licensed cat boarding establishments (catteries), with the more comprehensive updated set of model conditions, from CIEH (Chartered Institute of Environmental Health), and adopt the new model conditions for licensed cat boarding establishments.
- 1.2 This report is for Licensing Committee to consider under its Terms of Reference 2.4.1.3 (e) "To exercise the functions of the authority as listed in Schedule 2.2.4, where these are not delegated to Officers as listed as section 2.4.3 namely licensing premises associated with live animals".

### **2. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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### **3. BACKGROUND**

- 3.1 The Animal Boarding Establishments Act 1963 regulates the keeping of boarding establishments for animals. No person shall keep a boarding establishment for animals except under the authority of a licence granted in accordance with the provisions of the Act. Animal Boarding Establishments are also required to meet the welfare requirements set out in the Animal Welfare Act 2006.
- 3.2 Within the Act the definition of 'animal' means any dog or cat.
- 3.3 Within the Act the definition of keeping a boarding establishment, means carrying on by him at premises of any nature (including a private dwelling) of a business of providing accommodation for other peoples animals.
- 3.4 The Act requires local authorities to licence premises for the keeping of a boarding establishment for animals. In determining whether to grant a licence for the keeping of a boarding establishment for animals by any person at any premises, a local authority shall in

particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing;

- a) That animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- b) That animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
- c) That all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities
- d) That appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
- e) That a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner.

And shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraphs (a) to (e) above.

- 3.5 The existing conditions attached to cat boarding establishments are attached at **Appendix A**.
- 3.6 The new model conditions are updated in line with best practice and guidance, and offer standards considered necessary to ensure health, safety and welfare in cat boarding establishments (Catteries). The full document, CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013, (from which the new model conditions have been extracted) is attached at **Appendix B**.
- 3.7 The new proposed model conditions extracted from the above document are attached at **Appendix C**.
- 3.8 Additional conditions for individual premises can be added to the model conditions where appropriate.
- 3.9 Members should be aware that licence holders who fail to comply with conditions attached to a licence are committing an offence. The Licensing department will work with premises to ensure that the transition to the new conditions will be undertaken in a sensible and proportionate manner in accordance with the council's compliance and enforcement policy.
- 3.10 There are currently twelve licensed commercial boarding establishments, of which six are catteries, three are kennels, and three offer commercial boarding for both cats and dogs. If granted a licence expires after a year unless renewed.

#### **4. ANTICIPATED OUTCOMES**

- 4.1 Animal boarding establishments fulfil a public need. The public have a right to expect that all premises satisfy basic standards relating to the health welfare and safety of the animals boarded. There is a continuing task to raise standards of welfare in boarding establishments, the new model conditions reflect the current best practices for catteries.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The new model conditions are based on best practice, formulated from a CIEH working group, and supported by RSPCA, Cats Protection, International Cat Care (Formerly Feline Advisory Bureau), BVA (British Veterinary Association), etc. in the best interests of animal welfare. If the updated conditions are not adopted, the council will not be in a position to meet its obligation to ensure the maintenance of minimum standards according to current

guidance, and may be subject to challenge if the current licensed conditions resulted in a customer complaint.

**6. ALTERNATIVE OPTIONS CONSIDERED**

6.1 To retain the current outdated conditions

**7. BACKGROUND DOCUMENTS**

Animal Boarding Establishments Act 1963

Animal Welfare Act 2006

CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013

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**LICENCE CONDITIONS AND GUIDANCE FOR CAT BOARDING ESTABLISHMENTS**

- (1) The number of cats accommodated at the establishment at any one time shall not exceed (XX)
- (2) A copy of the Licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.
- (3)
  - a) The establishment must, at all times, be laid out and operated in accordance with an approved plan, to be attached to the Licence before carrying out any alterations, plans must be submitted to and approved by the Licensing Officer of the Local Authority.
  - b) All new units must be built on a concrete base with a damp proof membrane to Building Regulation standards. This should have a minimum fall of 1 in 80.
  - c) All exterior wood must be smooth and properly treated against wood rot. Only products which are not toxic to cats may be used.
  - d) All internal surfaces used in construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.
  - e) Sleeping areas of units must be so insulated as to prevent extremes of temperature.
  - f) The construction must be such that security of the cat is ensured.
  - g) All areas of which cats have free access must be roofed.

**(5) WALLS**

- a) The walls with which cats may come into contact must be of smooth, impervious materials, capable of being easily cleansed. Where concrete or other building blocks or bricks are used, they must be sealed to be as smooth, impervious and be resealed as necessary.
- b) Junctions between vertical and horizontal sections should be covered. If impractical in existing premises, these joints must be sealed.
- c) Full length sneeze barriers must be provided where the gap between units is less than 625mm (2ft).

**(6) FLOORS AND CONCRETE BASES**

- a) The concrete base and floors of all buildings and units must be of smooth impervious materials, capable of being easily cleansed. In new catteries, this must incorporate a damp proof membrane.
- b) Floors of all units and individual exercise areas must be constructed and maintained in such a condition as to prevent ponding or liquids.

**(7) CEILINGS AND ROOFING**

- a) Ceilings must be capable of being easily cleansed and disinfected.
- b) All exercise areas and the safety passage should be covered with mesh and impermeable material, a proportion of which must be translucent.

**(8) DOORS**

- a) Doors must be strong enough to resist impact and scratching and must be fitted to be capable of being effectively secured.
- b) Where metal edging is used, this must not present a risk of injury to the cat.
- c) Adequate constructional precautions must be taken to prevent and control the spread of infectious disease particularly by droplet infection.

**(9) WINDOWS**

- a) All windows which pose a security risk must be escape proof at all times.

(10) DRAINAGE

- a) Kitchens must be connected to mains drainage or an approved, localised sewage disposal system.

(11) LIGHTING

- a) During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this must be natural light.
- b) Adequate supplementary lighting must be provided throughout the establishment.

(12) VENTILATION

- a) Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

(13) NUMBER OF CATS PERMITTED

- a) Each cat must be provided with a separate unit except that cats from the same household may share a unit of adequate size with the written consent of the cats' owner.
- b) Holding units may be provided for temporarily boarding a cat for not more than 24 hours. Existing holding units must have a minimum floor area of 9 sq.ft. Holding units must have a minimum height of 3ft (0.9m).
- c) No animals other than cats are to be boarded within the licensed facilities without the written approval of the Local Authority.
- d) Where stray cats are accepted by the cattery they must be kept in a separate area away from boarded cats.

(14) UNIT SIZE, LAYOUT AND EXERCISE FACILITIES

- a) Each unit must have a sleeping area and an adjoining exercise area, which is exclusive to that unit.
- b) Each unit must be provided with a sleeping area of at least 0.85 sq.m. (9sq.ft) for one cat, 1.5sq.m (16sq.ft) for two cats, 1.85 sq.m. (20sq.ft) for up to four cats. Units may be designated as suitable for a specific number of cats, greater than 4, at the discretion of the Licensing Authority.
- c) Units must have a minimum internal height of 1.8m (6ft).
- d) The height of the sleeping area must be at least 0.91m. (3ft) in existing and 1.22m (4ft) in new buildings.
- e) Suitable bedding must be provided which allows the cat to be comfortable and which is capable of being easily and adequately cleaned and disinfected. Such equipment must be sited out of draughts. Bedding material must be checked daily and must be maintained in a clean, parasite-free and dry condition.
- f) In new construction each unit must be provided with an exercise area of at least 1.7sq.m. (18sq.ft) for a single cat, 2.23 sq.m (24sq.ft) for two cats; 30 sq.ft for up to 4 cats.
- g) Units must open onto secure corridors or other secure areas so that cats are not able to escape from the premises.
- h) Exercise areas must not be used as sleeping areas.
- i) There must be direct and voluntary access to the exercise area.

(15) TRAINING

- a) A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

(16)TEMPERATURE IN UNITS

- a) Heating facilities must be available in the unit and used according to the requirements of the individual cat.
- b) There must be some part of the sleeping area where the cat is able to enjoy a temperature of at least 10°C (50°F).
- c) In isolation units, there should be a means of maintaining the temperature at a level suitable for the condition of the cat and dependent on veterinary advice.

(17)CLEANLINESS

- a) All units, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and cat comfort.
- b) Each occupied unit must be cleansed daily. All excreta and soiled material must be removed from all areas used by cats at least daily and more often if necessary.
- c) All bedding areas must be kept clean and dry.
- d) Suitably sited litter trays, which are easy to clean and impermeable, must be provided at all times. These must be emptied and cleansed at least once a day and as necessary at any time during the day if found to be unduly soiled. A suitable material for litter must be provided.
- e) Each unit must be thoroughly cleansed, disinfected and dried upon vacation. Fittings and bedding must also be thoroughly cleansed and disinfected at that time.
- f) Facilities must be provided for the proper reception, storage and disposal of all waste. Disposal must be in a manner approved by the Waste Disposal Authority. Particular care could be taken to segregate clinical waste arising from the treatment and handling of cats with infectious diseases. The final disposal route for all such waste must be incineration.
- g) Measures must be taken to minimise the risks of rodents, insects and other pests within the establishment.

(18)FOOD AND WATER SUPPLIES

- a) All cats must be adequately supplied with suitable food. At least 2 meals a day must be offered at approximately 8 hours apart. Wholesome water must be available at all times and changed daily.
- b) Eating and drinking vessels must be capable of being easily cleansed and disinfected and must be maintained in a clean condition. Disposable eating dishes may be used.
- c) Eating vessels must be cleansed or disposed of after each meal.
- d) Drinking vessels must be cleansed at least once a day.

(19)KITCHEN FACILITIES

- a) Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the cats.
- b) Where fresh and cooked meats are stored, refrigeration facilities must be provided, and food contamination must be avoided.
- c) A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold water must also be provided for staff use.
- d) Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

(20)DISEASE CONTROL AND VACCINATION

- 1) Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst cats, staff and visitors.
- 2) Proof must be provided that cats boarded or resident have current vaccinations against infectious Feline Enteritis, Feline Respiratory disease and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers instructions. A record that this proof has been supplied must be kept on site, throughout the period that the cat is boarded.
- 3) Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any cat is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.
- 4) A well stocked first aid kit suitable for use on cats must be available and accessible on site.

(21) ISOLATION

- 1) Isolation facilities must be provided.
- 2) In existing catteries these isolation facilities must be in compliance with the other boarding requirements built must be separate and physically isolated from the main units. This must be a minimum 3m (10ft).
- 3) Adequate facilities to prevent the spread of infectious disease between the isolation unit and other units, must be provided.
- 4) Hands must be washed after leaving the isolation facilities before visiting the other units.

(22) REGISTER

- a) A register must be kept of all cats boarded. The information kept must include the following:-
  - Date of arrival
  - Name of cat, any identification system such as microchip number or tattoo.
  - Description, breed, age and gender of cat.
  - Name, address and telephone number of owner or keeper.
  - Name, address and telephone number of contact person whilst boarded.
  - Name, address and telephone number of cat's veterinary surgeon.
  - Anticipated and actual date of departure.
  - Health, welfare and nutrition requirements.
- b) The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an Authorised Officer easy access to such information.
- c) Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

(23) IDENTIFICATION OF UNITS

- a) Each unit must be clearly marked (eg numbered) and a system in place which ensures that relevant information about the cat in that unit is readily available.

(24) SUPERVISION

- a) A fit and proper person must always be present to exercise supervision and deal with emergencies whenever cats are boarded at the premises.
- b) Cats must be visited at regular intervals, as necessary for their health, safety and welfare.

(25) FIRE PRECAUTIONS

- (a) Appropriate steps must be taken for the protection of the cats in case of fire or other emergencies.
- (b) A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions to where cats are to be evacuated to in the event of a fire or other emergency.
- (c) Fire fighting equipment must be provided in accordance with advice given by the fire prevention officer.
- (d) All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker system on each block of units.
- (e) Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to cats.
- (f) Precautions must be taken to prevent any accumulations which may present a risk of fire.
- (g) There must be adequate means of raising an alarm in the event of fire or other emergency.
- (h) The licensee shall ensure that a responsible person shall at all times be in, or within, reasonable distance from the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In case of absence of the responsible resident, the licensee shall appoint a responsible person residing within reasonable distance of the premises to have custody of a duplicate key. The name and address and telephone number of such a person shall be displayed in legible characters on the front door or windows of the premises and be notified to the local fire brigade and police.

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# CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013



November 2013

This document has been prepared in the best interests of animal welfare and to advise those tasked with inspecting, advising and licensing catteries under the Animal Boarding Establishments Act 1963. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

Thanks to Rachel and Brian Bland, The Cats Whiskers, Wilstead MK45 3DP for use of the front page photograph

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# Introduction

The Chartered Institute of Environmental Health (CIEH) model licence conditions and guidance for cat boarding establishments was first produced in 1995.

Since then there have been developments in understanding of animal welfare and also the introduction of the Animal Welfare Act in 2006. It was, therefore, felt timely to revise and update this document so that it better reflects the legal and animal welfare considerations inspectors should consider when looking at catteries and making recommendations for licensing and any conditions applicable.

