



Animal Licensing Policy

Valid from 1 April 2024

Version No	Initial	Date	Changes Made
V1.0			Policy adopted 7 th November 2023 and in force from 1 st April 2024
V1.1	LV	29.02.24	Minor amendments: 2 additional conditions to be included in standard DWA conditions shown as Appendix 2: <ul style="list-style-type: none"> • “A suitably qualified veterinarian, with demonstrable relevant experience of the species covered by the licence, must be engaged to provide advice to the licence holder and care for the animals” • “All escapes must be notified to the Local Authority within 24 hours”

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1.0 Introduction

1.1 Accessibility

We have actively considered the needs of blind and partially sighted people in accessing this document. We will make this document available in full on our website and you may download and translate it into other accessible formats. If you have other needs in this regard, please contact the licensing service on licensing@buckinghamshire.gov.uk

1.2 Definitions

While every effort has been made to avoid the overuse of technical terms, this is not always possible. Appendix 1 contains a list of definitions which may be of help in explaining some of the key words and phrases used in this document.

1.3 Buckinghamshire Council

Buckinghamshire Council came into effect on 1 April 2020, bringing together the former Buckinghamshire County Council, and the four District Councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe. The county has a population of over 540,000 residents and includes the towns of Buckingham, Winslow, Aylesbury, Wendover, Princess Risborough, Chesham, Amersham, High Wycombe, Beaconsfield and Gerrards Cross. The county has a significant amount of rural space with over a quarter of the county within the Chilterns Area of Outstanding Beauty and a further third is covered by the Metropolitan Green Belt.

The new unitary area is host to a broad range of businesses that have activities involving animals as their focus. There are also currently a number of small zoos and private keepers of dangerous wild animals based in the area.

A map showing the Council's area can be shown here

<https://buckscouncil.maps.arcgis.com/apps/webappviewer/index.html?id=1c196e0e4724417492bd4ffca4c4f249>

A search can be carried out to see if an address or particular premises falls within this area through the local authority finder <https://www.gov.uk/find-local-council>

Buckinghamshire Council aims to make Buckinghamshire the best place to live, raise a family, work and do business. The Council wants the county to be a place where everyone can be proud of, with excellent services, thriving businesses, and outstanding public space for everyone. A place where residents, regardless of background, have access to great opportunities, living healthy, successful lives and ageing well with independence. These ambitions are summarised in The Council's key priorities:

- strengthening our communities
- improving our environment
- protecting the vulnerable

- increasing prosperity

Licensing has a crucial role to play in achieving these goals, through the formulation of policy, decision-making, promotion of best practice and enforcement activities.

1.4 Role of the Council in Animal Welfare

Buckinghamshire Council has statutory responsibilities for the licensing of a number of activities relating to the welfare of animals under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 the Dangerous Wild Animals Act 1976, and the Zoo Licensing Act 1981. These pieces of legislation are aimed at protecting the welfare and safety of animals and those that interact with them and make it an offence for any person to own or keep animals in order to carry out certain businesses or have possession of certain animals without first being licensed by the Council.

Other areas of animal health are dealt with by Buckinghamshire and Surrey Trading standards. This relates to legislation aimed at protecting both human health through the food chain and animal health. Trading Standards are also involved in enforcing measures to protect the welfare of livestock in transit or at abattoirs. There are some cases where there may be some overlap of responsibilities, for example where livestock species are kept by operators holding licences for the keeping or training of animals for exhibition. In these instances, Licensing Officers may work in partnership with Trading Standards Officers.

1.5 Relevant Legislation

The list below sets out the main pieces of legislation that are used by licensing services in relation to operators of businesses involving animal related activities and keepers of certain types of animal:

- **The Animal Welfare Act 2006 (AWA 2006)**
<https://www.legislation.gov.uk/ukpga/2006/45/contents>
- **The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 (“LAIA”)** <https://www.legislation.gov.uk/uksi/2018/486/contents>
- **Dangerous Wild Animals Act 1976 (as amended) (“DWA Act”)**
<https://www.legislation.gov.uk/ukpga/1976/38/contents>
- **Zoo Licensing Act 1981 (as amended)**
<https://www.legislation.gov.uk/ukpga/1981/37/contents>

1.6 About this Policy

This is Buckinghamshire Council’s first published animal licensing policy statement, “Policy”. The Policy replaces any animal licensing policies adopted by the previous District Councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe.

Whilst there is no legal requirement for the Council to have a Policy relating to animal licensing, a policy benefits all interested parties, providing a clear and consistent framework for the Council's approach to animal licensing.

The Policy sets out how Buckinghamshire Council will work to ensure that there is a level playing field for operators of animal related businesses, ensuring that persons responsible for the management of animal welfare observe standards of good practice, and that residents can feel confident that licensed businesses offer a good standard of animal welfare and are compliant with legislation. The Policy will set out how operators of businesses and keepers of animals requiring a licence will be assessed as being suitable or "fit and proper" to keep these animals and operate this type of business.

In preparing this new Policy, Buckinghamshire Council has taken into account the latest statutory guidance produced by the Department for Environment, Food and Rural Affairs (DEFRA), guidance from other Government departments, the Local Government Association, best practice and the views of a wide range of stakeholders.

Examples of best practice and industry standards that the Council would consider include – guidance provided by the Local Government Animal Welfare Group, DEFRA codes of welfare, care guidance provided by animal welfare charities such as the RSPCA and advice provided by organisations such as British Equestrian, Ornamental Aquatic Trade Association or the Canine Feline Sector Group.

The Licensing Authority has consulted widely in the formulation of this Policy, including the following:

- Licensees holding a current LAIA Licence, DWA Licence or Zoo Licence
- Licensing Committee
- Ward Councillors
- Town Councils and Parish Councils
- Cabinet Member for Regulatory Services
- Thames Valley Police
- Neighbouring Local Authorities
- Local residents and businesses
- Buckinghamshire's Safeguarding Children Partnership
- Buckinghamshire and Surrey Trading Standards
- Local Government Animal Welfare Group
- Veterinary Inspectors authorised by Buckinghamshire Council
- Other stakeholders

There are many types of animal related businesses that do not currently require a licence – examples include animal rescue centres, livery yards, dog walkers, dog groomers and similar. For this reason they do not form part of this policy.

It is anticipated that changes to existing legislation and the introduction of new legislation will bring a wider range of animal related activities into scope for requiring a licence. A review of the LAIA Regulations is currently underway and it is anticipated that new regulations will be introduced under the AWA 2006, for example in relation to the private keeping of primates. Significant changes to the licensing of zoos are also expected.

