

ENVIRONMENTAL SERVICES

ENVIRONMENTAL HEALTH – COMMERCIAL DIVISION ANIMAL WELFARE ADVICE NOTE – AW3 PET SHOP ESTABLISHMENTS

Introduction

This advice note is intended to provide guidance on recommended practice at licensed pet shop establishments. It represents only a statement of opinion, and does not contain legal advice or a complete statement of the law. Information is also provided on the system that is operated by Ashford Borough Council with respect to issuing pet shop licences.

The Legislation

The Pet Animals Act 1951 forbids the keeping of a Pet Shop except under licence granted by the Local Authority. A 'Pet Shop' is a premise where the business of selling animals as pets is carried on, or where animals are kept with a view to sale. No animals may be sold from a market stall or elsewhere other than on the licensed premises. No animal may be sold to any person who is believed to be under the age of 12 years. Any pet shop selling animals listed on the schedule of the Dangerous Wild Animals Act 1976 must ensure that the buyer is licensed to keep such animals. An advice note on Dangerous Wild Animals (AW5) is available by contacting the Environmental Health Service (see 'Further Information' at the back of this publication).

The licence remains in force from the date of issue to 31st December each year and will stipulate the numbers of species that may be kept at the establishment at any one time. The licence is renewable on 1st January each year.

The Environmental Health Service at Ashford Borough Council issues pet shop establishment licences for businesses situated within our Borough. Certain conditions are stipulated on the licence that must be complied with by the licensee. These appear on the Schedule that will be attached to the licence. The licence and the conditions should be displayed to the public in a prominent position at the pet shop establishment. A licence may only be granted to a person if they have not previously been disqualified under this Act, or other enactments relating to Animal Welfare.

When is a Licence Required?

A licence is required if you are in the business of selling animals as pets from a premise (including domestic premises), or where animals are kept with a view to sale. There are some exemptions, however, and you are advised to contact the Animal Welfare Licensing Officer for further advice if necessary.

All pet shop owners are encouraged to seek the City and Guilds diploma in pet animal management, details of which are available from the Pet Trade Association (for address see 'Further Information' at the back of this publication).

GUIDANCE ON THE LICENSING PROCESS

How do I apply for a licence?

You will need to complete an application form and return it with the appropriate application fee to the Community Services Directorate. The required fee will be indicated on the application form. Please note that fees increase on the 1st April each year, so you may need to check this amount before applying for your licence. Also be aware that in the event that your application is refused you will not be refunded the application fee or any part thereof under any circumstances. Fees are also not refunded in the event of an application being withdrawn.

In addition, new applicants are advised to contact the planning department to ascertain whether it is necessary to obtain **planning permission** for their establishment. This should be done **before** applying for a licence. Should you be considering carrying out alterations to an existing premise you are also advised to contact the building control department and/or the planning department.

The Processing of Applications

Veterinary Inspections

A veterinary inspection will be required if any of the following circumstances apply to your application:-

- You are a new establishment.
- There has been a change of ownership at an existing establishment.
- You are an existing licensee relocating to a new premise.
- You require a significant increase in the numbers of species to be kept at the establishment.
- If you are an existing pet shop, but wish to include completely different types of species than originally licensed for. For example, if the pet shop is currently licensed to only keep 'small furry mammals' and you wish to include reptiles.
- If new accommodation is being added at an existing establishment (veterinary inspection of this accommodation will be required).
- Any other circumstances where an expert veterinary opinion is considered necessary.

Where a veterinary inspection is considered to be necessary to process your application, the Local Authority is required to appoint an independent veterinary surgeon. It will therefore not be possible for us to use your own veterinary surgeon to carry out the inspection. You will be contacted in due course in order to arrange a suitable appointment for the veterinary inspection. Please also note that an Animal Welfare Licensing Officer from the Environmental Health Service may also accompany the Veterinary Surgeon during their inspection.

Please be aware that the veterinary fees incurred in processing your application will be recoverable from you at cost.

Once we have received the veterinary report following the inspection, you will be advised of any works that need to be carried out so that the licence can be issued.

If none of the above circumstances apply, an Animal Welfare Licensing Officer from the Environmental Health Service will inspect when your licence is due for renewal. Please also note that authorised officers of the Borough Council may inspect the establishment at other times during the year (e.g. to investigate a complaint or to carry out a health and safety inspection).

Fire Safety Officer

In certain circumstances the Fire Safety Officer will also be asked to visit your establishment to provide advice and to check that the fire precautions are adequate. This will normally be for new establishments, or where there is a change of ownership at an existing establishment. There are no additional costs incurred for this visit. The Fire Safety Officer can be contacted on (01233) 637277.