This document is aimed at all those who are tasked with inspecting, advising and licensing catteries under the Animal Boarding Establishments Act 1963 ('the 1963 Act'). It may also be useful to owners and managers of catteries and those planning to build boarding catteries who wish to better understand what their legal requirements are under both the 1963 Act and the Animal Welfare Act 2006 ('the 2006 Act') as well as other related legislation.

## The main legal requirements

There are two main pieces of legislation that attention should be drawn to, namely; the Animal Boarding Establishments Act 1963, and the Animal Welfare Act 2006.

### 1. Animal Boarding Establishments Act 1963

The 1963 Act requires anyone who wishes to keep a boarding establishment (i.e. in this context a cattery) to be licensed by the local authority and abide by the conditions of the licence. If they do not they are in breach of the law. In particular the local authority will consider the ability of the establishment to ensure:

- accommodation is suitable as respects construction, size, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness,
- adequate supply of suitable food, drink and bedding material for the animals and that they are adequately exercised, and visited at suitable intervals,

- all reasonable precautions are taken to prevent and control the spread of infectious or contagious diseases, including the provision of isolation facilities,
- appropriate steps are taken for the protection of animals in the case of fire or other emergency,
- a detailed register is maintained of any animals received into the establishment that is available for inspection at all times.

Those responsible for a cattery must ensure that a copy of the licence and its conditions (maximum number of cats and number of holding units) is displayed prominently in the boarding establishment.

No animals other than cats are to be boarded within the licensed facilities without the written approval of the local authority.

### 2. Animal Welfare Act 2006

Sections 1 and 2 of the 2006 Act set out which animals are protected. This includes any animal (vertebrate) other than man (section 1) which is commonly domesticated in the British Isles, or under the control of man whether on a permanent or temporary basis, or is not living in a wild state (section 2). Thus cats and kittens are protected by this piece of legislation.

Section 3 of the 2006 Act sets out who can be found to be responsible for an animal and this includes on a permanent or temporary basis as well as being in charge of it or owning it. Therefore, the establishment owner as well as their employees can be found liable under this piece of legislation. No one under the age of 16 years can be deemed to be responsible for an animal.

Section 4 of the 2006 Act sets out offences concerning unnecessary suffering. An offence is committed here if someone's act or failure to act causes an animal to suffer, whether the person knew (or ought to have reasonably known) that the act (or failure to act) was likely to cause such suffering - it is still an offence as the suffering was unnecessary. An offence can also be committed whereby someone permits this to happen. Again, this can apply

to not just employees of an establishment but also an owner. In particular the suffering may be deemed unnecessary if it could reasonably have been avoided or reduced, if it was not in compliance with relevant legislation, licence, or codes of good practice, if it was not for a legitimate purpose, if it was not proportionate, if it was not the conduct of a reasonably competent and humane person.

Under Section 9 of the 2006 Act those responsible for animals (in England and Wales) have a duty to ensure reasonable steps are taken to ensure the welfare needs of the animals are met to the extent required by good practice. This includes:

- its need for a suitable environment,
- its need for a suitable diet,
- its need to be able to exhibit normal behaviour patterns,
- any need it has to be housed with, or apart from, other animals, and
- its need to be protected from pain, suffering, injury and disease.

This guidance also notes that additionally there are Codes of Practice concerning cats that the Welsh Government and DEFRA have produced and they provide further information on these points. To access copies of these Codes please see –

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69392/pb13332-cop-cats-091204.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69392/pb13332-cop-cats-091204.pdf)

[www.wales.gov.uk/docs/drah/publications/110817catcodea5en.pdf](http://www.wales.gov.uk/docs/drah/publications/110817catcodea5en.pdf)

### Other current relevant regulations and legislation:

Other Legislation which is relevant to the running of a boarding cattery includes, but is not restricted to the following:

- The Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work etc Act 1974
- Environmental Protection Act 1990

- Electricity at Work Regulations 1989
- Control of Substances Hazardous to Health Regulations 1988
- Controlled Waste Regulations 1992
- Town & Country Planning Act 1990
- Welfare of Animals (Transport) (England) Order 2006
- Welfare of Animals (Transport) (Wales) Order 2006
- Regulation on the protection of animals during transport (EC) 1/2005

Further information on the above is available from Business Link – [www.businesslink.gov.uk](http://www.businesslink.gov.uk)

### Training

All staff who handle and care for cats must be adequately trained in ensuring the cats' welfare (as per the Animal Welfare Act) as well as their safe handling.

Staff must also be trained in emergency procedures to follow, and all other aspects of the licence conditions which are pertinent to their work. Obtaining relevant qualifications is strongly recommended.

This guidance document recommends that written policies and procedures setting out how the cattery will ensure all aspects of the welfare of cats in their care as well as their staff should be provided. It further recommends that a systematic training programme should be implemented including provision of evidence of its use for permanent, temporary, and part-time employees and regular reviews of training.

### Supervision/responsibility

The cattery proprietor or a responsible person over the age of 18 years should always be present to exercise supervision and deal with any emergencies whenever cats are boarded at the premises.

It is strongly recommended that the cattery proprietor or a responsible person lives on site or a key-holder must live within a reasonable distance of the cattery. An emergency contact number must be clearly displayed at the entrance to the cattery.

**The groups consulted included:**

- British Small Animal Veterinary Association
- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Corporation of London
- Daisy Bank Kennels & Cattery
- Dogs Trust
- Epping Forest DC
- International Cat Care (Formerly Feline Advisory Bureau)
- Kennel Design (David & Kay Key)
- Pet Industry Federation (Formerly Pet Care Trust)
- Royal Society for the Prevention of Cruelty to Animals

### How to use this document:

Each of the sections relates to a Requirement, elaborating why it is important to meet this from the perspective of the cat and/or legal requirements where applicable. Good care is based on some simple principles and these are shown where relevant as bullet points (•) in the document.

In order to link the licence guidelines with the check lists for use by Licence inspectors, each factor which enables the associated legal requirement to be met has been given an individual code linking it to the appropriate section. These must be followed in order to achieve the licence. It should be noted that the order in which the requirements are listed under each section is arbitrary and does not indicate any order of importance. All requirements listed under the sections are equally important.

The Identification code is made up of a 'letter. number' combination, the letter indicating the section (relating to each of the 5 welfare needs as stipulated under the Animal Welfare Act 2006), and the number relating to the requirement's numerical order within that section:

SECTION	IDENTIFICATION CODE
Environment	A
Diet	B
Behaviour	C
Company	D
Health and welfare	E

Attached at Annex A is a Model Licence Conditions Inspection Sheet for Cat Boarding Establishments.

## Section A – Environment: Providing the cat(s) with a suitable place to live/stay

Good care is based on some simple principles and these are shown where relevant as bullet points (•) in the document.

Poor housing has a substantially negative impact on both the health and wellbeing of cats. Housing systems must be suitable for the needs of the species in question. The cattery must be designed, built and managed to provide safe, disease free, comfortable, clean, draught free, animal friendly conditions, which are minimally stressful and which offer environmental choice for the animal, sensory stimulation, physical and mental exercise.

The following requirements list what must be present in a cat's environment, and details further measures that can be taken. Please note that the requirements are not presented in any order of importance but all hold equal standing with respect to the environmental needs of cats.

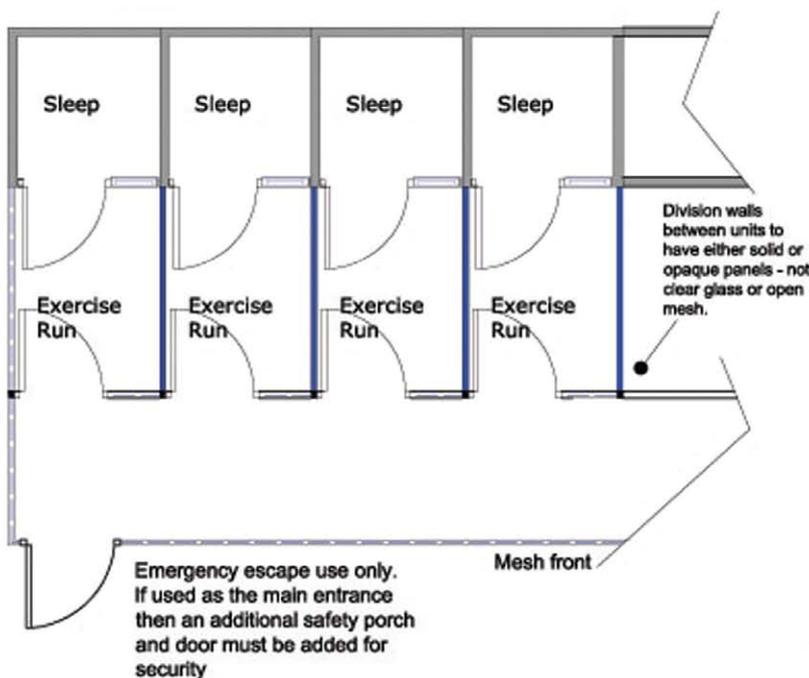
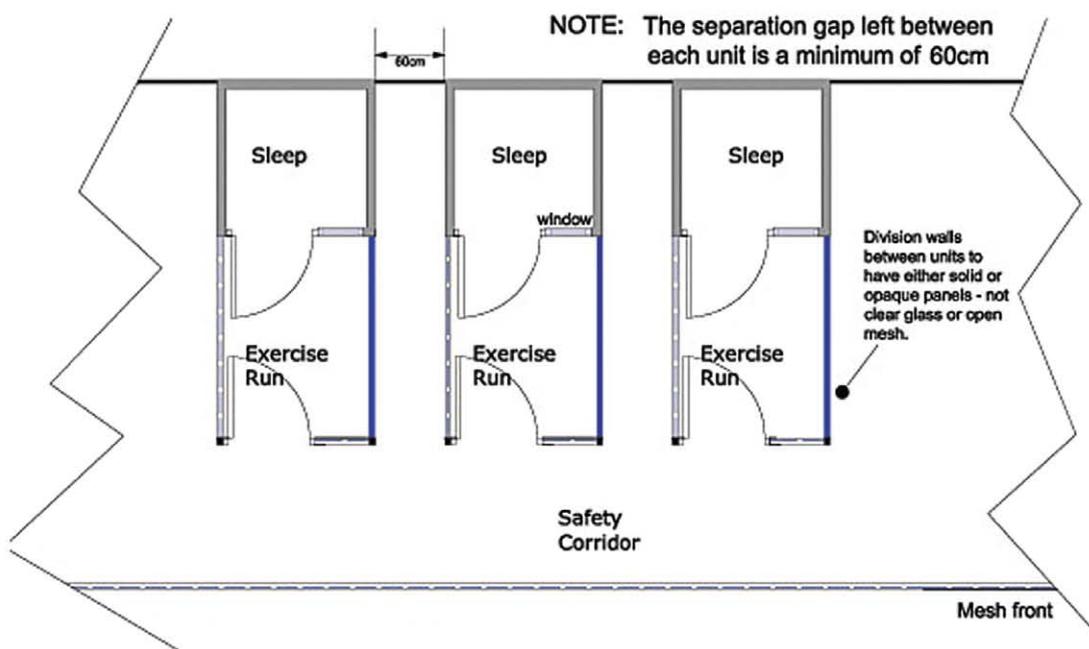
### Cattery construction and principles of design

- The correct design and construction of a cattery is vital to prevent escape, minimise disease spread and stress to the cats, and to make maintenance and hygiene management straightforward and achievable by cattery proprietors.
- For disease control there must be no possibility of cats within the cattery (other than those from the same household), or other animals outside the cattery, coming into direct contact with each other or contacting droplets sneezed out by cats (for further information see Section E – Health and Welfare).
- **Designs MUST include:**
  - Cat units with sleeping accommodation (with solid sides) and an individual attached run.
  - Full height, full width, sneeze barriers between units. Alternatively, some catteries have gaps between units (minimum 0.6 m (see page 27 – New Build).

- An enclosed area (corridor or lobby) outside the cat unit to minimise risk of escape.
- Provision to isolate cats if necessary.
- Ancillary facilities including a separate kitchen with hot and cold running water and refrigeration for food.
- A separate hand-washing facility for staff.
- A litter tray cleaning area.
- A reception area.