With this in mind and to ensure that the policy remains fit for purpose, it will be reviewed as legislative changes occur and updated accordingly, with a formal review being carried out at least every 5 years. We may make minor amendments to this policy, with the agreement of the Chairman of the Licensing Committee, Cabinet Member for Regulatory Services and the Head of Service.

2.0 Overview of Application process

2.1 Advice for applicants

New applicants for all types of animal licence are advised to contact the Council's Commercial Licensing Team prior to making their application. This allows the officers to provide advice, as well as clarifying any areas of uncertainty. The team can be contacted on licensing@buckinghamshire.gov.uk Applicants are advised to ensure that other legal requirements are in place such as those relating to planning and building control matters.

Those applying to renew their licence are advised to do so in a timely manner and where applicable in the timescale specified in the legislation that their licence is issued under. Failure to do so may result in a business having to close until a licence is granted or risk offences being committed by keeping animals without first holding an appropriate licence.

Where a renewal application is received after the expiry date of the previous licence, save in exceptional circumstances, it will be treated as a new application.

2.2 How to make an application

For all types of licence, applications must be made on the Council's prescribed application forms which are published on the Council's website <https://www.buckinghamshire.gov.uk/business/business-licences-and-permits/animal-licences/>

Applicants are encouraged to submit applications, including accompanying documents, electronically by email to the licensing team at licensing@buckinghamshire.gov.uk or by online forms where these are available. The Council will also accept applications via post to Licensing Services, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

An application will not be considered valid until a completed application form has been received along with the correct application fee.

Applicants will also be asked to provide the necessary supporting paperwork that they are

required to have as set out in legislation and guidance relevant to the type of licence they have applied for.

Applicants will be required to provide evidence of a Disclosure and Barring Service (DBS) check (or “basic disclosure”), the certificate must be no more than two months old at the time of application.

Those whose licence is in force at the time that this policy comes into effect will be required to complete a Disclosure and Barring Service (DBS) check at the time of their next renewal application.

2.3 Decision Making

Each application will be considered and determined on its own merits and on a case by case basis, having taken into consideration this Policy and any statutory requirements and other relevant information.

In accordance with the Council’s scheme of delegations, decisions relating to animal licensing are made by authorised officers with sufficient training to make those decisions. Inspections must be carried out prior to a decision being made on any animal related licence application, as required by legislation.

If an officer is considering refusing an application the applicant will usually be given an opportunity to discuss the Council’s concerns and to give their views before a final decision is made.

Any decision will be provided to the applicant in writing and will set out details of the relevant appeal process.

2.4 Convictions

Where applications are received from individuals whose basic disclosure reveals convictions, the Council will consider if the convictions are relevant in determining the suitability of the applicant to hold the type of licence they have applied for. The Council will also consider if the type of offences are an indication that an applicant is unlikely to comply with licence conditions, for example convictions for:

- Licensing offences
- Offences involving dishonesty or fraud

In each instance, the application will be considered on its own merits, with applicants given an opportunity to make representations prior to the Council determining the application.

The Council will not normally grant a licence to a person with one (or more) conviction(s) for any offence relating to animal welfare. The primary purpose of the animal licensing legislation enforced by the Council is to ensure the welfare of animals and as such, these types of offences

are considered highly relevant.

3.0 Safeguarding

The main aim of animal licensing legislation is to maintain and improve animal welfare standards. However, there are other safeguarding considerations arising from licensable activities, in particular surrounding the protection of children and vulnerable persons and the Council must consider these in light of the Children Act 2004 and the Care Act 2014.

The Council is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons (e.g. the tuition of a young person provided at a Riding Establishment, or entertaining at a children's party with an exhibition of animals). In these circumstances convictions for offences involving the following will be considered particularly relevant when determining an application:

- violence,
- sex and indecency
- drugs

The Council would expect applicants and licence holders whose activities involve contact with children or vulnerable persons to:

- Have a written safeguarding policy and provide training for staff.
- Have evidence of a suitable vetting process for staff who have unsupervised contact with young/vulnerable persons.

The Council are not setting any specific standards in relation to these requirements, but each case will be considered on its own merits. For information purposes, a number of charitable organisations such as NSPCC offer advice on safeguarding issues, including policies and staff recruitment, which applicants and licence holders may find helpful. There is also guidance available on the Gov.uk website <https://www.gov.uk/government/publications/keeping-children-safe-in-out-of-school-settings-code-of-practice/keeping-children-safe-during-community-activities-after-school-clubs-and-tuition-non-statutory-guidance-for-providers-running-out-of-school-settings#fn:10>

4.0 The Animal Welfare Act 2006

4.1 The Act

This Act brought together and updated legislation that promoted the welfare of vertebrate animals, other than those in the wild. Licence types covered by this Policy involve what are considered "protected animals" under the Act. A "protected animal" is defined as an animal commonly domesticated in the British Isles, is under the control of man whether on a permanent basis or temporary basis, or if it is not living in a wild state.

Under the Act reasonable welfare standards must be maintained and a number of offences are set out including failing to ensure the welfare of animals that someone owns or is responsible for and another for causing unnecessary suffering to any protected animal.

4.2 “The Five Needs”

The Act contains a duty of care to animals. This means that anyone responsible for an animal must take reasonable steps to make sure the animal's welfare needs are met. These needs are often referred to as the “five needs” which are:

- **The need for a suitable environment** – this should include an appropriate shelter and a comfortable resting area.
- **The need for suitable diet** – providing free access, where appropriate, to fresh water and a diet to maintain full health.
- **The need to be able to exhibit normal behaviour patterns** – providing sufficient space, proper facilities and the company of an animal of its own kind, where appropriate.
- **Any need to be housed with, or apart from, other animals** – providing the company of an animal of its own kind, where appropriate.
- **The need to be protected from pain, suffering, injury and disease** – providing preventative treatment or urgent veterinary care where necessary and ensuring conditions and treatment which avoid mental suffering.

5.0 Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (“LAIA”)

5.1 Licensable activities

The LAIA Regulations, which fall under the AWA 2006 introduced a single animal activity licence that can include one or more of the following activities:

- Selling Animals as Pets
- Providing or arranging for the provision of boarding in catteries for cats
- Providing or arranging for the provision of boarding in kennels for dogs
- Providing or arranging for the provision of home boarding for dogs
- Providing or arranging for the provision of day care for dogs
- Hiring out horses
- Breeding dogs
- Keeping or training animals for exhibition

5.2 Public Register

The Council keeps a public register of licences issued under these Regulations and this can be

found here:

<https://www.buckinghamshire.gov.uk/business/business-licences-and-permits/animal-licences/public-register-of-licensed-animal-businesses/>

5.3 Licence Conditions

The Regulations include a schedule of general conditions which must be applied to all licences issued. The Regulations also include a number of schedules setting out specific conditions relating to each of the activities listed above. These specific conditions will also be applied to any licence granted for that activity.

