

Appendix 13

Naturewatch Foundation (Charity) Consultation Response (Cabinet report on proposal to update and adopt animal licencing conditions)

Naturewatch Foundation

For the advancement of animal welfare

Public Protection Office,
Cheltenham Borough Council
Municipal Offices, Promenade,
Cheltenham, Gloucestershire GL50 9SA
ehbusinesssupport@cheltenham.gov.uk

Thursday 8th October 2015

To whom it may concern:

Animal Licence Consultation

Naturewatch Foundation is a registered charity working to improve the lives of animals, based in Cheltenham and founded in 1991. 30,000 national supporters and a distributed network of volunteers help us run World Animal Day, deliver animal welfare projects in Eastern Europe, and campaign for improving animal protection in the UK. Domestically, we lobby for the reduction of scientific experiments using animals and for reform of commercial dog breeding and sales. As a result we have a keen interest in our borough's review of animal licensing and welcome the opportunity to comment.

In its review Cheltenham Borough Council (CBC) has invited feedback on practical steps to improve animal welfare, cross infection and zoonoses. However, Council's aspiration to set high standards and its goal of establishing practical, manageable licensing provisions are also an opportunity to achieve more. In revising not only the licence conditions, but also the enforcement and public engagement around dog breeding and vending, Council can support practices towards making each transaction good for the owner, good for dogs and good for the community. We hope that engaging with an established local animal welfare charity will help identify suitable next steps as the Council's review progresses, and we should be glad to contribute fully.

Draft CBC Licence Conditions for Breeding & Sale of Dogs

We welcome conditions 2.5.1 and 6.4 which allow for the socialisation of breeding dogs and puppies, which behaviourists agree relates directly to the success of purchase and housing of dogs by the public. Commercial pet breeders and vendors cannot meet these standards within a profitable business model. As a result Naturewatch Foundation believes that full enforcement of these conditions would entail withdrawal of licences from such venues.

Pet Animals Act 1951 section 1(3)(D), quoted in CBC's (Draft) Licence Conditions for Dog Breeding 3.1, states that 'all reasonable precautions will be taken to prevent the spread among animals of infectious diseases'. Meanwhile the Local Government Association's Model Licence Conditions for Pet Shops, which guides that '*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.*' Naturewatch believes that full enforcement of these conditions would reveal how neither commercial breeding nor vending operations could meet these legal minimums.

Impact & Suggested Measures

Commercially bred puppies are a high risk purchase. Poorly socialised puppies bred in volume based operations will have no familiarity with the role of companion animal and have been exposed to far greater risk of infection, many of which are zoonoses and all of which can lead to tragedy for puppy buying families. Owners of unhealthy dogs may incur huge fees in veterinary care due to preventable infectious diseases and genetic problems.

Enforcement Measures

Naturewatch Foundation advocates full enforcement of the licensing conditions. We have concern over resources available to local authorities to this end and believe that any revision of licence conditions should not result in additional enforcement burdens without providing for the expertise or personnel they will entail.

Licensing of dog breeding and vending operations based on a risk assessment which allow for spot inspections, with a minimum requirement for annual inspection, would make it possible for licensing teams to plan flexibly rather licensing at anniversaries. At the same time public evidence of a breach in the conditions should trigger an automatic investigation and so it is essential that unannounced inspections are specified by the licensing system. Similar risk assessment based models are already in use by local authorities enforcing food standards and farm animal health. Criteria for risk assessment need to be clear and explicit and matched with a mandatory initial inspection. Inspection reports may also lead to pro forma guidance identifying, recognising and encouraging best practice.

Naturewatch Foundation also believes it is sensible, practical and efficient to share the expertise of animal welfare specialists across local authority boundaries. It is costly for individual local authorities to train animal welfare specialists while costs might be reduced as a result of regional collaboration.

According to the CBC website: 'If a person is in the *business* of dog breeding they are required to be licensed... [Commercial] sale of pets includes traditional pet shops and also pet sales occurring over the internet.'

However, the definition of a dog breeding or vending operation as commercial, and therefore due for licensing, can be difficult. Rather than reference to a fixed number of litters per year (which is a risk factor rather than a defining characteristic of commercial or amateur breeding and vending), Naturewatch Foundation advocates use of HMRC's definition of *Badges of Trade*¹. Using the Badges of Trade to define commercial operations will show that some local internet-based vending operations are not licensed, that prospective customers cannot easily determine which vending operations are licensed, and that some breeders and vendors do not know a licence is required

¹ <http://www.hmrc.gov.uk/manuals/bimmanual/BIM20205.htm>

Public Engagement

Naturewatch Foundation believes that local authorities can also improve animal welfare, animal and human health and the quality of dog ownership in the community, through public engagement. Prospective buyers can help check that licensing is in place and can also seek advice from local charities, canine experts and from Council itself, supported through signposting, events, literature and online content. At the same time, by working with a local charity such as Naturewatch Foundation, Council may help encourage the fast growing network of dedicated volunteers who currently collect information about sales, licensing and best practice. As a result then let me thank you again for this invitation to submit a response to Council's review of Animal Licensing and look forward to describing practical next steps in more detail whenever the opportunity may arise.

Yours faithfully,

Patrick Joel
Campaign Manager

T +44 (0) 1242 252871 • **E** info@naturewatch.org • **W** www.naturewatch.org
Naturewatch, 49 Rodney Road, Cheltenham, Gloucestershire, GL50 1HX, United Kingdom

PATRONS Pollyanna Pickering • Alexandra Bastedo • Chris Packham • Hayley Mills • Jenny Seagrove • The late Princess Elizabeth de Croÿ
Registered Charity No. 1039679 • Registered Office: 49 Rodney Road, Cheltenham GL50 1HX