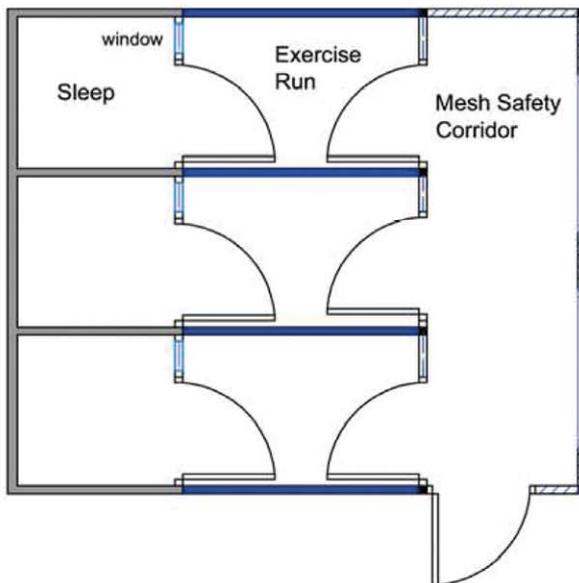
- Cattery design usually falls into three categories with the sleeping accommodation comprising of a full-height walk-in area or a penthouse (see A3):

**Outdoor – catteries with indoor sleeping accommodation and individual covered outdoor exercise runs – accessed individually from a covered outdoor safety corridor.**



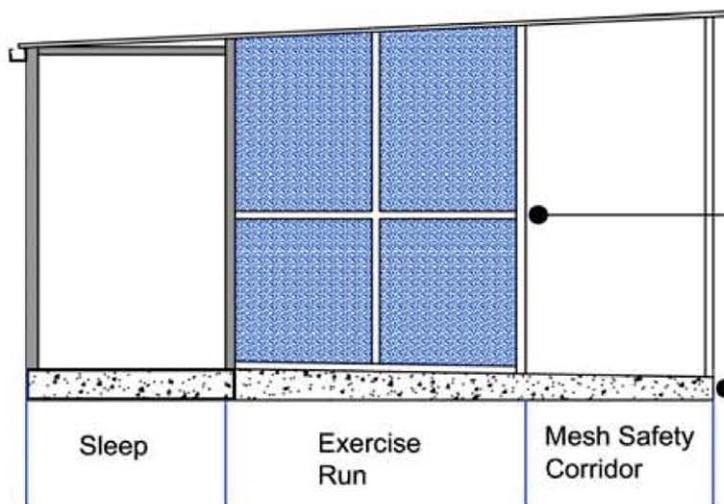
Not to scale

**Semi-outdoor/indoor – catteries with indoor sleeping accommodation and individual covered outdoor exercise runs – usually accessed individually from a common indoor safety corridor.**



Staff access the sleeping and exercise run via the safety corridor in front of the units

Typically the safety corridor has a solid appearance with large opening windows with mesh safety guards to allow light and fresh air into the units

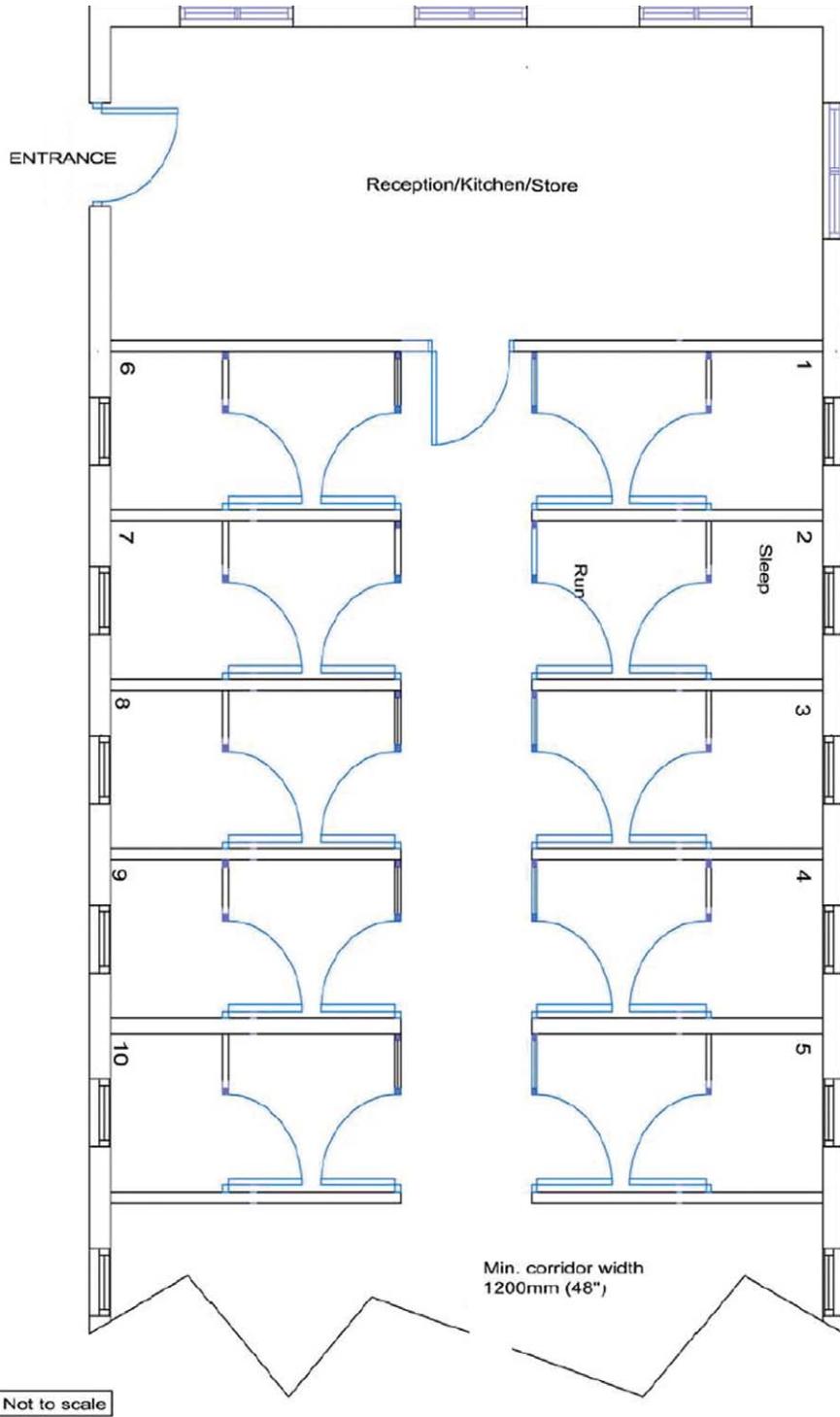


Division walls between units to have either solid or opaque panels – not clear glass or open mesh

Concrete surface laid to fall to allow rain water to drain

2013 minimum size (suitable for up to 2 cats):  
 Sleep – 1.5m<sup>2</sup> (1.2m x 1.25m)  
 Run – 2.2m<sup>2</sup> (1.2m x 1.85m)

**Totally indoor** – catteries with indoor sleeping accommodation and indoor exercise runs – usually accessed individually from a common indoor corridor.



## A.1 Physical construction and integrity

### General

- The cattery must be safe, secure and free from hazards, to minimise any chance of injury to a cat or escape of a cat.

- A.1.1 The cattery must be structurally sound.
- A.1.2 The cattery must be constructed of materials that are robust, safe and durable and be well maintained in good decorative order and repair.
- A.1.3 Materials used in construction or maintenance must not expose cats to any harmful chemicals.
- A.1.4 The cattery must be built in compliance with good building practice (e.g. local authority guidelines), on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
- A.1.5 There must be no sharp edges, projections, rough edges or other hazards which present risk of injury to a cat.
- A.1.6 Windows must be escape-proof at all times.
- A.1.7 Doors must have secure latches or other closing devices.
- A.1.8 All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape-proof structure.
- A.1.9 Timber, if used, must be of good quality, well maintained and any scratched areas sealed or over-clad.
- A.1.10 Any storage areas must be dry and free from vermin.
- A.1.11 Electrical equipment must be installed in line with current legislation and maintained in a safe condition.

### Drainage

- Drainage must be effective to ensure there is no standing water in the cattery, as this can be a reservoir for infectious agents.
- A.1.12 Waste water must not run off into adjacent pens.

A.1.13 Adequate drainage must prevent pooling of liquids.

A.1.14 Any drain covers in areas where cats have access must be designed and located to prevent toes/claws from being caught.

### Safety corridor/entrance lobby

- An enclosed area (safety corridor/entrance lobby) is essential to ensure that if cats manage to slip out from their individual cat unit, they are still kept safely inside the cattery.
- A.1.15 There must be an escape-proof area (safety corridor/entrance lobby) at the exit of each cat unit.
- A.1.16 For catteries where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2 m wide, or the doors of the units must be solid or have sneeze barriers.
- A.1.17 At the end of the safety corridor there must be a securable door through which the inside of the cattery can be viewed from the outside and this must be kept closed when not in use.
- A.1.18 The door from the cat unit to the safety corridor must be escape-proof, securable, strong enough to resist impact and scratching and kept closed at all times.
- A.1.19 The floor must be finished to produce a smooth, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
- A.1.20 Outdoor safety corridors must be roofed.
- A.1.21 External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
- A.1.22 Sufficient lighting must be provided in the safety corridor to illuminate all year round. Where practicable this should be natural light during the day.
- A.1.23 The safety corridor must not be used as an exercise area.

## Roofing

- Roofing provides protection from the weather and prevents escape of cats. In a timber construction it is strongly recommended that the run should also be roofed with wire mesh, as an added precaution against escape. The mesh should extend over the top of the run under the roof and be attached firmly to the framework.

In catteries where substantial roofing is placed over the whole cattery (including the safety corridor) the need for wire mesh roofing is diminished. However, care must be taken to ensure that no gaps appear to allow escape of a cat.

- A.1.24 There must be a safe, secure, waterproof roof over all of the cat units (sleeping accommodation and run) and the safety corridor. For the run, materials used must be capable of filtering UV light and providing adequate shade.

## A.2 Cat units

- A boarded cat is accommodated in a 'unit' comprising enclosed sleeping accommodation and an adjoining individual covered exercise run.

- A.2.1 Cats from different households must not share cat units.

## Lighting

- Lighting enables adequate observation of the animals and for cleaning and working in the cattery.

- A.2.2 There must be adequate lighting in the cat unit.

## Ventilation and humidity

- Fresh air is essential for the maintenance of good health and well-being as well as limiting the spread of infectious disease. Proper ventilation removes heat, dampness, odour, airborne microbes and pollutant gases such as ammonia.

- A.2.3 Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation

must be avoided.

## Interior surfaces

- For disease prevention units must be easy to clean and disinfect.

- A.2.4 All interior surfaces to which cats have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.

- A.2.5 Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.

- A.2.6 Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.

- A.2.7 Ceilings must be capable of being easily cleaned and disinfected.

- A.2.8 Junctions between sections must be covered or sealed.

- A.2.9 Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling).

## Accessing the cat unit

- Each unit needs to be easily accessible and provide a means of identification for each cat.

- A.2.10 Each unit must be designed to allow staff to access and clean all parts of the cat unit safely. (For further information on cleaning see Section E – Health and Welfare).

- A.2.11 The unit must have a securable, full height door for access.

- A.2.12 Each unit must be clearly marked (e.g. numbered) and a system in place which ensures that relevant information about the cat in that unit is readily available.

### Litter trays

- Cats are meticulous animals and a dirty litter tray may deter use. Natural behaviour is to scratch in loose material (litter), to dig a hole or cover waste. The tray should be large enough (average size is 30 x 42 cm (12" x 16")) to let the cat turn around and the litter deep enough (a minimum of 3 cm is recommended) to allow digging activity. Loose sawdust, shredded or sheet newspaper, or soil, are not considered acceptable as litter material.
- A.2.13 Litter trays of a suitable size or type must be provided at all times.
- A.2.14 Each unit must have space to allow for at least 60 cm separation between the litter tray, resting place and feeding area. This allows cats to sit, rest and eat away from areas where they urinate and defecate.
- A.2.15 Trays must be impermeable, easy to clean and disinfect, or be disposable.
- A.2.16 A safe and absorbent litter material must be provided.
- A.2.17 In a multiple cat unit the number of trays must be appropriate to the number of cats (see also D3).
- A.2.18 Trays must be regularly and appropriately cleaned (See section E – Health and Welfare, for information on cleaning protocols, and waste disposal).

### A.3 Sleeping accommodation

- Cats need separate sleeping accommodation which in most cases (except some indoor catteries) must be separate from the run and provide somewhere for the cat to hide away. Most designs fall within the guidelines detailed here:

**Full-height unit** – cat sleeping accommodation in the form of a full-height ‘shed’ which opens into the exercise run and is accessed via a full-height door.

**Penthouse unit** – cat sleeping accommodation in the form of an enclosed raised ‘box’ which opens into the exercise run and is accessed via a ramp from the cat flap.

It can also be accessed by opening the front door(s) to the box.

The sleeping accommodation must be large enough to allow cats to move and lie comfortably and provide enough space to spread resources.



Timber full height walk-in unit



Timber penthouse style unit



uPVC full height walk-in unit



uPVC penthouse style cattery unit

#### Size of full height walk-in unit sleeping accommodation:

- A.3.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m <sup>2</sup>	0.9 m (eg 0.90 m x 0.95 m)	1.8 m
Up to two cats	1.5 m <sup>2</sup>	1.2 m (eg 1.20 m x 1.25 m)	1.8 m
Up to four cats	1.9 m <sup>2</sup>	1.2 m (eg 1.20 m x 1.60 m)	1.8 m

#### Shelving or raised area for a full height walk-in unit

- Shelves or raised areas are important to allow cats to rest high up. Shelving must be able to be kept clean, be large enough for cats to lie on (usually between 0.75 and 1.5 m above the ground) and accessible.

- A.3.2 All resting areas/shelving must be large enough for each cat to lie on.