Where multiple activities are held under one licence, for example for providing boarding in both a cattery and kennels, then the general conditions, along with the specific cattery and kennel conditions will all be listed on that licence.

The Council has no authority to remove or add conditions from a licence granted under these Regulations.

The general and specific conditions relating to these licences are listed in schedules within the LAIA Regulations and can be seen here:

<https://www.legislation.gov.uk/uksi/2018/486/contents>

5.4 Statutory Guidance

DEFRA have issued statutory procedural guidance for local authorities to follow and specific statutory guidance for each activity, setting out how each licence condition must be demonstrated. This is available on the Gov.uk website:

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities>

The Council is required to have regard to this statutory guidance when carrying out their functions in relation to licences issued under the LAIA Regulations.

The Council has an expectation that applicants and existing LAIA licence holders will familiarise themselves with the latest guidance relating to the activities they are carrying out.

The statutory guidance and regulations are subject to periodic review. The Council expects licence holders to keep up to date with relevant changes to the guidance and regulations that affect their business area. Operators can subscribe to be notified of any changes that are made to the guidance via the link above .

5.5 Who requires a licence?

LAIA licences are issued to an operator defined in the Regulations as “an individual”. In the case of a business operated by more than one individual, for example a limited company or partnership, a single individual will need to take responsibility for applying for the licence

A licence is required if the operator is considered to be carrying out a commercial activity. In accordance with the guidance the Council will consider a variety of criteria when determining

this, including whether the operator:

- Makes any sale or carries out the activity to make a profit
- Earns any commission or fee from the activity
- Has a trading income exceeding the HMRC Trading income allowance
<https://www.gov.uk/guidance/tax-free-allowances-on-property-and-trading-income#trade>
- Carries out an activity in a way that indicates they are operating as a business. The Council will take account of the HMRC's 9 badges of trade in making this determination which include among other things evidence of frequent sales, or sales at high prices, advertising as a business, [HMRC's 9 badges of trade](#),

5.6 Application process

In relation to LAIA licences, the applicant must complete the required sections of the application form for each activity they wish to be licensed for.

On receipt of a valid application, arrangements will be made for an inspection to be carried out by one (or more) of the Council's appointed inspectors.

Applicants will be required to provide evidence of a Disclosure and Barring Service (DBS) check (or "basic disclosure"), the certificate must be no more than two months old at the time of application.

Where possible, officers will make a decision within 10 weeks of receiving a valid application. However, this timescale can be affected should further information be required from an applicant or if there are difficulties in arranging an inspection, for example when this requires a vet or the applicant is not available for the scheduled appointment.

5.7 Inspections

All new and renewal applications will require an inspection. Operators are also subject to an unannounced mid licence inspection. Additional inspections may also be carried out as appropriate, for example as part of a complaint investigation or an application to vary a licence.

Inspections are carried out by suitably qualified inspectors who are part of the licensing team. However, in accordance with the Regulations, new applications for dog breeding will require an appointed vet to carry out the inspection alongside the Council's appointed inspector.

For the activity of hiring out horses, a listed vet will be appointed to carry out an inspection alongside the council appointed inspector for all new and renewal applications. The Council must also arrange for a listed vet to carry out an annual inspection of any premises offering the activity of hiring out horses if the licence is granted for more than one year.

The Council may choose to appoint a vet to carry out inspections on their own, without the need to be accompanied by a Council inspector, where this is the case this will be reflected in the Council's scheme of delegations.

Applicants are advised that application/ renewal inspections can often take several hours, especially where significant evidence of noncompliance is found, or where the inspection covers more than one activity.

Inspections will often include checking temperatures and measurements of other environmental factors relating to the animal's welfare, for example water quality where fish are kept or dimensions of a cattery unit. Photographs will be taken as a record of what has been seen at the time of inspection. Inspectors may also check microchips in order to identify animals. There may also be cases where Council inspectors feel it is necessary to have additional assistance from a vet during an inspection. Examples of this would be where exotic species are involved in the activity and specialist knowledge is needed, where there has been evidence of serious animal welfare concerns, or samples are required. In such cases the applicant will, where possible, be notified of the need to seek assistance from a vet beforehand as the applicant will be expected to pay any additional costs associated with the inspection.

It is an offence for the applicant to obstruct an inspector when carrying out their duties as set out in the LAIA Regulations. This includes reasonable requests to identify, examine or take a sample from an animal.

5.8 Suitability to hold a licence

In order to establish the suitability of applicants to be granted a licence the following factors will be taken into consideration:

- The applicant's understanding of the relevant legislation.
- The applicant's demonstrable experience caring for and working with the species involved in the activity they wish to be licensed for.
- The applicant's ability to comply with the licence conditions and ability to provide adequate welfare standards for the animals in their care. This will be assessed during the inspection process, taking into account the premises and documentation required under LAIA Regulations.
- Compliance history, either with this Council or another Local Authority (where known), for any type of licence.
- Evidence of suitable management and staffing levels, with training arrangements in place for staff to ensure appropriate standards of care for animals.
- Any history of relevant criminal or unacceptable behaviour.
- Information provided by external stakeholders such as RSPCA, vet practices, The Kennel Club. Examples of this might be Kennel Club breeding records, veterinary records for the animals used for the activity or a history of animal welfare concerns.

This does not limit the scope of the fit and proper assessment and the Council may take into account other matters, should they be considered as relevant to the licensing process.

Schedule 8, of the Regulations sets out who cannot be granted a licence. In general terms these are individuals who have previously had a licence revoked or who are listed as a disqualified person under various animal related legislation including the AWA 2006.

5.9 Star ratings

With the exception of license issued for the keeping and training of animals for exhibition, all LAIA licences are issued with a star rating. The rating ranges from 1 star to 5 star. This star rating determines the length of time a licence is granted for, which can either be 1 year, 2 years or 3 years.

The star rating table, as set out in the DEFRA procedural guidance is shown here:

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities#granting-or-renewing-a-licence-star-ratings-and-licence-conditions>

When carrying out an inspection as part of new or renewal application, inspectors will use a risk based approach to determine a star rating. This involves taking into consideration the following:

- compliance history of an operator as an indication of whether they are high or low risk
- considering the animal welfare standards demonstrated by the operator and whether there is evidence of minor failings.
- if the operator meets the minimum standards or whether there is also evidence of the higher standards, as set out in the statutory guidance, being met.

The procedural guidance sets out a risk rating table to be used for renewal applications where compliance history is available, this is shown here:

<https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities#risk-scoring>

It should be noted that star ratings can also be reviewed by an inspector following other types of inspection such as a mid-licence check, for example where it is clear that the higher standards are no longer being met by an operator.

