Comment

Next steps on licensing

PLANS to tighten up on the licensing of dog breeding and other animal-related businesses in England, as announced by Defra last week, have been both welcomed as a step in the right direction and criticised for not going far enough.

Defra’s announcement is the latest stage of a review process that began in the summer of 2015 when the department sent an informal consultation to interested parties to gather initial views and opinions on reforming the licensing arrangements relating to a variety of different types of business, including pet shops, animal boarding establishments and horse riding establishments. This was followed by a formal consultation in December that year (VR, January 2, 2016, vol 178, p 3), the responses to which formed the basis of a report published by Defra in September 2016 (VR, October 1, 2016, vol 179, p 516). The aim of the exercise has been to modernise the animal-related licensing system, reduce the administrative burden on local authorities, and take account of modern standards of good practice in animal welfare. Last week’s announcement of the planned new rules is not, however, the end of the process. Defra will now draw up formal proposals for draft regulations with the aim of having them in place in 2018.

One key change being planned will be the introduction of a single ‘animal activities’ licence, which will cover dog breeding, dog/cat boarding, selling pets and hiring out horses for riding. Defra initially proposed using the term ‘animal establishment’, but has since decided that ‘animal activities’ helps make clear that activities such as the online sale of pets, which may not occur from a particular establishment, fall under the licensable activities.

Another change to the rules will prohibit the sale of puppies at less than eight weeks old in all circumstances. Defra is also proposing that anyone who breeds and sells three or more litters of puppies a year will be required to display their licence number when advertising, including advertising online. The aim is also to help responsible potential owners check that they are securing their dog from a properly licensed breeder.

Defra intends to make it mandatory for licensed sellers to provide written information when they sell pets. The information will have to cover the five freedoms set out in the Animal Welfare Act 2006. Other changes will see licences being issued for a fixed term, set at any point in the year, and the maximum length of a licence being increased to three years. This last proposal drew mixed responses during Defra’s consultation, with many respondents emphasising the need for a robust and consistent risk-based assessment system. Defra says it intends to link the increased licence length to a nationally agreed, standardised, risk-based assessment system and that it is working with the National Companion Animal Focus Group to develop a template for such a system. Furthermore, it is exploring the scope for setting standards and training needs for local authority inspectors to ensure that inspectors have the expertise they require in relation to animal establishments. Defra is also proposing to incorporate standards from model licence conditions into its regulations and to introduce the concept of earned recognition into the licensing system.

Since the start of the review process back in 2015, the BVA, the British Small Animal Veterinary Association and the British Veterinary Zoological Society have been fully engaged, responding to both the informal consultation and the subsequent formal consultation. Although broadly welcoming the proposals, they have consistently emphasised the importance of proper enforcement and ensuring that resources are available for this. Last week, while describing Defra’s proposals as ‘a significant step in the right direction to improve the welfare of puppies and dogs in the UK’, Gudrun Ravetz, the BVA President, reiterated the importance of local authorities having the necessary resources and support to fully enforce the legislation.

Some criticism of Defra’s proposals came from the House of Commons Environment, Food and Rural Affairs Committee (EFRACom), which last year carried out an inquiry into the welfare of domestic pets in England, 10 years after the Animal Welfare Act reached the statute book. It identified some of the problems being encountered under the Act, and also drew attention to the opportunities that it believed could arise from the licensing review (VR, November 19, 2016, vol 179, p 500). It made a number of recommendations that it felt could help ensure that the welfare of pets was improved. However, in its announcement last week, Defra made clear that it had decided not to take many of the committee’s recommendations further.

In response, Neil Parish, chair of the EFRACom, said that, while the committee welcomed a number of the proposals being made by Defra, it believed that the suggested licensing regime did not go far enough. It was unhappy that Defra had not followed its recommendation that the third-party sale of dogs should be banned, nor had it followed a recommendation that the limit on the number of litters a breeder could produce before requiring a licence should be reduced to two. This, he said, was a ‘lost opportunity to bring more breeders under the licensing regime’.

Nonetheless, despite the EFRACom’s criticism, there seems to have been a general welcome for Defra’s proposals, particularly from animal welfare charities which often have to pick up the pieces resulting from irresponsible breeding. It may be that in some areas the proposals could have gone further, and there is certainly still work to be done in drafting the final details of the new regulations. Defra says it is willing to continue working with stakeholders to put in place the policies, guidance and documentation to support its proposed new rules and the hope must be that, ultimately, these rules will prove to be a step forward in improving the welfare of a wide range of animals.


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