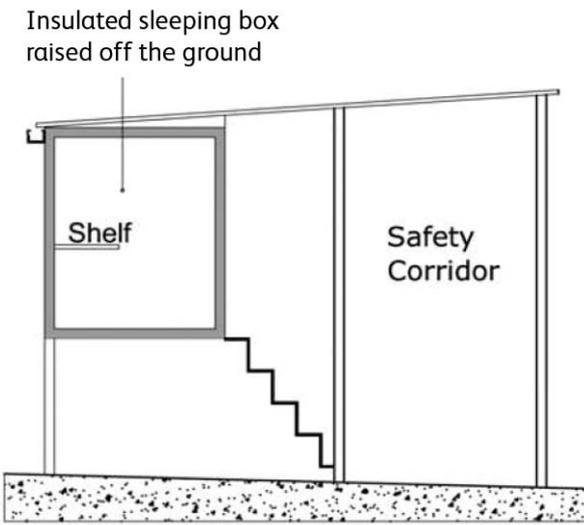
- A.3.3 Facilities must be easily accessible and provide safe easy access to the shelf for elderly, ill, very young or disabled cats if required.

- A.3.4 Shelving or raised areas must be made of impervious, easily cleanable materials.

**Size of penthouse sleeping accommodation (an enclosed boxed sleeping area raised off the ground)**

A.3.5 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

A.3.6 Facilities must be easily accessible and provide safe easy access (ramp/steps) to the penthouse. Extra consideration may be needed for elderly, ill, very young or disabled cats. Existing buildings, floor area and dimensions

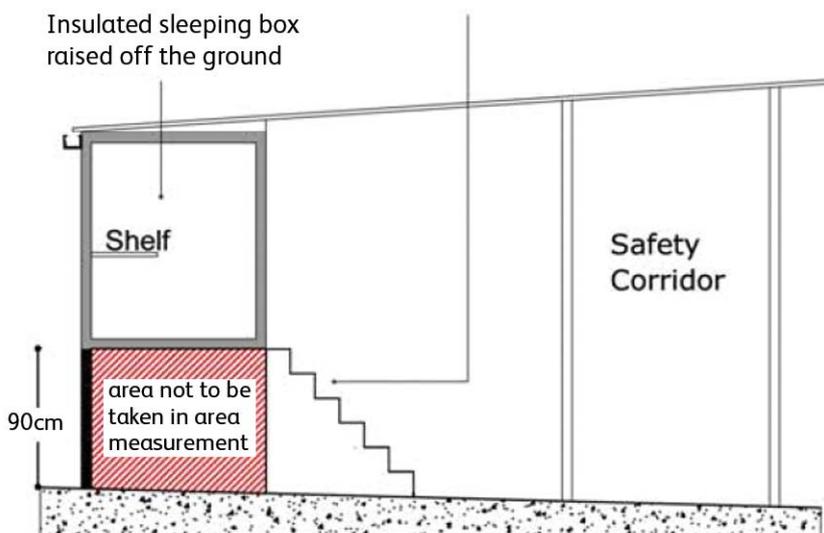


Pre-2013 standard with space under the box taken into the overall footprint allowance

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m <sup>2</sup>	0.9 m (eg 0.90 m x 0.95 m)	1m
Up to two cats	1.1 m <sup>2</sup>	0.9 m (eg 0.9 m x 1.20 m)	1m
Up to four cats	1.7 m <sup>2</sup>	0.9 m (eg 0.9 m x 1.90 m)	1m

Ladder or ramp for cats to gain access into the sleeping unit

FOR NEW BUILD SEE PAGE 29



The 2013 standard requires that a minimum distance of 1.85m is given from the front of the sleeping unit. The space under the sleeping area is not to be taken into the overall footprint allowance for exercise run space

### Temperature in sleeping accommodation

- Cats like warmth and some indoor cats are used to high ambient temperatures. In a cattery the cat needs an adequate ambient temperature and additional heating facilities if this cannot be guaranteed at times of excessively cold weather. Breed, body condition, medical condition, coat and age can affect an individual's ability to maintain its body temperature.

- A.3.7 There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the cat sleeping accommodation.
- A.3.8 Insulation and temperature regulation in the cattery must aim to keep the ambient temperature in the cat sleeping accommodation above an absolute minimum of 10°C.
- A.3.9 There must be part of the cat's sleeping accommodation where the cat is able to enjoy a minimum temperature of 15°C -this additional heat may be in the form of a heated bed/pad etc.
- A.3.10 The cat must be able to remove itself from the source of heat.
- A.3.11 Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to cats or humans, or a risk of fire.
- A.3.12 Open flame appliances must not be used.
- A.3.13 All heating equipment must be installed and maintained in a safe condition.
- A.3.14 Additional forms of heating can be in the form of heated beds, heated pads or similar but these must not be the main source of heat for the cats. Use should be tailored to the needs of individual cats.

A.3.15 Any sockets in the sleeping accommodation must be waterproof and as far out of reach of cats as possible.

A.3.16 There must be a policy in place for dealing with high temperatures and a means of keeping cats cool.

### Bedding

- Bedding is important to help animals regulate their body temperature, to give traction and to keep animals comfortable. Old or infirm cats can have difficulty rising if surfaces are slippery, and old, very young or infirm animals may have difficulty regulating their body temperature.
- A.3.17 There must be a clean resting place to provide comfort and warmth which is situated out of draughts.
- A.3.18 Soft bedding materials must be provided and adapted if necessary for old, young or infirm cats to help regulate their body temperature.
- A.3.19 Bedding must be made of a material that is easy to wash/disinfect, or is disposable.

### Access to run

- A cat flap allows free access to the run while maintaining indoor temperature. It can be locked if necessary.
- A.3.20 A cat must have access between the sleeping accommodation and run (eg a cat flap) so it can easily and safely access all parts of its unit.

**A.4 Exercise run (in addition to and not including sleeping accommodation)**

- The exercise run must be large enough to allow cats to play/exercise.
- A.4.1 Any part of the run to which the cat has access must be easily cleanable and not damaged by scratching. Any replacement wood must be clad with a smooth impervious material.
- A.4.2 The floor must be finished to produce a smooth, impervious surface and all surfaces must be capable of being easily cleaned and disinfected. There must be no open gaps if using concrete slabs or tiling.
- A.4.3 Where cats have access to mesh (catteries with gaps rather than sneeze barriers), the diameter of the wire must not be less than 1.6 mm (16 gauge welded mesh). Mesh size must not exceed 25 mm in one direction and should be positioned on the inside of the framework of runs to prevent damage of uprights by cats scratching any woodwork.
- A.4.4 All exercise runs must be roofed to provide protection from the elements.
- A.4.5 Communal exercise areas must not be used.

**Size of exercise run for full height walk-in unit and penthouse style unit**

- A.4.6 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	1.65 m <sup>2</sup>	0.9 m (eg 0.90 m x 1.85 m)	1m
Up to two cats	2.2 m <sup>2</sup>	0.9 m (eg 1.20m x 1.85 m)	1m
Up to four cats	2.8 m <sup>2</sup>	1.20 m (eg 0.9 m x 2.35 m)	1m

FOR NEW BUILD SEE PAGE 29

**Sneeze barriers**

- It is important to ensure that cats from different households cannot come into direct contact with one another or sneeze on each other.
- A.4.7 Full height, full width solid sneeze barriers must be installed between cat units.
- A.4.8 Sneeze barriers must be in place on the end walls of the exercise run at each end of the cattery block to prevent contact with animals from outside.

**Shelving or raised areas in exercise run**

- Shelves or raised areas are important to allow cats to rest high up where they feel more secure (usually between 0.75 and 1.5 m above the ground).
- A.4.9 Shelving must be made of impervious, easily cleanable materials.
- A.4.10 There must be a shelf or facility for providing a raised area in the exercise area.
- A.4.11 All resting areas/shelving must be large enough for each cat to lie on.
- A.4.12 Extra help (eg steps) to provide safe easy access to the shelf for elderly, ill, very young or disabled cats must be available if required.

## A.5 Fire and other emergencies

- Appropriate steps will be taken for the protection of the animals in case of fire and other emergencies.
- This should include instructions on where staff and cats are to be evacuated to in the event of emergencies such as fire or flooding. An emergency telephone list should include fire, police and vets.
- Fire and electrical safety certificates should be available for inspection.

- A.5.1 There must be a written emergency plan (agreed by the local authority) which must be on display and known to staff and a contingency plan should the premises be destroyed or uninhabitable.
- A.5.2 Premises and activities must be risk assessed (including fire). These risk assessments must be recorded and relayed and understood by all staff.
- A.5.3 Fire fighting equipment must be provided, maintained in good working order (maintenance must be evident and should show date checked) and easily accessible.
- A.5.4 Fire exits must be clearly marked and access left unrestricted.
- A.5.5 The premises must comply with current legislation with regards to electricity and gas (if connected).

A model Emergency and Evacuation Plan is attached as Annex B.

## Section B – Diet: Providing the cat(s) with an appropriate diet

Fresh clean water and a suitable diet are basic nutritional requirements for physical health.

### B.1 Drinking

- Water is essential for all cats. It is especially important for those fed on dry food. Cow's milk should not be fed to cats because many cats have lactose intolerance. Wide water bowls allow cats to drink without bending their whiskers.

- B.1.1 Fresh water must be available at all times. Clean water must be provided daily in a clean container or changed sooner if it is visibly soiled.
- B.1.2 Food and water must be kept separate (Joint feeding and water bowls must not be used).
- B.1.4 Water must be positioned well away from the litter tray, as cats will not drink if it is placed too close to a toilet site (see also D.3).
- B.1.4 Adequate water bowls must be provided for multi-cat units (see also D.3).
- B.1.5 Water bowls must be non-porous and easy to clean/disinfect.

### B.2 Eating

- Cats have very specific dietary needs which can vary, dependent on a number of factors (i.e. age, health status, activity, weight). However, all cats are obligate carnivores and require a well-balanced, meat-based diet to stay fit and healthy. Ideally cats should be fed several small meals per day. Kittens, or cats with additional needs, will need more frequent feeding. The feeding of raw food diets is not recommended due to the risk of bacterial and parasite contamination and the public health risk. Cats should not remain inappetent (not eating) for longer than 2 days without seeking veterinary advice.

- B.2.1 There must be exclusive facilities, hygienically constructed and maintained, for the storage and preparation of food for the cats.
- B.2.2 Refrigeration facilities must be provided.

B.2.3 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels.

B.2.4 Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof

B.2.5 Cats must be fed a balanced diet suitable for their age, health status, reproductive status and lifestyle. The type of food, specific diet or prescription diet is usually by agreement with the owner.

B.2.6 Food must be unspoilt, palatable, and free from contamination.

B.2.7 For healthy adult cats at least two meals a day must be offered at a minimum of 8 hours apart, as appropriate to the individual's requirements.

B.2.8 Unconsumed wet or fresh food must be removed before it deteriorates, and before the next feed time. Dry food can be fed as indicated by the manufacturer.

B.2.9 Food must not be left for excessive periods to prevent it being spoiled and attracting flies. This will vary with temperature conditions and type of food.

B.2.10 All food must be positioned well away from the litter tray, (minimum 60cm), as cats will not eat if it is placed too close to their toilet site.

B.2.11 One feeding bowl must be provided per cat.

B.2.12 Food bowls must be non-porous and easy to clean and disinfect, or disposable.

B.2.13 Food intake must be monitored daily and any problems recorded.

B.2.14 Veterinary advice must be followed if feeding debilitated, underweight or ill cats, or those with specific dietary requirements.

B.2.15 Cats displaying marked weight loss/gain must be evaluated by a vet and treated as necessary.

## Section C – BEHAVIOUR: Allowing the cat(s) to express normal behaviour patterns

Good welfare depends on meeting both the mental and behavioural needs of cats, as well as their physical needs. How a cat behaves can indicate how successfully an individual is coping in its environment.

### C.1 General points on cat behaviour

- Physical and mental health can affect cat behaviour. Cats are intelligent active creatures but changes can upset them, as can being off their own territory. Some cats can become stressed or bored in a boarding situation. This can lead to poor appetite, shedding viruses or greater susceptibility to disease. Staff should be appropriately trained to recognise common behaviours and behaviour changes. A cat should never be punished as this is likely to make it more nervous or scared. A regular routine will help cats to predict what is going to happen.
- Ideally cats should be able to view the outdoors and have an interesting outlook.

C.1.1 The behaviour of individual cats must be monitored on a daily basis and abnormalities or changes noted and acted upon if necessary.

C.1.2 Cats must be able to access different levels within the unit (see A.3 for more information).

C.1.3 Cats must be given the opportunity for play and exercise.

### Hiding places

- Hiding is a behaviour that cats can use to help them cope with changes in their environment. Cats hide to avoid interactions with other cats or people, or stressful situations. Providing cats with places to hide can reduce stress and can be as simple as providing a cardboard box, an igloo-type bed or other structures within the unit.

C.1.4 A hiding place must be provided for cats in the sleeping accommodation (see also D.3).

### Play

- Encouraging cats to play can be a good way of keeping them active.
- Cats are playful animals (but individuals vary in their desire to play) and enjoy playing with toys (especially those which mimic prey), and with people. Cats have a need to express the innate predatory behaviour which is natural for them and therefore show most interest in toys that mimic prey.
- Environmental enrichment such as changing toys regularly, can reduce boredom.

C.1.5 Any toys provided must be safe and be disinfected between use in the cattery, or disposed of. If provided by the owner toys must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay.

### Scratching

- Cats are highly motivated to show scratching behaviour and naturally use objects to scratch to mark their territory, strengthen their muscles and sharpen their claws. Cats often prefer scratch posts tall enough for the cat to use fully stretched.

C.1.6 Cats must be provided with suitable facilities for scratching.