Where multiple activities are listed on a licence there will only be one star rating. In these circumstances each activity is risk rated separately and where it is found that the business is operating with different standards for different activities the star rating will be rounded down.

5.10 Review of Star rating

Should an operator wish to have their star rating reviewed they can request a reinspection. This applies where businesses with ratings of 1 to 4 have accepted their rating, but have

subsequently made the improvements needed to address non-compliances identified during the previous inspection.

Operators are reminded that an inspector will not only check that the required improvements have been made but will also assess the ongoing standards. This means that the star rating could go up, down or remain the same as a result of a reinspection.

The cost of any reinspection in these circumstances is borne by the applicant.

5.11 Reinspection process

The guidance sets out how operators should apply for a reinspection to review their star rating.

They should provide in writing (either by email or post):

- An outline of the case for a reinspection
- An indication of what the business has done to improve the level of compliance or welfare since the inspection, including any actions recommended by their inspector
- supporting evidence, if appropriate, such as photographs or records

5.12 Star Rating Appeal Process

Operators can appeal the star rating they have been awarded should they feel that the star rating does not reflect the level of animal welfare standards and risk level at the time of inspection.

Operators are encouraged to discuss this informally with the inspecting officer as a starting point but must still ensure that any appeal is lodged in writing within 21 days of the date their licence was issued. This should be sent to the licensing service and can be by letter or email to licensing@buckinghamshire.gov.uk. In most circumstances the operator will be notified of their star rating when provided with the inspector's report and prior to the issuing of the licence. This enables the operator to seek clarification from the inspector before the licence is issued.

Where an appeal is received in writing, the following process will be followed:

- Receipt of the appeal will be acknowledged
- The inspecting officer will contact the operator to establish if any further explanation of their star rating/ risk scoring is wanted
- If this resolves the matter and the operator decides to withdraw their appeal they will be asked to do so in writing.
- If the operator wishes to proceed with their appeal, it will be dealt with by a senior officer authorised to determine LAIA star rating appeals under the Council's scheme of delegations. The senior officer determining the appeal will have had no involvement in the production of the rating or in the inspection on which the rating is based.
- The senior officer determining the appeal will decide if a further visit to the premises is required. This decision will be based on the information provided by the operator as

part of their appeal, all records relating to the inspection, including report, photographs and correspondence and any past records of the business.

- Where it is considered necessary to carry out another visit in order to determine the appeal, the cost of this will be borne by the operator unless the appeal results in the star rating being increased.
- A decision will be provided to the operator in writing within 21 days of the date the appeal was received.
- If the applicant remains unhappy with the outcome of the appeal they can challenge the decision by way of judicial review or the Council's complaints procedure <https://www.buckinghamshire.gov.uk/your-council/contact-and-complaints/complain-about-our-services/>

5.13 Variations, Suspensions and Revocations

Under the LAIA Regulations, the Council may vary a licence with or without the consent of the licence holder.

Examples of varying a licence with the consent of a licence holder would be where new horses are added to a licence for the activity of hiring out horses, a new species of animals added to a licence for selling animals as pets or a structural change to a premises enabling a greater number of animals to be covered by a licence. Examples of varying a licence without the consent of the licence holder would be the removal of certain species of animals, or reduction in the number of animals involved in the activity covered by the licence.

In most cases a star rating change, either following an inspection or at the request of the licence holder, will require a variation of licence to reflect changes to the expiry date.

The Council may also suspend or revoke a licence without the consent of the licence holder if:

- the licence conditions are not being complied with
- regulations are breached
- information supplied by the licence holder is false or misleading
- it is necessary to protect the welfare of an animal

It is an offence for the licence holder to breach any licence condition.

The process for varying, suspending or revoking a licence is set out in the statutory procedural guidance <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities>

In summary, if the Council intends to vary, suspend or revoke a licence without consent, the licence holder will be served with a written notification of this decision and given 7 working days to respond before the decision takes effect. If representations are made in that time frame then the Council must respond within 7 working days with their response and final decision.

The exception to this process would be where a decision was made in order to protect the welfare of an animal. In these instances, the decision can have immediate effect and a licence holder would be advised of this.

Licence holders have 28 days to appeal a decision to suspend, vary or revoke a licence from the date the decision took effect. Appeals are made to the first tier tribunal.

When considering whether to suspend, vary or revoke a licence the Council will have regard to the statutory guidance and the Council's own enforcement policy as set out in this document.

6.0 The Dangerous Wild Animals Act 1976 ("DWA Act")

6.1 What animals require a licence

The Dangerous Wild Animals Act 1976 (as amended) dictates that a licence is required where an individual or a business wishes to keep an animal included on the Schedule of Dangerous Wild Animals which forms part of the Act. It is an offence for a person to keep a dangerous wild animal without first obtaining a licence from the Council.

The DWA Act applies to business enterprises such as an ostrich farm, however, it does not apply to dangerous wild animals kept in a zoo. The legislation also applies to all individuals that wish to keep a dangerous wild animal at home.

The schedule of animals associated with this Act has been updated on a number of occasions via secondary legislation. The species of animals currently included on the schedule can be seen here:

<https://www.legislation.gov.uk/ukxi/2007/2465/schedule/made>

It is noted that The Wild Animals in Circuses Act 2019 banned the exhibition of wild animals or use of them in travelling circuses in England.

6.2 Length of Licence

In accordance with The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010, licences may be granted for a maximum two years.

6.3 Application process

Applications must be made by an individual. A form can be downloaded from the Council's website here:

<https://www.buckinghamshire.gov.uk/business/business-licences-and-permits/animal-licences/apply-for-a-dangerous-wild-animal-licence/>

Following receipt of a valid application, consisting of a completed and signed form and the required application fee, an independent veterinary inspection of the animals and premises is required. The vet will normally be accompanied by a Council inspector. The Council will authorise a vet who has suitable experience with dangerous wild animals.

The cost of any veterinary inspection will be the responsibility of the applicant/licence holder and charged in addition to the licence fee. If additional vet inspections are felt to be necessary they will also be carried out at the applicant/licence holder's expense. This will be discussed with the licence holder prior to any additional inspection taking place.

Applicants will also be required to provide evidence of a Disclosure and Barring Service (DBS) check (or "basic disclosure"), the certificate must be no more than two months old at the time of application.

