

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Guidance – Applying for a licence/renewing a licence

The licensable activities

A licence is required when one or more of the licensable activities defined in the regulations (Schedule 1) are undertaken. These are:

Selling animals as pets

Selling animals as pets (or with a view to their being later resold as pets) in the course of a business including keeping animals in the course of a business with a view to their being sold or resold.

Providing or arranging for the provision of boarding for cats or dogs

Providing or arranging for the provision of accommodation for other people's cats or dogs in the course of a business on any premises where the provision of that accommodation is a purpose of the business by:

- * Providing boarding for cats;
- * Providing boarding in kennels for dogs;
- * Providing home boarding for dogs; or
- * Providing day care for dogs

Hiring out horses

Hiring out horses in the course of a business for either or both of the following purposes:

- * Riding;
- * Instruction in riding

Breeding of dogs

Either or both of the following:

- * Breeding three or more litters of puppies in any 12-month period;
- * Breeding dogs and advertising a business of selling dogs

Keeping or training animals for exhibition

Keeping or training animals for exhibition in the course of a business for educational or entertainment purposes:

- * to any audience attending in person, or
- * by the recording of visual images of them by any form of technology that enables the display of such images.

Who can apply for the licence?

Any individual, who will be designated as the operator of the business, can apply for a licence provided that they:

- * Can demonstrate that they are a fit and proper person to carry out the licensable activity and meet the licence conditions; and
- * Are not disqualified from holding a licence

How to apply for a licence

Licence applications must comprise a fully completed application form, relevant supporting documentation and the appropriate fee. Applications cannot be considered until all of these requirements have been met.

Where vet fees apply, these will be recharged to the applicant/licence holder separately and failure to pay this fee will result in any issued licence being reviewed.

Applications must be made in good time (10 weeks prior to expiry in the case of renewal applications) to allow the relevant inspections to be undertaken and proper processing of the application. Tacit consent does not apply to new applications and this means that the licensable activity cannot commence until the relevant licence has been granted.

DEFRA has produced guidance for each licensable activity and this guidance will detail all the standards which have been agreed to be either minimum or higher standards. You will need to meet the requirements of all minimum standards, although minor failings may be recorded providing that they do not compromise the welfare of the animals in order to obtain a licence. Minor failings must be predominantly administrative in nature.

Fees

The current licence fees are available on the Council's website at the address at the top of these notes.

Where more than one activity is applied for, all relevant fees apply.

The Council cannot accept cash payments. Application fees can be paid by cheque, which should be crossed and made payable to Rossendale Borough Council or by debit/credit card. To pay by card, please telephone the department on the number at the top of this guidance.

Veterinarian inspections will incur an additional fee which will be recharged to the applicant following the inspection. This fee is dependent upon the time taken to undertake the inspection and complete all relevant paperwork and will start from £120.

Licence Conditions

Operators will be expected to comply with the General and Specific Conditions imposed by virtue of the Regulations. These conditions are available on the Council's website.

The General Conditions apply to all licences issued. There are specific conditions for each licensable activity and these will be imposed on the licence dependent upon the activity applied for.

The Council has a range of enforcement powers to allow it to issue enforcement notices where licence conditions are not being complied with, Regulations are being breached or where there are issues relating to the protection of the welfare of an animal.

Risk and Star Rating

Operators will be risk rated against a standard 14 point criteria checklist which considers a number of factors relating to compliance history, complaints, welfare standards and management standards. This scoring system will determine if they are rated as either low (a score of 17 or less) or high (a score of 18 or more).

All new businesses which do not have a compliance history with the Licensing Authority or UKAS accredited scheme will be rated as high risk.

Licences for the keeping or training of animals for exhibition are not risk or star rated.

Higher Standards

The guidance for each licensable activity (with the exception of keeping or training animals for exhibition) has a number of agreed higher standards. Meeting the higher standards is optional but it is the only way to gain the highest star rating. These higher standards are classified into two categories – mandatory and optional. To qualify as meeting the higher standards, the business must achieve all the mandatory standards as well as 50% of the optional higher standards.

Length of the licence

Licences can be issued for a period of one, two or three years depending on the risk rating and level of compliance. This corresponds with the Star Rating for the establishment.

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

Licences for the keeping or training animals for exhibition are issued for three years.