C.1.7 Any surface available for scratching must either be disinfected between use for different cats, or disposable. If provided by the owner it must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay. (See Section E -Health & Welfare).

## C.2 Noise

- Cat hearing is more sensitive than human hearing and thus noise levels uncomfortable for humans are likely to be very uncomfortable for cats. Excessive noise contributes to adverse behavioural and physiological responses. Cats are adversely affected by the sound of barking dogs.
- The cattery environment should be as calm and quiet as possible with noise producing equipment located as far away from animals as possible.

C.2.1 Cats must not be exposed to excessive noise of barking boarded dogs or other excessive/continuous noise.

## C.3 Long stay cats

- Occasionally cats stay in a boarding cattery for periods over 3 weeks and these cats require special consideration such as environmental enrichment, regular health checks and extra attention from staff.

C.3.1 A Standard Operating Procedure (SOP) must be in place explaining how to ensure the health and welfare of long-term stay cats.

## Section D – COMPANY: Providing the cat(s) with the appropriate company

It is important from a welfare perspective to ensure that any need that a cat has to be housed, with or apart from, other animals, is met. The cat is by nature a solitary animal, and contact with or seeing unfamiliar/strange cats can be very stressful.

### D.1 Feline company and interactions

- Most adult cats will only be friendly to siblings or certain other cats they live with. Strange cats are usually avoided. Cats can find the presence of other cats very stressful and can suffer if they cannot avoid cats with whom they are not familiar or do not like. Housing cats at high densities increases the potential for them to be stressed. Only cats from the same household may share a unit.
- Where possible cats must be able to avoid seeing other cats by being provided with hiding places and translucent (allowing light to pass through, but only diffusely, so that objects on the other side cannot be clearly distinguished) barriers between units. (See page 29 – New Build).

D.1.1 Cats from different units must not share exercise runs or an exercise area either at the same time or sequentially.

### D.2 Human company and interactions

- Most cats enjoy and benefit from human company, but prefer to interact with people on their own terms. Cats socialised to humans can find human company stimulating and may show signs of stress when this interaction is decreased. However, other cats will prefer minimum contact.
- Cattery staff should find out from the owner and monitor each cat to ascertain how much human contact it wants and adapt to provide this.
- A cat should never be forced to interact with a person/people, and a facility should be provided for a cat to avoid people should they wish. (Ref to hiding place).

- Scruffing of cats (picking up a cat by the scruff of its neck) should not be done except as an absolute last resort.

D.2.1 Cats must be always be handled humanely and appropriately to suit the requirements of the individual cat.

### D.3 Multi-cat units

- Proprietors have a responsibility to monitor units where more than 1 cat is housed. Even though these cats originate from the same household, cats sharing a home may not necessarily get on well, especially when confined. Therefore proprietors must monitor cats to ensure that they are not experiencing stress/distress/aggression from another cat. Only cats from the same household can share a unit.

D.3.1 For any multi-cat unit (cats from the same home) cats must be monitored and consent obtained from the owner for separating cats, should problems arise (e.g. cats fighting or 'stressed').

D.3.2 There must be multiples of all resources (food and water bowls, litter trays and sleeping areas (warmed if required), depending on the number of cats, to ensure that some cats cannot monopolise resources and prevent the others from accessing them.

D.3.3 A separate bed must be provided for each cat.

D.3.4 A separate hiding place must be provided for each cat eg a cardboard box, igloo bed.

D.3.5 Separate feeding bowls (not double feeders) must be provided for each cat.

D.3.6 Several sources of water must be provided if multiple cats are housed.

## Section E – HEALTH AND WELFARE: Protecting the cat(s) from pain, suffering, injury and disease

Many points covered under the previous four sections (A – D) can be considered to relate to Section E and assist in protecting cats from pain suffering, injury and disease.

### E.1 Monitoring cats

- In order to keep cats healthy the proprietor needs to have an organised system for registering and monitoring all cats at the cattery.
- It is recommended that a late-night round be carried out to check on all cats, heating etc.
- The well-being of the boarded cat is paramount. It is recommended that all cats are weighed on entry and exit from the cattery. This allows the proprietor to monitor any changes and provides information should clients challenge the cat's condition on their return. This is especially important for older cats and kittens. Geriatric, ill or debilitated cats should also be monitored more closely for appropriate management.
- It is recommended that cats that are boarded for longer than 2 weeks are weighed every 2 weeks, and older cats and kittens weighed weekly, and records kept.

E.1.1 All cats must be observed regularly throughout the day. Cats must be checked daily for signs of illness and/or injury and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.

E.1.2 The cattery proprietor or responsible person must visit the cats at regular intervals (of no more than 4 hours apart during the working day), or as necessary for the individual health, safety and welfare of each cat.

E.1.3 Presence or absence of faeces and urine in trays must be noted daily. Any signs of abnormalities in excreta must also be noted or acted upon as appropriate.

E.1.4 Drinking and eating habits must be monitored and any problem investigated. (Refer back to Section B).

### E.2 Keeping records

- A register must be kept of all cats boarded and available to key members of staff and to local authority inspectors if requested. Records should be backed up and records kept for a minimum of 24 months. It is also useful to know if cats are insured, should problems occur.

The information kept must include the following:

E.2.1 Date of arrival and departure.

E.2.2 Name, sex, description of cat and microchip number.

E.2.3 Number of cats sharing from same household.

E.2.4 Name, address, phone number and email of owner (including emergency contact details).

E.2.5 Name, address, email and phone number of emergency local contact (who is able to take the cat if necessary).

E.2.6 Cat's veterinary surgeon.

E.2.7 Cat's diet and relevant requirements.

E.2.8 Cats' relevant medical history.

E.2.9 Consent forms eg veterinary treatment, consent to share or separate cats if needed, record of baskets/toys etc left at the cattery (Check vet consent forms i.e. own vet or designated vet if not in area).

E.2.10 Record of vaccination.

E.2.11 Any medical treatment must be recorded and visible to prevent mis-dosing.

### E.3 Disease control

- Cats are vulnerable to a range of serious infectious diseases, therefore disease control and rapid response to any signs of illness is critical.
  - The potential for infectious disease problems escalates where many cats are kept together and a cat's immune system can also be affected by stress.
  - As outlined elsewhere, construction materials and equipment need to be easy to clean and disinfect (see Section A).
  - No cats should be allowed in the safety corridor or to share an exercise area (unless they come from the same household).
  - Infectious agents are spread in various ways –
    - Feline leukaemia virus (FeLV) and feline immunodeficiency virus (FIV) need direct contact between cats, which should be impossible in the boarding situation.
    - Cat flu viruses such as feline herpesvirus [FHV], feline calicivirus [FCV], and other respiratory pathogens such as *Bordetella bronchiseptica*, are spread in sneeze droplets, on hands, clothes, shoes, equipment and environment.
    - Feline parvovirus (aka feline infectious enteritis (FIE)) can be spread on hands, clothing and shoes, litter trays and environment, and can remain in the environment for a long time.
  - The source of feline parvovirus (FIE) is faeces from an infected cat and several other agents are spread via contact with other cats' faeces/litter trays and include Coronavirus, Salmonella and Campylobacter etc.
- Ringworm spores can remain infectious in the environment for prolonged periods of time.
- Preventing cat-to-cat contact, ensuring excellent hygiene protocols and management protocols to minimise stress can reduce the risk of disease spread.
  - The movement of people through the cattery should be minimised and supervised.

- If rescue cats are boarded, these should be handled last.
- E.3.1 Where work with rescue cats or breeding cats is also undertaken, this must be kept completely separate, and extra precautions taken to prevent the spread of disease.
- E.3.2 When there is any cause for concern regarding the health status of a cat, that cat must be handled last and the unit must be cleaned after all the others.
- E.3.3 Cats must remain in their assigned unit and not be moved to other units (rotation) or to a holding unit for cleaning purposes, except for moving to an isolation facility.
- E.3.4 Standard operating procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.
- E.3.5 Facilities must be provided for the proper reception, containment and disposal of all waste and meet with local authority approval.
- E.3.6 Isolation facilities must be available (see E.6).

### E.4 Hygiene practices

- Proper cleaning and disinfection helps to reduce the spread of infectious disease to both animals and people. Cats are particularly susceptible to poisoning from phenolic compounds (those that turn cloudy when added to water), therefore these must not be used.

#### Cleaning and disinfectant products

- E.4.1 Products must be suitable to use and effective against the pathogens, (especially feline parvovirus (FIE) and ringworm)) for which the cats are at risk and under the conditions present in the environment in which they are used.
- E.4.2 Cleaning agents and disinfectants must be non-toxic to cats.

E.4.3 The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account.

Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection products must be followed. Standing water must not be allowed to accumulate in areas around the cat units due to the possibility of pathogens residing in these moist environments.

#### Cleaning and disinfecting routines for units when cats are resident

- Litter tray hygiene is very important as cats may refuse to use trays if they are soiled; faeces is also a high risk source of infection for some feline diseases.
- Cats prefer clean, comfortable dry bedding. Bedding should not be a source of infection.
- Cats can ingest infective agents from dirty dishes and may excrete viruses themselves in saliva. Clean and disinfected dishes reduce the risk of disease.
- On a daily basis (and more often if necessary) the unit needs to be spot cleaned and any obvious food or waste removed, and all excreta and soiled material removed from all areas used by cats.
- Litter trays need to be cleaned and disinfected in a separate area away from food preparation.
- Food and water dishes need to be cleaned and disinfected, and not at the same time in the same sink or area as litter trays or other items soiled with body waste.

If only one sink is available, strict protocols need to be in place between use to ensure adequate disinfection after cleaning litter trays and before cleaning dishes, as faeces is the major source of many infective pathogens. Sinks need to be disinfected thoroughly between uses.

E.4.4 There must be cleaning and disinfection routines in place for day-to-day management of the cats and for ensuring a cat unit and all equipment is cleaned and disinfected effectively before a new cat comes in.

E.4.5 Each unit must be supplied with its own dustpan, brush and scoop, to be used exclusively in, and kept in that unit, until departure of the cat, and then cleaned and disinfected before re-use, or disposed of prior to the next resident.

E.4.6 Litter trays must be emptied and cleaned and disinfected at least once a day, or more frequently as necessary.

E.4.7 Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.

E.4.8 Drinking vessels must be changed/cleaned and disinfected at least once a day.

E.4.9 Grooming equipment must either be cleaned and disinfected between use on different cats, or be disposable. If provided by the owner, it must only be used on that cat and must be sent home with the cat.

E.4.10 Toys and scratch posts must be cleaned and disinfected between use for different cats, disposed of, or returned to the cat's owner (if they came in with the cat).

#### Handling cats

- Hand sanitiser dispensers should be available in all cat care areas and should only be used on clean hands. It should be noted that hand sanitisers are ineffective against some of the more dangerous pathogens (eg calicivirus) and cannot be relied upon as the sole means of hand sanitation. Washing of hands thoroughly or wearing of gloves is preferable.
- Fresh protective garments should be worn when handling vulnerable individuals. Kittens and young cats should be handled before adult cats.

E.4.11 Hygiene protocols must be observed between handling cats. Hands must be washed/ disinfected or hand sprays or alcohol gel used between handling of each cat.

E.4.12 Protective garments must be changed and laundered with an appropriate disinfectant/ disposed of immediately after handling a cat with a suspected infectious disease.

### E.5 Vaccination, fleas, worms and other parasites

- There must be a policy for cats coming to the cattery having vaccinations against appropriate diseases (Occasionally there will be veterinary advice on a specific cat regarding vaccination and its health status and this should be taken into account).
- If owners have treated their cats for worms and fleas before entry to the cattery, the proprietor should note when this occurred and what products were used.

- E.5.1 An up-to-date veterinary health record must be seen to ensure that cats boarded have current vaccinations against feline parvovirus (feline infectious enteritis) (FIE)) and against feline respiratory viruses (feline herpesvirus and feline calicivirus).
- E.5.2 Vaccination (including boosters) must have been completed, at the very least, 2 weeks before the cat's arrival in order to ensure maximum protection.
- E.5.3 Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.

### E.6 Isolation facilities

- All establishments must have a means of providing isolation that will allow for the care of sick cats which develop signs of infectious diseases, to minimise the risk to other cats. How this is physically provided (ranging from being able to shut off an end unit of the cattery and using a separate door, to having a separate building) may vary. In many catteries the cat is taken straight to the vet (catteries are advised to check with the vet whether this service is available). If not, isolation protocols (below) must be observed.

- E.6.1 The area must provide separate, self contained facilities for the isolation of suspected infected cats and must have a separate entrance to the rest of the units.
- E.6.2 Separate cleaning supplies and clothing must be designated for the isolation area and other cattery sections.

E.6.3 Protective clothing and footwear must be worn when handling cats in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.

E.6.4 Hands must be washed/disinfected between handling cats.

E.6.5 Separate feeding and water bowls, litter trays, litter, a dedicated safe cat basket, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use.

E.6.6 Any cats in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other cats.

E.6.7 A Standard Operating Procedure (SOP) for barrier nursing and information must be provided for staff.

E.6.8 Should a cat need to be removed from its unit, it must be carried in a secure and disinfected cat carrier, and the carrier disinfected after use.