6.4 Determining an application

In accordance with the DWA Act, the Council will not grant a licence unless it is satisfied that the applicant is a suitable person to hold a licence and that other specific criteria are met relating to public safety, animal welfare and public nuisance:

Applicants must demonstrate:

- That they both own and possess or intend to own and possess the animals the licence will relate to (unless the Council has determined that exceptional circumstances apply)
- That they have adequate knowledge and expertise with the species they intend to keep under the licence and can show how they will ensure that the animals needs will be met.
- That they can provide suitable accommodation for the animals kept under the licence, in line with any best practice guidance and recommendations from the inspecting vet's report.
- That they have suitable liability insurance in place, covering the keeper and any other person specified on the licence. This insurance must cover any damage caused by the species of animals specified on the licence.
- That risk assessments have been carried out and procedures put in place to protect animals covered by the licence from fire or any other emergency. This should include how animals would be safely evacuated and actions taken to recover an animal should it escape from its enclosure, ensuring their safety and the safety of the public.
- That they have reasonable precautions in place to prevent and control the spread of infectious diseases.
- That they have consent from the property freeholder, if not the applicant, to keep the animals specified on the licence.
- That the appropriate planning permission is in place if necessary.

- Where venomous species are kept, that adequate steps have been taken to ensure suitable availability of antivenom (where applicable).
- That they are registered with a vet who can provide suitable veterinary care for the species of animals they intend to keep
- That they have not been disqualified under this Act from keeping any dangerous wild animal

A licence will not be issued where the veterinary surgeon recommends refusal.

Whilst licences are granted under the Dangerous Wild Animals Act 1976, the Council will also refer to the Animal Welfare Act 2006 and any best practice guidance relating to individual species to ensure compliance and good standards of animal welfare.

6.6 Licence conditions

All DWA licences will include standard conditions set by the Council, they may also include specific conditions relating to the premises where the animal(s) are usually kept or species of animals kept, meaning that licence conditions will vary between different premises.

The Council's standard DWA conditions are shown in Appendix 2

Offences are committed under the Act if

- A person keeps any dangerous wild animal without a licence.
- fails to comply with or contravene a licence condition, unless the licence holder can prove that they took all reasonable precautions and exercised all due diligence to avoid this happening.
- Wilfully delays or obstructs any person in the exercise of his right of entry or inspection.

The offences carry an unlimited fine in the magistrates court.

6.7 Appeals

Should an applicant wish to appeal the refusal to grant a licence or if they do not agree with a licence condition which has been imposed or varied or removed they may appeal to the magistrates court. Any appeal must be brought within 21 days from the date of service of the decision by the Council.

7.0 Zoo Licensing Act 1981 (as amended)

7.1 Premises requiring a licence

A licence is required for an establishment where wild animals are kept for exhibition to which members of the public have access, with or without charge for admission, on seven or more days in any period of twelve consecutive months. The wide scope of this definition means that licensed zoos can range from a traditional urban zoo or safari park to a small specialist collection such as an aviary or butterfly collection.

7.2 Guidance

Government guidance on the Act can be found on the Gov.uk website here:

<https://www.gov.uk/government/publications/zoo-licensing-act-1981-guide-to-the-act-s-provisions>

A licensed zoo must be able to demonstrate compliance with a broad range of issues, including but not limited to, feeding, environment, conservation/education and public safety.

How this can be achieved is set out in detail in the Secretary of States Standards of Modern Zoo practice, also available from the Gov.uk website:

<https://www.gov.uk/government/publications/secretary-of-state-s-standards-of-modern-zoo-practice>

7.3 Requirements for holding a zoo licence

The applicant must be able to demonstrate how the zoo will:

- help educate people about biodiversity
- be suitable for the types of animals you're keeping
- have a high standard of animal care
- do as much as possible to stop any animals escaping
- stop pests and vermin getting into the zoo

Applicants will also have to demonstrate how they are doing at least 1 of the following:

- conservation research or training
- sharing conservation information
- captive animal breeding
- helping repopulate or reintroduce species into the wild

7.4 Application process

Applications are made via the Gov.uk website which also gives guidance on the application process:

<https://www.gov.uk/zoo-licence>

Applications can be made by an individual or by a business or other organisation.

Applicants will be required to provide evidence of a Disclosure and Barring Service (DBS) check (or “basic disclosure”), the certificate must be no more than two months old at the time of application. Where an application is made by a business or other organisation, all business partners or directors will be required to provide a basic disclosure certificate.

New applications

Before applying for a new licence an applicant must, at least two months prior to the application, provide the Council with a notice of an intention to apply, providing the following information:

- The location of the zoo
- The types of animals and numbers of animals that will be kept
- How the animals will be housed and cared for
- staff numbers and what they’ll be doing
- expected visitor and vehicle numbers
- zoo entrance and exit points
- how conservation conditions will be met
- Provide confirmation of that planning permission has been granted for the establishment or continuance of the zoo. The applicant must also:
 - publish notice of intention to apply in at least 1 local and 1 national newspaper
 - display the notice at the planned zoo site
 - send a copy of the notice to the council

The Council will keep any notice of intention available at the main Council offices for public inspection, free of charge at any reasonable hour and on the Council website.

The Council will take into account any representations received from any off the following:

- The applicant
- Thames Valley Police
- APHA
- Any other local authority in which part of the zoo may be situated
- any person alleging that the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo;

- Buckinghamshire Fire Service
- any other person whose representations might, in the opinion of the local authority, show grounds on which the authority has a power or duty to refuse to grant a licence which may include Environmental Health; the Local Ward Councillor or Town and Parish Councillors.

A “licence” inspection must be carried out before a licence is granted or refused. The process for arranging an inspection of a zoo as part of a new application is set out in the Government guidance to the Act.

The inspection will be carried out by one or more inspectors nominated by the APHA. The Council must take into consideration the inspection report and any recommendations for additional conditions to be added to the licence. Applicants are provided with a copy of the report and are given the opportunity to comment on it. Should the Council decide to grant the licence, the applicant will be consulted prior to additional conditions being added and the licence issued.

7.5 Renewals

The Council will aim to provide licence holders with 9 months notice of when their licence is due to expire but responsibility for applying for a renewal of a licence remains the responsibility of the licence holder. A completed application must be submitted at least 6 months before their licence expires.

7.6 Dispensation

Once a zoo licence has been granted, an application can be made to the APHA to issue a direction granting a zoo a dispensation under s.14(1)(b) or 14(2) of the Act if it is a small collection and the types of animals to be kept suggest that it may be eligible. Inspectors can recommend what type of dispensation would be appropriate on their inspection report.

The application process for a dispensation is set out in the guidance to the Act. In the case of a dispensation under s.14(1)(b) of the Act, this application is made by the Council on the zoo’s behalf, in the case of a 14(2) dispensation, the application is made by the zoo itself. In both instances the APHA will require a plan of the zoo, stock list, support in writing from the Council, any other supporting information and in the case of a 14(1)(b), a report from a vet (not used by the zoo) confirming that the zoo appears to be run properly and that the animals properly cared for.