GUIDANCE ON ANIMAL WELFARE AT LICENSED PET SHOP ESTABLISHMENTS

The following sections provide guidance on operating to best practice at licensed pet shop establishments. Please note that this information is for guidance only, and it is the actual conditions attached to your licence that **must** be complied with.

Animal Welfare

No animal must be exposed to excessive light, heat, draught or lack of adequate warmth and apart from fish or reptiles must not be kept in a basement unless there is sufficient air and light to maintain health. Cages and hutches must be constructed of impervious material with well-drained floors which are readily accessible and visible at all times. Where dangerous animals are kept then the accommodation must be strengthened accordingly. A protective safety barrier should also be present. Fish should not be held in re-circulating systems at densities greater than 0.5 or 5 small fish per litre.

Where animals are kept in cages, hutches or other similar receptacles which are placed on top of other similar cages, hutches or other receptacles; and effective means should be provided for preventing water, food or droppings falling on to or contaminating the unit beneath.

Animals should be visited at intervals to ensure their well-being and that food and water is readily available. The receptacles in which food and drink are supplied should be so constructed as to reduce faecal contamination to the minimum. Adequate feeding space should be provided where more than one animal are caged together.

Food and drink should be provided at least once every 12 hours except where a supply is readily available but care should be taken to ensure that this keeps fresh. All pet animal licensees should take steps to ensure they are aware of the dietary requirements of each species kept. All food should be stored in suitable closed containers which are easily cleaned and which preserve the quality of the food.

No animal should be sold unweaned or, if weaned, at an age when it should not have been. Puppies and kittens should not be sold until they are at least six weeks old. Suitable sized containers must be available for handing animals to customers.

No cage, hutch or other receptacle should be so positioned where the animals therein can be handled by members of the public or interfered with by other animals. Some individual of many species do not mix readily in confined areas. This particularly applies to carnivores. Carnivores or omnivorous species should not be put with or adjacent to species which might form part of their diet in the wild state. Animals must not be displayed outside of the premises during unsuitable weather.

Fire Precautions

A responsible person shall at all times be in or within a reasonable distance of the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In cases where the occupier is absent, the name, address and telephone number of a local key holder must be prominently displayed at the front of the premises, in the case of new applications, the Fire Prevention Officer will be asked to inspect the premises to ensure the adequacy of the fire precautions. Entrances and exits on the premises must never be obstructed. Fire fighting equipment must be provided in a conspicuous, accessible position and maintained in good order.

Control of Infectious Disease

All excreta and soiled bedding should be stored in suitably covered impervious containers until removed from the premises. It should then be disposed of in such a way as not to cause a nuisance to others and in such a way as not to come into contact with other animals. All containers used for this purpose must be kept in a clean condition.

It is essential that all necessary precautions are taken to prevent the introduction or harbourage of rodents, insects or other disease carrying pests. This includes ensuring that domesticated or tame rodents do not escape from their cages.

No animal which is suffering from, or which has come into contact with an animal suffering from a contagious disease or which is infested with parasites shall be brought into or kept on the premises unless it is effectively isolated. Any imported animals must be isolated immediately on arrival. Wherever large numbers of new arrivals are present then these should preferably be isolated for up to five days. This is particularly relevant to imported birds and fish. Puppies and kittens from one litter should not be mixed with those from another.

The maximum numbers and types of animals to be kept at any one time are set out on the licence which must be displayed on the premises. These numbers must not be exceeded without first checking with the Local Authority. Animals living semi-permanently on the premises as 'display' animals should be provided with larger accommodation and labelled clearly 'not for sale'. A register of animals obtained must be kept on the premises and this should indicate the type, number, age and sex of the animal, the name and address of the supplier, and the date of arrival and departure.

FURTHER INFORMATION

1. For the purpose of this informative the term 'animals' means mammals, birds, fish, reptiles and all other vertebrates.
2. For further reading please see '*A Guide to the Pet Animals Act 1951*' available from the British Veterinary Association, 7 Mansfield Street, London W1M 0AT. Telephone: 020 7636 6541. Fax: 020 7436 2970. Website: <http://www.bva.co.uk>.
3. For a schedule of Dangerous Wild Animals ask for the Council's Informative No. 5 on Dangerous Wild Animals.
4. For details of the City and Guilds examination contact the Pet Care Trust, Bedford Business Centre, 170 Mile Road, Bedford, MK42 9TW. Telephone: (01234) 273933. Fax: (01234) 273550.
5. For information regarding endangered species contact the Department of the Environment at Wildlife Licensing and Registration Service, Tollgate, Houlton Street, Bristol, BS2 9DJ. Telephone: (01179) 978000.
6. Alternatively, for further information on these or any other related matters you may contact the Animal Welfare Licensing Officer Environmental Health, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL. Telephone: (01233) 330470 or contact your own veterinary practitioner.