E.6.9 In emergency cases, such as admission of unvaccinated cats because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

### E.7 Veterinary treatment and health care

- Access to veterinary care is vital for the cat, should it be required.
- If medication is necessary, it should only be used for the cat for which it is prescribed and following a veterinary surgeon's instructions.

E.7.1 A veterinary practice must be appointed for the establishment. The name, address and telephone number of the establishment's veterinary service must be displayed in a prominent position for staff.

E.7.2 Where cats require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the cat clean and comfortable providing it is safe to do so.

E.7.3 When a cat is suspected of being ill or injured (staff should be trained to recognise when a cat requires veterinary care), a veterinary surgeon must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be strictly followed with further advice sought if there is ongoing concern.

E.7.4 Medicines must be stored safely, securely, at the correct temperature and labelled correctly according to manufacturer's instructions. Any unused medications must be returned to the owner or prescribing vet.

#### E.8 Holding units for temporary housing

- Routine use of holding units is not recommended as they are small (minimum size should be 1 m in each dimension) and are an additional source of cross infection to cats.
- Holding pens should only be used in exceptional circumstances ideally for no longer than 12 hours and not in areas where other cats are housed.
- The licensed capacity of the cattery does not include holding pens.

E.8.1 If, in an emergency, holding units/pens are used, they must not be sited in the reception.

E.8.2 Cats must be provided with a bed, litter tray, food and water.

#### E.9 Transportation of animals

- Transportation can increase risk for cats, both of disease (from unclean vehicles or carriers) or of escape. A vehicle can be viewed as an extension of the premises and therefore the same principles of hygiene, care and disease control apply. If the journey is long, appropriate resources must be provided.

E.9.1 Any transport legislation must be complied with.

E.9.2 Cats must be secured in durable carrying baskets any time they are transported/carried outside the cat unit (A spare cat carrier should be kept at the cattery for situations where owners do not arrive with their cat in a secure carrier).

E.9.3 All vehicles and equipment must be kept clean and disinfected after each collection or delivery.

E.9.4 Cats must not be left in vehicles except for transportation.

## SECTION F – New Build

As knowledge and materials change, recommendations for better construction and care can change. For anyone undertaking a new build cattery the following advice and recommendations must be followed. When replacing (or adding to) parts of an existing cattery, new build must be followed.

### NB.1 Cat units

- Previous smallest size units (for 1 cat) are considered difficult to clean and manage efficiently.
- Having 2 cat size units gives much greater flexibility for the cattery.

#### NB.1.1 Sleeping accommodation sizes

For new build the smallest unit must be large enough for up to 2 cats and to allow for adequate staff space for cleaning.

- Penthouse accommodation has a number of drawbacks in the cleaning and management of the cat and the units:
  - Cleaning adequately under the box can be difficult.
  - The box must not be too deep or the internal height of the sleeping box too high, in order to be able to clean it.

- Cleaning inside the sleeping box can be difficult and health and safety issues arise if the person doing the cleaning has to climb on a stool or climb into the box to reach the top or back.
- Cats in the box are at face height which could be potentially dangerous with an aggressive cat.
- Very young, old/infirm or disabled cats may find the ramp difficult /dangerous. It is advisable to have at least one full height unit for use for blind, old, infirm or severely disabled cats, or suitable provision made for these cats.

Full height, walk-in units – floor area and dimensions			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	1.5 m <sup>2</sup>	1.2 m (eg 1.2m x 1.25 m wide)	1.8 m
Up to four cats	1.9 m <sup>2</sup>	0.9 m (eg 1.2m x 1.6 m wide)	1.8 m

### In new build

NB.1.2 Penthouse accommodation measurements for the exercise run must be taken from the front of the sleeping accommodation/box, not under the box.

NB.1.3 When measuring floor area, shelving areas must not be included.

NB.1.4 The box must be 0.9 m off the ground both to enable the area underneath to be cleaned effectively, and to enable a person to reach inside to clean the walls and ceiling of box.

Penthouse accommodation – floor area and dimensions			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	1.1 m <sup>2</sup>	0.9 m (eg 0.9 m deep x 1.2 m wide)	1.8 m
Up to four cats	1.7 m <sup>2</sup>	0.9 m (eg 0.9 m deep x 1.9 m wide)	1.8 m

### Exercise area sizes

Full height, walk-in units and penthouse accommodation			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	2.2 m <sup>2</sup>	1.20 m (eg 1.2 m x 1.85 m)	1.8 m
Up to four cats	2.8 m <sup>2</sup>	1.20 m (eg 1.20 m deep x 2.35 m)	1.8 m

### Sneeze barriers

In new build sneeze barriers must be at a minimum, translucent (Allowing light to pass through, but only diffusely, so that objects on the other side cannot be clearly distinguished) to reduce stress caused by cats seeing one another. Opaque barriers are acceptable but may cut down on the light entering the cattery.

### Gaps between units

Where gaps between units are used as disease control, one side of the gap must have a full height, full width translucent sneeze barrier.

### Hygiene facilities

In new build there must be separate sinks for cleaning of litter trays and feeding utensils.

### Materials

In new build any wood to which the cat has access must be clad with an impervious smooth material to prevent damage and make cleaning and disinfection easier.

### Noise

If a new cattery is being built near existing kennels serious consideration must be given to positioning of the building to minimise the level of noise from the dogs which can be very stressful to cats.

# Annex A

## LICENCE CONDITIONS INSPECTION SHEET FOR CAT BOARDING ESTABLISHMENTS

LICCENCE CONDITIONS INSPECTION SHEET FOR CAT BOARDING ESTABLISHMENTS										Tick boxes ✓/x
Name of Cattery	Date of Inspection		Boarding		Rescue	Breeding				
Address of Cattery	Person seen	Signature		Part Inspection	Full Inspection	Overall score				
	Inspectors name(s)	Cattery Vet details displayed					Accident Book (H&S)	Emergency Contact displayed		
Licence on Display	Insurance	Pest Control policy/contract								
Has copy of Licence Con & Legislation	Register and Back up									

Outdoor Cattery	Indoor Cattery	Semi-outdoor/indoor	Full height Unit (walk-in)	Penthouse Style Unit	Home boarding
Timber	PVCu	Fibreglass	Other	Number Units	

## Index

Identification code	Section	Range	Score	Range	Score
A	Environment	Cattery Unit: Drainage: Exercise Run: Fire/Emergency: Interior Surfaces: Lighting: Litter Trays: Roofing: Safety C: Sizes: Sneeze Barriers and Shelving: Temperature: Ventilation			
B	Diet	Drinking: Eating: Refrigeration: Storage of foods: Washing equipment			
C	Behaviour	Scratching: Long stay cats: Environmental enrichment: Toys:			
D	Company	Multi-Cat Units: Monitoring: Shared cats			
E	Health and Welfare	Cleaning: Disease Control: Hygiene Practices: Holding Units: Isolation: Monitoring Cats: Records/S.O.Ps: Register: Transport			
Rating	0	Does not meet the minimum standard			
Rating	1	Meets standard, but with noticeable limitations			
<b>Rating</b>	<b>2</b>	<b>Meets the standard</b>			
Rating	3	Exceeds the standard			
		0 - 56	0	114 - 170	2
		57 - 113	1	171+	3
N/A = 2					

# Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Records	A.5.1/2	Written emergency plan and risk assessment					
Records	C.3.1	Long stay cats S.O.Ps					
Records	D.3.1	Multi-cat unit consent					
Records	E.1	Monitoring cats					
Records	E.2	Register and Back-up					
Records	E.3.4	S.O.Ps					
Records	E.5.1 - E.5.3	Vaccinations					
Records	E.6.7	Barrier nursing S.O.Ps					
Records	E.7.1	Veterinary details/displayed					
Records	A.5.1 - A.5.5.5	Fire and other emergencies					
Records	A.3.7	Temperature records					
Records	D.2.1	Monitoring of cats for human contact					
Records	D.3.1	Multi-Cat Unit consent					
Kitchen/Eating	B.2.1	Exclusive facilities					
Kitchen	E.3.2	Cleanliness					
Kitchen/Eating	B.2.2	Refrigeration					
Kitchen/Eating	B.2.3	Washing equipment					
Kitchen/Eating	B.2.4	Storage of foods					
Kitchen/Eating	B.2.5 – B.2.7	Feeding regime					
<b>Page Total</b>							

# Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Cattery Unit	A.1.1 – A.1.4	Sound and safe construction					
Cattery Unit	A.3.1, A.3.5 – A.3.6	Sleeping accommodation sizes					
Cattery Unit	A.1.5	Sharp edges/Other hazards					
Cattery Unit	A.1.6 – A.1.8, A.2.12	Secure windows, doors & fencing					
Cattery Unit/Drainage	A.1.12 – A.1.14	Drainage/Drain covers					
Cattery/safety corridor	A.1.15	Escape-proof area					
Cattery/safety corridor	A.1.16 – A.1.18,21	Corridor width/secure doors					
Cattery/safety corridor	A.19	Flooring					
Cattery/safety corridor	A.1.22	Lighting					
Cattery/Sneeze B	A.4.7 – A.4.8	Sneeze Barriers					
Cattery/Roofing	A.1.24	Safe and Waterproof roofing					
Cattery/Lighting	A.2.2	Adequate lighting					
Cattery/Ventilation	A.2.3	Ventilation/Draughts					
Cattery/Interior	A.2.4 – A.2.10	Good repair, clean & sealed joints					
Cattery/Accessing	A.2.1, A.2.12	Sharing Units/Numbered Units					
Cattery/Temperature	A.3.7	Max-Min Thermometer					
Cattery/Temperature	A.3.11 – A.3.14	Safe Appliances					
Cattery/Temperature	A.3.15	Waterproof sockets					
Cattery/Bedding	A.3.17 – A.3.19	Bedding materials					
Cattery/MultiCat Units	D.3.1 – D.3.6	Facilities and monitoring of multi-cat units					
<b>Page Total</b>							

# Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Cattery/Litter Trays	A.2.13 – A.2.18	Suitable litter tray cleanliness & position					
Cattery/Shelving	A.3.1 – A.3.4	Sleeping accommodation and shelving					
Cattery/Exercise Run	A.4.6	Exercise Run sizes					
Cattery/Exercise Run	A.3.20	Access to Run					
Cattery/Exercise Run	A.4.1 – A.4.4	Clean and secure Run					
Cattery/Exercise Run	A.4.9 – A.4.12	Shelving in Run					
Cattery/Scratching	C.1.6 – C.1.7	Scratching Posts					
Cattery/Behaviour	C.1.6	Toys/Environmental enrichment					
Cattery/Behaviour	C.1.4	Hiding places					
Cattery/Company	D.1.1	Cats from different households					
Cattery/Hygiene	E.4.1	Cleaning products					
Cattery/Cleaning	E.4.5	Dust pan, brush and scoop					
Handling Cats	E.4.11 – E.4.12	Hygiene protocols and protective garments					
Health Care	E.7.3 - E.7.4	Veterinary instruction/legislation					
Holding Units	E.8	Facilities					
Isolation	E.6.1 – E.6.5	Cleanliness and procedures for use					
Transport	E.9	Use of vehicles for transportation					
<b>Page Total</b>							
<b>OVERALL SCORE</b>							

# Annex B

## Emergency and Evacuation Plan

### Introduction

All appropriate steps will be taken for the protection of the cats in case of fire or other emergency; Animal Boarding Establishments Act 1963 section 1 (3) (d).

There should be an Emergency Evacuation Plan (EEP) and fire warning procedure in place. This should be posted where staff may become familiar with it. This procedure should include instructions dealing where cats are to be evacuated to and contingency for their accommodation/care if the premises are rendered unsafe or unsuitable.

Prior to formulating an Emergency and Evacuation Plan carry out a Fire Risk Assessment (FRA) to identify any potential fire risk hazards within your establishment.

Emergency situations and the requirement to evacuate from the establishment can arise from a number of situations like; Fire, Flooding, Damage to building, Power failure and disease.

Being prepared and planning a simple but well understood procedure to be carried out in the event of an emergency is essential to offer maximum protection for you, your staff and the animals in your care. This need not be a lengthy document but should include a plan of the site giving exit points, location of telephone, emergency equipment (fire extinguishers and storage of baskets/cages) RVP and designated holding area for cats. The emergency contact details of a supervisor or the proprietor and the establishments Veterinary Surgeon should also be displayed.

Fire fighting equipment and detectors must be properly maintained. All electrical installations and appliances must be maintained in a safe condition. There should be a residual current circuit breaker system on each cattery block for the premises. Heating appliances should not be sited in a location or manner where they may present a risk of fire/risk to cats. Precaution should be taken to prevent any accumulation of material which may present a risk of fire.

### Fire Risk Assessment

1. Identify potential fire risk hazards in the workplace
2. Decide who might be in danger (staff, Visitor, animal) in each area
3. Evaluate the risks arising from hazards and what can be done
4. Record your findings
5. Keep assessment under review

There should be adequate means of raising an alarm in the event of a fire or other emergency. In the event of a fire breaking out within your establishment, remember that your safety and those of your staff is of prime importance and no risks should be taken which may compromise any person's safety. No task in tackling the fire or evacuating animals should be undertaken unless it is safe to do so.