These dispensations ensure that inspections are kept at a reasonable level for the size of the establishment, without in any way weakening the establishment’s obligation to achieve acceptable standards of animal welfare.

If granted, dispensation status will be reviewed from time to time to ensure it is still suitable.

In a small number of cases, the APHA may issue what is known as a 14(1)a direction stating that a particular premises is exempt from requiring a zoo licence. In these cases, the Council will apply on behalf of the zoo. The Council's letter will have to be supported by a letter from a vet (not used by the zoo) confirming that the zoo is run properly and the animals appear to be well cared for. The owners of the zoo will be required to pay for any vet inspection carried out in relation to this process.

7.7 Grounds for refusal

The Council may refuse a licence if:

- An inspector's report recommends that the application be refused
- Satisfied that the zoo, or its continuance, would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order
- Not satisfied that zoo operators are able to meet conditions to take forward the relevant conservation measures
- Not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and well-being of the animals as a whole or for any of them, or otherwise for the proper conduct of the zoo.
- They are not satisfied that planning permission has been granted for a zoo (or the granting of the licence can be suspended until the local planning authority confirm that permission has been, or is deemed to be, granted).
- Anyone associated with the zoo has a conviction under the Zoo Licensing Act 1981 or any of the Acts mentioned in Section 4(5) of the Act .

7.8 Length of licence

A new zoo licence, if granted, will have a duration period of four years. Upon renewal, the licence will run for a period of six years.

7.9 Appeals

If a licence is refused under the Zoo Licensing Act 1981, the applicant will have the right of appeal to the magistrates' court within 28 days of the decision notice.

7.10 Inspections

Any licensed zoo will be subject to a schedule of annual inspections broken down into periodical and informal inspections. The exact procedures relating to the arrangements of these inspections is set out in the guidance to the Act. Unless a dispensation is in place, the periodical inspections will be carried out by a team of inspectors, consisting of two Secretary of State inspectors and no more than three nominated by the local authority, one of whom must be a

vet. Informal inspections are carried out by a Council inspector and must take place in any calendar year when a periodical inspection has not taken place.

Where a 14(1)(b) dispensation is in place, there will either be no requirement for periodical inspections and only annual informal inspections will take place, or for a 14(2) dispensation they will be carried out by the APHA nominated inspector(s), usually accompanied by a Council officer.

The APHA must select from the list of Secretary of State nominated inspectors to carry out any periodical inspection. The zoo is encouraged to carry out a prescribed audit prior to a periodical inspection which is provided to the nominated inspector. This will often help to reduce the time taken to carry out the inspection.

Applicants/ zoo operators will be given at least 28 days notice of an inspection taking place. They will be provided with a copy of the inspector's report and are given an opportunity to make comments on the report which will be recorded and returned to the inspector along with the signed report.

As set out in the guidance to the Act, "special" inspections can also be carried out at the discretion of the Council. An example of this might be as a result of an investigation into a complaint, or to check compliance with licence conditions that require improvements to be made within a specified period of time. These inspections can take place at any time but the Council must notify the zoo of the date and time. The local authority will appoint a suitably competent person to complete the inspection.

The cost of any inspection carried out by Secretary of State Inspectors will be the responsibility of the applicant/licence holder.

7.11 Licence Conditions

Any zoo licence issued by this Council will be subject to the licence conditions detailed in Appendix 3 of this Policy. These conditions have been based on the Secretary Of State's Standards of Modern Zoo Practice. All inspectors of zoos must have regard to these standards. Any licence issued will also contain any additional conditions to be added to the licence contained in the inspectors report as set out in paragraph 6.4 above.

Following a periodical inspection, a Secretary of State nominated inspector may require that additional conditions are attached to the licence. Zoo operators are given an opportunity to comment on these conditions prior to their inclusion on their licence.

7.12 Noncompliance with licence conditions

Where it is found that conditions attached to the licence are not being complied with in relation to the zoo or any part of it, the guidance states that, having given a licence holder the

opportunity to be heard, the local authority must make a direction setting out the following information:

- Specify which condition(s) have not been met.
- Specify whether this is relation to the whole zoo or a section of the zoo.
- The steps the licence holder must take to comply
- The time period within which this must be done (not exceeding two years).
- Whether the whole zoo or a section must be closed whilst the necessary steps are taken.

Directions issued by the Council can be varied to permit additional time for them to be completed (as set out in the government guidance) and will be revoked once the zoo has complied with the condition or conditions.

If a licence holder fails to complete a direction - the Council is required either to close down the zoo permanently or permanently to close the affected section of the zoo.

8.0 Change of Circumstances and Incident Reporting

8.1 Change of Circumstances

The Council has an expectation that all animal licence holders will inform them should there be significant changes to how their business operates or how the animals will be kept. For example, where a licence holder decides to employ a manager who will have responsibility for the day to day operating of the business, where this was not the case at the time of application, or where significant changes are made to the facilities where the animals are kept.

The Council must also ensure that licence holders remain fit and proper during the life of a licence. For this reason, licence holders must notify the Council, in writing, within 72 hours, if any of the following occurs :

- They have any type of animal licence suspended or revoked
- They are convicted or receive warnings or cautions for any animal welfare offence;
- They are disqualified under the Animal Welfare Act 2006, Dangerous Wild Animals Act 1976, or any other legislation as specified in Schedule 8 of the Animal Welfare (Activities Involving Animals) (England) Regulations 2018
- Are subject to bail conditions which may affect the licence holder's ability to operate their business.

8.2 Incident Reporting

Licence holders must also notify the Council within 2 working days if any significant incident happens whilst operating their business. Examples of this would be an animal escaping, an animal injuring a member of staff, a dog on dog attack or similar.

8.3 Notify the Council

Failing to notify the Council will raise serious questions for the Council as to the honesty of the licence holder.

9.0 Enforcement

9.1 The Council's approach to enforcement

All enforcement against licensed and unlicensed operators will be carried out in accordance with the Council's enforcement policy https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/regulatory-services-enforcement-policy_1.pdf

Officers will seek to assist businesses and others in meeting their legal obligations through provision of reasonable assistance and advice, aiming to be clear, open and helpful in their approach to enforcement. However, officers will take robust action against those who knowingly contravene the law or act irresponsibly. Enforcement resources will be targeted at cases of highest risk to animal welfare and public safety.

9.2 Partnership working

Enforcement may be carried out in conjunction with other agencies such as the RSPCA, Trading Standards or Thames Valley Police. Where appropriate, officers from neighbouring authorities may also be authorised to carry out animal welfare enforcement within the council area and officers from the council's Licensing Service may be likewise authorised in other areas.

9.3 Powers under the Animal Welfare Act 2006 (AWA)

Officers carrying out inspections relating to animal licensing are also appointed inspectors under section 51 of the AWA. This provides them with additional powers under this Act, for example in relation to seizure of animals, power of entry and applying for warrants.

9.4 Enforcement Action and Information Sharing

Any enforcement action carried out will be proportionate and reasonable and will aim to treat all licensees fairly and consistently.

Interviews, whether informal or carried out under caution will normally be recorded to ensure an accurate record of the interview is kept.

Complaints received and warnings issued in relation to licence holders will generally be held on file and taken into consideration during the period of any licence or application or where there is a break in licence history. Where applicants are known to have operated, resided or been licensed by another local authority, officers may request details of any licence and compliance history to be taken into consideration as part of the application process.

9.5 Right to be heard

If we are considering suspending or revoking your licence you will usually be given an opportunity to discuss the Council's concerns and to give your views.

However, in certain circumstances, the Council is required to act with immediacy, for example where there is considered to be an imminent risk to animal welfare. In such circumstances, the Council must balance the right of an individual to be heard against the need to protect the animal.

9.6 Seizure of animals

Where it becomes necessary to take action to remove animals from a premises, as a result of the exercise by officers of their powers under the relevant legislation referred to in paragraph 1.5, in appropriate circumstances, the Council will seek to recover the costs incurred.

10.0 Fees

10.1 Current Fees

A list setting out the current animal licensing fees can be found on the Buckinghamshire Council website here:

<https://www.buckinghamshire.gov.uk/business/business-licences-and-permits/animal-licences/animal-licence-fees/>

10.2 Statutory Provisions to recover fees

The relevant statutory provisions that enable the local authority to set and recover fees for animal licensing activities are set out within the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, made under the Animal Welfare Act 2006, the Dangerous Wild Animals Act 1976 and the Zoo Licensing Act 1981. DEFRA and the Local Government Animal Welfare Group also issue guidance to local authorities to support fee setting.

10.3 The Council's approach to fee setting

The Council has made reference to the document "Open for business: Local Government Association (LGA) guidance on locally set licence fees". The LGA guidance acknowledges that Councils are free to design their licensing service in a manner that best serves the needs of their community and recover the costs accordingly.

Buckinghamshire Council will take a reasonable and proportionate approach aiming to set a fee level that is sufficient to cover the cost, but not make a surplus, whilst providing value for

money for the applicant. With this in mind vet fees are charged separately to allow for variation in size or complexity of the required inspection. In addition, some fees are listed in a tiered format to ensure fairness to smaller businesses where administration costs and inspection time are less.

10.4 Review of Fees

Generally, fees are subject to a full review every 3 years, however due to the relatively recent harmonisation of the animal licensing work activities of Buckinghamshire Council and the anticipated review of the LAIA Regulations at the end of 2023, fees will initially be reviewed annually to ensure these standards of fee setting are met.

Appendix 1 List of Definitions

APHA - Animal and Plant Health Agency , formerly known as the Animal Health and Veterinary Laboratories Agency, is part of the Department for Environment, Food and Rural Affairs. They are involved in safeguarding animal and plant health for the benefit of people, the environment and the economy

“Appointed” or “Authorised” inspectors and “appointed” or “Authorised” vets – The Council is required to select suitable inspectors and vets to act on their behalf with regard to carrying out inspections. Whether these are “appointed” or “authorised” comes down to the terminology used in each particular piece of legislation.

DEFRA - Department of Environment, Food and Rural Affairs. This is the ministerial department responsible for environmental protection, food production and standards, agriculture, fisheries and rural communities

DWA – Dangerous Wild Animal

Listed vet – A vet who is on the Royal College of Veterinary Surgeons/ British Veterinary Associations riding establishment inspectorate list

Livery yards - Stables where horse owners pay a fee to keep their horses.

“Suitably Qualified Inspector” – This is an inspector who meets the criteria specified in the statutory guidance for Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. A suitably qualified inspector must:

- have a Level 3 certificate (or equivalent) granted by a body recognised and regulated by the Office of Qualifications and Examinations Regulation (Ofqual). Their certificate must apply to that particular type of activity to count as qualified. The training must cover the application of the licensing conditions for all licensable activities and must contain a practical element

OR

- have a formal veterinary qualification recognised by the Royal College of Veterinary Surgeons (RCVS), together with a relevant RCVS continuing professional development record

Appendix 2 Standard Conditions attached to Dangerous Wild Animal Licence

1. While any animal(s) is/are being kept under the authority of the Licence:-
 - (i) the animal(s) shall be kept by no person other than the person or persons specified;
 - (ii) the animal(s) shall normally be held at such premises as are specified;
 - (iii) the animal(s) shall not be moved from those premises except in the following circumstances, namely, transport for veterinary treatment, sale, or other activities agreed by the Council separately below.
 - (iv) the person to whom the Licence is granted shall hold a current insurance policy which insures them and any other person entitled to keep the animal under the authority of the Licence against liability for any damage which may be caused by the animal, the terms of such policy being satisfactory in the opinion of the authority.
2. The species and number of animals of each species, which may be kept under the authority of the Licence, shall be restricted to those specified in the Licence.
3. The person to whom the Licence is granted shall at all reasonable times make available a copy of the Licence to any persons entitled to keep any animal under the authority of the Licence.
4. No alteration shall be made to the premises in which the animals are kept without the prior consent of the Council. The animals to be kept only in the part(s) of the premises for which approval has been given.
5. The person to whom the licence is granted shall ensure that all reasonable precautions are taken;
 - a) to protect the safety of public; and
 - b) to ensure that no nuisance is caused to the public.
6. Any animal which is being kept under the authority of the Licence shall be:
 - a) held in accommodation with a double locking entry system which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, drainage, cleanliness and which is suitable for the number of animals proposed to be held in the accommodation; and
 - b) supplied with adequate and suitable food, drink and bedding material. The animal(s) should be inspected by a competent person at least daily or as often as

specified in writing by the local authority authorised vet inspector. Any abnormal observations must be reported to the licence holder AND recorded in a daily diary.