### Upon Discovery of Fire

- Leave fire area immediately
- Close all doors behind you
- Alert occupants of building by sounding alarm (if present) or yell "Fire"
- Telephone Fire and Rescue Services dialling 999 from a safe location
- Evacuate animals when it is safe to do so to the designated holding area
- Use exit to leave building

### Upon Hearing of a Fire Condition

- If safe, staff can assist with evacuating animals /occupants
- Leave building via nearest safe exist
- Close doors behind you
- Remain Calm
- Proceed to the designated RV area

### Fire and Evacuation Action Plan

<b>Planning Your Escape</b>	<p>You only have a short time to get out so prepare a plan of escape in advance rather than waiting until there is a fire or evacuation of the establishment. Think of another way out in case the normal route is blocked.</p> <p>Know where door and window keys are kept.</p> <p>Know where spare baskets/ cages are stored.</p> <p>Know where the RVP/Holding areas are.</p>	
<b>If You Discover a Fire</b>		<p>Leave fire area immediately.</p> <p>Close all doors behind you.</p> <p>Sound the alarm and call 999 from any phone.</p> <p>Stay calm, speak clearly and listen to the operator.</p> <p>Where safe to do so, assist others to evacuate and remove animals to the safe holding area.</p> <p>If there is a fire elsewhere in the establishment, stay where you are and await instructions or if you have to move remember to check doors with the back of your hand before opening. If it feels warm, do not open it and go another way.</p> <p>If there is a lot of smoke, crawl along floor where the air will be cleaner.</p> <p>If in doubt – Get out, Stay out and get the Fire &amp; Rescue Services Out.</p>
<b>Contacts in an Emergency</b>	<p><b>(enter details here)</b></p> <ul style="list-style-type: none"> <li>• Proprietors name and Telephone Number(s)</li> <li>• Supervisors Name and Telephone Number(s)</li> <li>• Establishments Veterinary Surgeons Name(s) and Telephone Number(s)</li> </ul>	<p><b>(enter details here)</b></p> <ul style="list-style-type: none"> <li>• Telephone at (enter location)</li> <li>• Emergency equipment at (enter location)</li> <li>• RVP at (enter location)</li> <li>• Animal Holding area at (enter location)</li> <li>• Fire Extinguishers located at (enter location)</li> <li>• Keys kept at (enter location)</li> </ul>
<p>RVP = Rendezvous Point</p>		

The onus is upon the cattery to ensure adequate fire prevention precautions are in place.

It is recommended that plans and details for large catteries are lodged with the police and fire authorities. Fire prevention advice may be sought from the Fire Prevention Officer based at your local fire station. This officer can give advice on fire drills, fire escapes, equipment and should be consulted when new buildings are constructed or existing buildings modified.

Smoke detectors are recommended and you must make sure that Fire Detection and fighting equipment are easily accessible and regularly tested. Exit routes should be kept clear. Staff should be familiar with the fire evacuation procedure by use of fire drills and how to use the fire extinguishers.

The Fire Precautions (Workplace) Regulations 1997 place a duty on employers to carry out a risk assessment for the premises not covered by a fire certificate.

## Useful Contacts

### **Chartered Institute of Environmental Health**

Chadwick Court, 15 Hatfields, London SE1 8DJ  
Telephone: 020 7928 6006  
[www.cieh.org](http://www.cieh.org)

### **British Veterinary Association**

7 Mansfield Street,  
London W1G 9NQ  
Telephone: 020 7636 6541  
Email: [bvahq@bva.co.uk](mailto:bvahq@bva.co.uk)  
[www.bva.co.uk](http://www.bva.co.uk)

### **Pet Industry Federation**

Bedford Business Centre,  
170 Mile Road, Bedford MK42 9TW  
Telephone: 01234 273 933  
[www.petcare.org.uk](http://www.petcare.org.uk)

### **Royal Society for the Prevention of Cruelty to Animals**

RSPCA Enquiries Service, Wilberforce Way,  
Southwater, Horsham, West Sussex RH13 9RS  
Telephone: 0300 1234 555  
[www.rspca.org.uk](http://www.rspca.org.uk)

### **Cats Protection**

National Cat Centre  
Chelwood Gate, Haywards Heath  
Sussex RH17 7TT  
[www.cats.org.uk](http://www.cats.org.uk)

### **International Cat Care**

Taeselbury High Street, Tisbury,  
Wiltshire SP3 6LD  
Telephone: 01747 871872  
Email: [info@icatcare.org](mailto:info@icatcare.org)  
[www.icatcare.org](http://www.icatcare.org)

### **Dogs Trust**

17 Wakley Street, London EC1V 7RQ  
Telephone: 0207 833 7685  
Email: [info@dogstrust.org.uk](mailto:info@dogstrust.org.uk)  
[www.dogstrust.org.uk](http://www.dogstrust.org.uk)



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Registered charity no. 290350

**Peterborough City Council****MODEL LICENCE CONDITIONS FOR CAT BOARDING ESTABLISHMENTS.****Section A – Environment: Providing the cat(s) with a suitable place to live/stay****A.1 Physical construction and integrity**

- A.1.1 The cattery must be structurally sound.
- A.1.2 The cattery must be constructed of materials that are robust, safe and durable and be well maintained in good decorative order and repair.
- A.1.3 Materials used in construction or maintenance must not expose cats to any harmful chemicals.
- A.1.4 The cattery must be built in compliance with good building practice (e.g. local authority guidelines), on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
- A.1.5 There must be no sharp edges, projections, rough edges or other hazards which present risk of injury to a cat.
- A.1.6 Windows must be escape-proof at all times.
- A.1.7 Doors must have secure latches or other closing devices.
- A.1.8 All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape proof structure.
- A.1.9 Timber, if used must be of good quality, well maintained and any scratched areas sealed or over-clad.
- A.1.10 Any storage areas must be dry and free from vermin.
- A.1.11 Electrical equipment must be installed in line with current legislation and maintained in a safe condition.
- A.1.12 Waste water must not run off into adjacent pens.
- A.1.13 Adequate drainage must prevent pooling of liquids.
- A.1.14 Any drain covers in areas where cats have access must be designed and located to prevent toes/claws from being caught.
- A.1.15 There must be an escape –proof area (safety corridor/entrance lobby) at the exit of each cat unit.
- A.1.16 For catteries where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2m wide, or the doors of the units must be solid or have sneeze barriers.
- A.1.17 At the end of the safety corridor there must be a securable door through which the inside of the cattery can be viewed from the outside and this must be kept closed when not in use.
- A.1.18 The door from the cat unit to the safety corridor must be escape-proof, securable, strong enough to resist impact and scratching and kept closed at all times.
- A.1.19 The floor must be finished to produce a smooth, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
- A.1.20 Outdoor safety corridors must be roofed.
- A.1.21 External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
- A.1.22 Sufficient lighting must be provided in the safety corridor to illuminate all year round. Where practicable this should be natural light during the day.
- A.1.23 The safety corridor must not be used as an exercise area.
- A.1.24 There must be a safe, secure, weatherproof roof over all of the cat units (sleeping accommodation and run) and the safety corridor. For the run, materials used must be capable of filtering UV light and providing adequate shade.

**A.2 Cat units.**

- A.2.1 Cats from different households must not share cat units.
- A.2.2 There must be adequate lighting in the cat unit.
- A.2.3 Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation must be avoided.
- A.2.4 All interior surfaces to which cats have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.

- A.2.5 Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.
- A.2.6 Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.
- A.2.7 Ceilings must be capable of being easily cleaned and disinfected.
- A.2.8 Junctions between sections must be covered or sealed.
- A.2.9 Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling).
- A.2.10 Each unit must be designed to allow staff to access and clean all parts of the cat unit safely.
- A.2.11 The unit must have a securable, full height door for access.
- A.2.12 Each unit must be clearly marked (e.g. numbered) and a system in place which ensures that relevant information about the cat in that unit is readily available.
- A.2.13 Litter trays of a suitable size or type must be provided at all times.
- A.2.14 Each unit must have space to allow for at least 60cm separation between the litter tray, resting place and feeding area. This allows cats to sit, rest and eat away from areas where they urinate and defecate.
- A.2.15 Trays must be impermeable, easy to clean and disinfect, or be disposable.
- A.2.16 A safe and absorbent litter material must be provided.
- A.2.17 In a multiple cat unit the number of trays must be appropriate to the number of cats.
- A.2.18 Trays must be regularly and appropriately cleaned.

### A3 Sleeping Accommodation

- A.3.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

<b>Existing buildings, floor area and dimensions of full height walk-in sleeping accommodation.</b>			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85m <sup>2</sup>	0.9m (eg 0.90m x 0.95m)	1.8m
Up to two cats	1.5m <sup>2</sup>	1.2m (eg 1.20m x 1.25m)	1.8m
Up to four cats	1.9m <sup>2</sup>	1.2m (eg 1.20m x 1.60m)	1.8m

- A.3.2 All resting areas/shelving must be large enough for each cat to lie on.
- A.3.3 Facilities must be easily accessible and provide safe easy access to the shelf for elderly, ill, very young or disabled cats if required.
- A.3.4 Shelving or raised areas must be made of impervious, easily cleanable materials.
- A.3.5 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.
- A.3.6 Facilities must be easily accessible and provide safe easy access (ramp/steps) to the penthouse. Extra consideration may be needed for elderly, ill, very young or disabled cats. Existing buildings, floor area and dimensions.

<b>Existing buildings, floor area and dimensions of penthouse sleeping accommodation (box)</b>			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height of box
One cat	0.85m <sup>2</sup>	0.9m (eg 0.90m x 0.95m)	1m
Up to two cats	1.1m <sup>2</sup>	0.9m	1m

		(eg 0.9m x 1.20m)	
Up to four cats	1.7m <sup>2</sup>	0.9m (eg 0.9m x 1.90m)	1m

- A.3.7 There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the cat sleeping accommodation.
- A.3.8 Insulation and temperature regulation in the cattery must aim to keep the ambient temperature in the cat sleeping accommodation above the absolute minimum of 10°C.
- A.3.9 There must be part of the cat's sleeping accommodation where the cat is able to enjoy a minimum temperature of 15°C this additional heat may be in the form of a heated bed/pad etc.
- A.3.10 The cat must be able to remove itself from the source of heat.
- A.3.11 Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to cats or humans, or a risk of fire.
- A.3.12 Open flame appliances must not be used.
- A.3.13 All heating equipment must be installed and maintained in a safe condition.
- A.3.14 Additional forms of heating can be in the form of heated beds, heated pads or similar but these must not be the main source of heat for the cats. Use should be tailored to the needs of individual cats.
- A.3.15 Any sockets in the sleeping accommodation must be waterproof and as far out of reach of cats as possible.
- A.3.16 There must be a policy in place for dealing with high temperatures and a means of keeping cats cool.
- A.3.17 There must be a clean resting place to provide comfort and warmth which is situated out of draughts.
- A.3.18 Soft bedding materials must be provided and adapted if necessary for old, young or infirm cats to help regulate their body temperature.
- A.3.19 Bedding must be made of a material that is easy to wash/disinfect, or is disposable.
- A.3.20 A cat must have access between the sleeping accommodation and run (eg a cat flap) so it can easily and safely access all parts of its unit.

#### **A.4 Exercise run (in addition to and not including sleeping accommodation)**

- A.4.1 Any part of the run to which the cat has access must be easily cleanable and not damaged by scratching. Any replacement wood must be clad with a smooth impervious material.
- A.4.2 The floor must be finished to produce a smooth, impervious surface and all surfaces must be capable of being easily cleaned and disinfected. There must be no open gaps if using concrete slabs or tiling.
- A.4.3 Where cats have access to mesh (catteries with gaps rather than sneeze barriers), the diameter of the wire must not be less than 1.6mm (16 gauge welded mesh). Mesh size must not exceed 25mm in one direction and should be positioned on the inside of the framework of runs to prevent damage of uprights by cats scratching any woodwork.
- A.4.4 All exercise runs must be roofed to provide protection from the elements.
- A.4.5 Communal exercise areas must not be used.
- A.4.6 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

<b>Existing buildings, floor area and dimensions of full height and penthouse exercise runs.</b>			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	1.65m <sup>2</sup>	0.9m (eg 0.90m x 1.85m)	1m
Up to two cats	2.2m <sup>2</sup>	0.9m (eg 0.90m x 2.35m)	1m
Up to four cats	2.8m <sup>2</sup>	1.20m (eg 1.20m x 2.35m)	1m

- A.4.7 Full height, full width solid sneeze barriers must be installed between cat units.
- A.4.8 Sneeze barriers must be in place on the end walls of the exercise run at each end of the cattery block to prevent contact with animals from outside.
- A.4.9 Shelving must be made of impervious, easily cleanable materials.
- A.4.10 There must be a shelf or facility for providing a raised area in the exercise area.
- A.4.11 All resting areas / shelving must be large enough for each cat to lie on.
- A.4.12 Extra help (eg steps) to provide safe easy access to the shelf for elderly, ill, very young or disabled cats must be available if required.

## **A.5 Fire and other emergencies**

- A.5.1 There must be a written emergency plan (agreed by the local authority) which must be on display and known to staff and a contingency plan should the premises be destroyed or uninhabitable.
- A.5.2 Premises and activities must be risk assessed (including fire). These risk assessments must be recorded and relayed and understood by all staff.
- A.5.3 Fire fighting equipment must be provided, maintained in good working order (maintenance must be evident and should show date checked) and easily accessible.
- A.5.4 Fire exits must be clearly marked and access left unrestricted.
- A.5.5 The premises must comply with current legislation with regards to electricity and gas (if connected).