- c) able to take adequate exercise and exhibit normal behaviour whilst in the accommodation at the premises in which they will normally be held
- 7. A written emergency protocol must be in place, setting out appropriate steps to be taken for the protection of animals in case of fire or other emergency. This must include measures to be taken for the evacuation of the animals should the accommodation become uninhabitable. The evacuation procedure must be clearly displayed on the premises and staff must be familiar with it.
- 8. Suitable firefighting, prevention and detection equipment must be provided and maintained in good working order.
- 9. Where appropriate for the species kept under this licence, a sufficient number of secure and lockable pet carriers must be available at all times for use when transporting animals for any reason, including emergency evacuation. These carriers must have a sign stating, "*dangerous wild animal*" and include the species common name. Where transport in a vehicle does occur, the carriers must remain locked and the vehicle must be secure and attended at all times.
- 10. There must be a written escaped animal protocol that all staff are familiar with. This must be displayed in an easily accessible area so that it is visible to anyone working closely with the animals.
- 11. All escapes must be notified to the Local Authority within 24 hours.
- 12. A suitably qualified veterinarian, with demonstrable relevant experience of the species covered by the licence, must be engaged to provide advice to the licence holder and care for the animals.
- 13. All reasonable precautions will be taken to prevent and control the spread of infectious diseases. There must be preventative healthcare programme in place according to veterinary advice. Records of any health checks should be made available to an authorised officer of the licensing authority if requested
- 14. A preventative programme of pest control should be carried out to ensure no entry of rodent or bird vermin.
- 15. Any breeding of animals must be planned and must be within the limits on number of animals of the species permitted on the licence. Breeding control methods must be in place where needed. The local authority must be notified within 7 days of animals being born unless other dispensation is provided by the Council.
- 16. At all times, the animal(s) shall be in the charge of a suitably experienced person, capable of controlling them. That person shall not be less than 18 years of age.

17. The licence holder and his agent(s) shall comply with any reasonable instructions in respect of an animal, given by an authorised officer of this Council or the Council in whose area that animal is, and shall provide a copy of this Licence for the information of the said authorised officer.
18. Copies should be retained of all DWA licences for a period of at least six years.

Optional condition if permitting animals to travel to other sites under this licence

The movement of any animal shall be notified to the Licensing Authority in advance where possible, but at least within 72 hours. This need not be in writing but must include:

- a) the destination;
- b) the local authority of the destination;
- c) the anticipated duration of stay;
- d) the transportation method and vehicles; and
- e) species and numbers of animals involved.

NOTES

1. Where:-
 - (a) a person is aggrieved by the refusal of a local authority to grant a licence under this Act, or
 - (b) a person to whom such a licence has been granted is aggrieved by a condition of the licence (whether specified at the time the licence is granted or later) or by the variation or revocation of any condition of the licence

he may appeal to a Magistrates' Court; and the court may on such appeal give such directions with respect to the grant of a licence or, as the case may be, with respect to the conditions of the licence as it thinks proper, having regard to the provisions of this Act.

2. Any person guilty of an offence under any provision of this Act shall be liable on summary conviction to a fine not exceeding £5,000.

Appendix 3 Standard Zoo Licence Conditions

Mandatory conditions taken from section 1A of the Zoo Licensing Act 1981 (as amended)

1A. The following are conservation measures to be implemented in zoos in accordance with this Act-

- (a) participating in at least one of the following-
 - (i) research from which conservation benefits accrue to species of wild animals;
 - (ii) training in relevant conservation skills;
 - (iii) the exchange of information relating to the conservation of species of wild animals;
 - (iv) where appropriate, breeding of wild animals in captivity; and
 - (v) where appropriate, the repopulation of an area with, or the reintroduction into the wild of, wild animals;
- (b) promoting public education and awareness in relation to the conservation of biodiversity, in particular by providing information about the species of wild animals kept in the zoo and their natural habitats;
- (c) accommodating their animals under conditions which aim to satisfy the biological and conservation requirements of the species to which they belong, including-
 - (i) providing each animal with an environment well-adapted to meet the physical, psychological and social needs of the species to which it belongs; and
 - (ii) providing a high standard of animal husbandry with a developed programme of preventative and curative veterinary care and nutrition;
- (d) preventing the escape of animals and putting in place measures to be taken in the event of any escape or unauthorised release of animals;
- (e) preventing the intrusion of pests and vermin into the zoo premises; and

- (f) keeping up-to-date records of the zoo's collection, including records of- (i) the numbers of different animals;
- (ii) acquisitions, births, deaths, disposals and escapes of animals;
- (iii) the causes of any such deaths; and
- (iv) the health of the animals.

Additional conditions to ensure the proper conduct of the Zoo in all other respects, during the period of the licence:

Insurance

1. Zoo operators must have insurance cover which covers them and every other person under a contract of service or acting on their behalf, against liability for any damage or injury which may be caused by any of the animals or by other factors, whether inside or outside the zoo, including during transportation to other premises. Any upper limit on the sum insured must be set at an adequate but realistic level.
2. Within one month of the date of the licence and one month of the date of renewal of the policy, a copy of the Zoo's current public liability insurance policy, and of subsequent renewals thereof, to be sent to the licensing authority.

Hazardous Animals

3. The licensing authority to be notified in writing, at least one month in advance, of the proposed addition of any animal listed in category one of the Hazardous Animal Categorisation (see Appendix 12 of the Secretary of State's Standards of Modern Zoo Practice - 2012), which is from a taxonomic family of which category one species have not previously been kept in the Zoo.
4. The licensee/s to notify the licensing authority before the temporary removal from the Zoo (other than for veterinary attention or inter-zoo movements) of any animals listed in category 1 of the Hazardous Animal Categorisation of the Secretary of State's Standards of Modern Zoo Practice. Such notification should be given as early as possible and, in any case, no later than 12 hours before the removal, unless the Zoo operator and licensing authority

mutually agree a shorter period. The notification should include details of the destination, the method of transportation of the animal, the arrangements for its well-being and the arrangements for the safety of the public whilst it is away from the Zoo.

Escapes

5. In the event of any non-domestic animal escaping from the confines of the Zoo, notification shall be made to the licensing authority as soon as possible, and, in any case, not later than 24 hours following the escape.

6. The licensee must ensure that all members of staff are familiar with emergency procedures when animals escape. In particular, emergency animal escape drills must be carried out at least four times a year, recorded and regularly reviewed, this should include at least two drills involving the escape of a category one species (where present) as stipulated in Appendix 12 of the current Secretary of State's Standards of Modern Zoo Practice.

Stock Records

7. An annual stocklist of all animals must be kept and a copy must be forwarded to the local authority before the 1st April of the year following that to which it relates. This must be in, or similar to, the format stipulated in Section 9.5 & 9.6 of the current Secretary of State's Standards of Modern Zoo Practice (2012), or those that are produced by ZIMS and cover the period from the 1st January until the 31st December.

Note 1. These conditions are attached to the licence without prejudice to the application, where relevant, of the Secretary of State's Standards of Modern Zoo Practice specified in accordance powers conferred under section 9 of the Zoo Licensing Act 1981 (as amended).