## **Section B – Diet: Providing the cat(s) with an appropriate diet**

### **B.1 Drinking**

- B.1.1 Fresh water must be available at all times. Clean water must be provided daily in a clean container or changed sooner if it is visibly soiled.
- B.1.2 Food and water must be kept separate (Joint feeding and water bowls must not be used).
- B.1.3 Water must be positioned well away from the litter tray, as cats will not drink if it is placed too close to a toilet site.
- B.1.4 Adequate water bowls must be provided for multi-cat units.
- B.1.5 Water bowls must be non-porous and easy to clean/disinfect

### **B.2 Eating.**

- B.2.1 There must be exclusive facilities, hygienically constructed and maintained, for the storage and preparation of food for the cats.
- B.2.2 Refrigeration facilities must be provided.
- B.2.3 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels.
- B.2.4 Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof.
- B.2.5 Cats must be fed a balanced diet suitable for their age, health status, reproductive status and lifestyle. The type of food, specific diet or prescription diet is usually by agreement with the owner.
- B.2.6 Food must be unspoilt, palatable and free from contamination.
- B.2.7 For healthy adult cats at least two meals a day must be offered at a minimum of 8 hours apart, as appropriate to the individual's requirements.
- B.2.8 Unconsumed wet or fresh food must be removed before it deteriorates and before the next feed time. Dry food can be fed as indicated by the manufacturer.
- B.2.9 Food must not be left for excessive periods to prevent it being spoiled and attracting flies. This will vary with temperature conditions and type of food.
- B.2.10 All food must be positioned well away from the litter tray, (minimum 60cm), as cats will not eat if it is placed too close to their toilet site.
- B.2.11 One feeding bowl must be provided per cat.
- B.2.12 Food bowls must be non-porous and easy to clean and disinfect, or disposable.
- B.2.13 Food intake must be monitored daily and any problems recorded.
- B.2.14 Veterinary advice must be followed if feeding debilitated, underweight or ill cats, or those with specific dietary requirements.

B.2.15 Cats displaying marked weight loss/gain must be evaluated by a vet and treated as necessary.

## **Section C – Behaviour: Allowing the cat(s) to express normal behaviour patterns.**

### **C.1 General points of cat behaviour**

- C.1.1 The behaviour of individual cats must be monitored on a daily basis and abnormalities or changes noted and acted upon if necessary.
- C.1.2 Cats must be able to access different levels within the unit.
- C.1.3 Cats must be given the opportunity for play and exercise.
- C.1.4 A hiding place must be provided for cats in the sleeping accommodation.
- C.1.5 Any toys provided must be safe and be disinfected between use in the cattery, or disposed of. If provided by the owner toys must be kept within that cat's unit and used solely for that cat and returned to the owner at the end of the cat's stay.
- C.1.6 Cats must be provided with suitable facilities for scratching.
- C.1.7 Any surface available for scratching must either be disinfected between use for different cats, or disposable. If provided by the owner it must be kept within that cat's unit and used solely for that cat and returned to the owner at the end of the cat's stay.

### **C.2 Noise**

- C.2.1 Cats must not be exposed to excessive noise of barking boarded dogs or other excessive / continuous noise.

### **C.3 Long Stay Cats**

- C.3.1 A Standard Operating Procedure (SOP) must be in place explaining how to ensure the health and welfare of long-term stay cats.

## **Section D – Company: Providing the cat(s) with the appropriate company**

### **D.1 Feline company and interactions**

- D.1.1 Cats from different units must not share exercise runs or an exercise area either at the same time or sequentially.

### **D.2 Human company and interactions**

- D.2.1 Cats must be always be handled humanely and appropriately to suit the requirements of the individual cat.

### **D.3 Multi-cat units**

- D.3.1 For any multi-cat unit (cats from the same home) cats must be monitored and consent obtained from the owner for separating cats, should problems arise (e.g. cats fighting or 'stressed').
- D.3.2 There must be multiples of all resources (food and water bowls, litter trays and sleeping areas (warmed if required), depending on the number of cats, to ensure that some cats cannot monopolise resources and prevent the others from accessing them.
- D.3.3 A separate bed must be provided for each cat.
- D.3.4 A separate hiding place must be provided for each cat, eg a cardboard box, igloo bed.
- D.3.5 Separate feeding bowls (not double feeders) must be provided for each cat.
- D.3.6 Several sources of water must be provided if multiple cats are housed.

## **Section E – Health and Welfare: Protecting the cat(s) from pain, suffering, injury and disease.**

### **E.1 Monitoring cats**

- E.1.1 All cats must be observed regularly throughout the day. Cats must be checked daily for signs of illness and /or injury and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.
- E.1.2 The cattery proprietor or responsible person must visit the cats at regular intervals (of no more than 4 hours apart during the working day), or as necessary for the individual health, safety and welfare of each cat.
- E.1.3 Presence or absence of faeces and urine in trays must be noted daily. Any signs of abnormalities in excreta must also be noted or acted upon as appropriate.
- E.1.4 Drinking and eating habits must be monitored and any problem investigated.

## **E.2 Keeping records – The information kept must include the following:**

- E.2.1 Date of arrival and departure
- E.2.2 Name, sex, description of cat and microchip number.
- E.2.3 Number of cats sharing from same household
- E.2.4 Name, address, phone number and email of owner (including emergency contact details)
- E.2.5 Name, address, email and phone number of emergency local contact (who is able to take the cat if necessary)
- E.2.6 Cat's veterinary surgeon
- E.2.7 Cat's diet and relevant requirements
- E.2.8 Cats' relevant medical history
- E.2.9 Consent forms e.g. veterinary treatment, consent to share or separate cats if needed, record of baskets/toys etc. left at the cattery (Check vet consent forms i.e. own vet or designated vet if not in area)
- E.2.10 Record of vaccination
- E.2.11 Any medical treatment must be recorded and visible to prevent mis-dosing.

## **E.3 Disease control**

- E.3.1 Where work with rescue cats or breeding cats is also undertaken, this must be kept completely separate, and extra precautions taken to prevent the spread of disease.
- E.3.2 When there is any cause for concern regarding the health status of a cat, that cat must be handled last and the unit must be cleaned after all the others.
- E.3.3 Cats must remain in their assigned unit and not be moved to other units (rotation) or to a holding unit for cleaning purposes, except for moving to an isolation facility.
- E.3.4 Standard Operating Procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.
- E.3.5 Facilities must be provided for the proper reception, containment and disposal of all waste and meet with local authority approval.
- E.3.6 Isolation facilities must be available.

## **E.4 Hygiene practices – Cleaning and disinfectant products**

- E.4.1 Products must be suitable to use and effective against the pathogens, (especially feline parvovirus (FIE) and ringworm) for which the cats are at risk and under the conditions present in the environment in which they are used.
- E.4.2 Cleaning agents and disinfectants must be non-toxic to cats.
- E.4.3 The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account.  
(Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection products must be followed. Standing water must not be allowed to accumulate in areas around the cat units due to the possibility of pathogens residing in these moist environments.
- E.4.4 There must be cleaning and disinfection routines in place for day-to-day management of the cats and for ensuring a cat unit and all equipment is cleaned and disinfected effectively before a new cat comes in.

- E.4.5 Each unit must be supplied with its own dustpan, brush and scoop, to be used exclusively in, and kept in that unit, until departure of the cat, and then cleaned and disinfected before re-use, or disposed of prior to the next resident.
- E.4.6 Litter trays must be emptied and cleaned and disinfected at least once a day, or more frequently as necessary.
- E.4.7 Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.
- E.4.8 Drinking vessels must be changed/cleaned and disinfected at least once a day.
- E.4.9 Grooming equipment must either be cleaned and disinfected between use on different cats, or be disposable. If provided by the owner, it must only be used on that cat and must be sent home with the cat.
- E.4.10 Toys and scratch posts must be cleaned and disinfected between use for different cats, disposed of, or returned to the cat's owner (if they came in with the cat)

### **Handling cats**

- E.4.11 Hygiene protocols must be observed between handling cats. Hands must be washed/disinfected or hand sprays or alcohol gel used between handling of each cat.
- E.4.12 Protective garments must be changed and laundered with an appropriate disinfectant/disposed of immediately after handling a cat with a suspected infectious disease.

### **E.5 Vaccination, fleas, worms and other parasites**

- E.5.1 An up-to-date veterinary health record must be seen to ensure that cats boarded have current vaccinations against feline parvovirus (feline infectious enteritis) (FIE) and against feline respiratory viruses (feline herpesvirus and feline calicivirus).
- E.5.2 Vaccination (including boosters) must have been completed, at the very least, 2 weeks before the cat's arrival in order to ensure maximum protection.
- E.5.3 Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.

### **E.6 Isolation facilities**

- E.6.1 The area must provide separate, self contained facilities for the isolation of suspected infected cats and must have a separate entrance to the rest of the units.
- E.6.2 Separate cleaning supplies and clothing must be designated for the isolation area and other cattery sections.
- E.6.3 Protective clothing and footwear must be worn when handling cats in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.
- E.6.4 Hands must be washed/disinfected between handling cats.
- E.6.5 Separate feeding and water bowls, litter trays, litter, a dedicated safe cat basket, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use.
- E.6.6 Any cats in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other cats.
- E.6.7 A Standard Operating Procedure (SOP) for barrier nursing and information must be provided for staff.
- E.6.8 Should a cat need to be removed from its unit, it must be carried in a secure and disinfected cat carrier, and the carrier disinfected after use.
- E.6.9 In emergency cases, such as admission of unvaccinated cats because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

### **E.7 Veterinary treatment and health care.**

- E.7.1 A veterinary practice must be appointed for the establishment. The name, address and telephone number of the establishment's veterinary service must be displayed in a prominent position for staff.
- E.7.2 Where cats require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the cat clean and comfortable providing it is safe to do so.

- E.7.3 When a cat is suspected of being ill or injured (staff should be trained to recognise when a cat requires veterinary care), a veterinary surgeon must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be strictly followed with further advice sought if there is ongoing concern.
- E.7.4 Medicines must be stored safely, securely, at the correct temperature and labelled correctly according to manufacturer's instructions. Any unused medications must be returned to the owner or prescribing vet.

## E.8 Holding units for temporary housing.

- E.8.1 If, in an emergency, holding units/pens are used, they must not be sited in the reception.
- E.8.2 Cats must be provided with a bed, litter tray, food and water.

## E.9 Transportation of animals

- E.9.1 Any transport legislation must be complied with.
- E.9.2 Cats must be secured in durable carrying baskets any time they are transported /carried outside the cat unit. (A spare cat carrier should be kept at the cattery for situations where owners do not arrive with their cat in a secure carrier).
- E.9.3 All vehicles and equipment must be kept clean and disinfected after each collection or delivery.
- E.9.4 Cats must not be left in vehicles except for transportation.

### Section F – New Build

#### Sleeping accommodation sizes

- NB.1.1 For new build the smallest unit must be large enough for up to 2 cats and to allow for adequate staff space for cleaning
- NB.1.2 Penthouse accommodation measurements for the exercise run must be taken from the front of the sleeping accommodation/box, not under the box.
- NB.1.3 When measuring floor area, shelving areas must not be included.
- NB.1.4 The box must be 0.9m off the ground both to enable the area underneath to be cleaned effectively, and to enable a person to reach inside to clean the walls and ceiling of box.

<b>Full height, walk-in units – floor area and dimensions of sleeping accommodation</b>			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	1.5m <sup>2</sup>	1.2m (eg 1.2m x 1.25m wide)	1.8m
Up to four cats	1.9m <sup>2</sup>	1.2m (eg 1.2m x 1.6m wide)	1.8m

<b>Penthouse accommodation sleeping accommodation (box)- floor area and dimensions</b>			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height of box
Up to two cats	1.1m <sup>2</sup>	0.9m (eg 0.9m deep x 1.2m wide)	1.8m
Up to four cats	1.7m <sup>2</sup>	0.9m (eg 0.9m deep x 1.9m wide)	1.8m

<b>Full height, walk-in units and penthouse accommodation exercise run</b>			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of	Minimum height
Up to two cats	2.2m <sup>2</sup>	1.20m (eg 1.2m x 1.85m)	1.8m

Up to four cats	2.8m <sup>2</sup>	1.20m (eg 1.20m deep x 2.35m)	1.8m
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**Sneeze barriers**

In a new build sneeze barriers must be at a minimum, translucent (Allowing light to pass through, but only diffusely, so that objects on the other side cannot be clearly distinguished) to reduce stress caused by cats seeing one another. Opaque barriers are acceptable but may cut down on the light entering the cattery.

**Gaps between units**

Where gaps between units are used as disease control, one side of the gap must have a full height, full width translucent sneeze barrier.

**Hygiene facilities**

In a new build there must be separate sinks for cleaning of litter trays and feeding utensils.

**Materials**

In new build any wood to which the cat has access must be clad with an imperious smooth material to prevent damage and make cleaning and disinfection easier.

**Noise**

If a new cattery is being built near existing kennels serious consideration must be given to positioning off the building to minimise the level of noise from the dogs which can be very stressful to cats.

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