Basingstoke & Deane Borough Council Animal Licensing Policy 2027–2032

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Part 1. Introduction

Basingstoke and Deane Borough Council ("the Council") has statutory responsibilities for the licensing, regulation and enforcement of a range of animal-related activities under animal welfare, animal health, public safety and consumer protection legislation.

The Council is committed to ensuring that high standards of animal welfare are achieved and maintained throughout the Borough and that businesses and individuals undertaking licensable activities operate safely, responsibly and in accordance with the law.

This Policy recognises that animal licensing plays an important role in:

- Protecting animal welfare.
- Protecting public safety.
- Preventing animal suffering.
- Promoting responsible business practices.
- Supporting consumer confidence; and
- Ensuring compliance with statutory requirements.

This Policy provides transparency regarding how the Council exercises its licensing functions and sets out the standards expected of applicants and licence holders.

The Policy will be reviewed as standard every 5 years, and at other times when necessary (for example, to reflect significant changes in relevant legislation or guidance). Any general reference to ‘guidance’ in this policy relates to the ‘Animal activities licensing: guidance for local authorities’ produced by DEFRA. This guidance can be viewed in full here:

Animal activities licensing: statutory guidance for local authorities - GOV.UK

If any other guidance is referenced in this policy, specific details will be provided. This policy sets out:

- The principles the Council will use when dealing with animal related licensing matters.
- The criteria considered by the Council when determining whether to grant or renew a licence.
- What the Council will do when it reviews a licence

This policy provides guidance to any person with an interest in animal licensing but not exclusively:

- Applicants for licenses
- Existing licence holders whose licences are being reviewed.
- Users of licensed premises
- Local Authority Officers
- Members of the Licensing Committee, and
- Tribunals/Courts hearing appeals against local authority decisions

Part 2. Table of Definitions

Term	Definition
Animal Welfare Act 2006 (AWA 2006)	The principal Act placing a duty of care on persons responsible for animals to ensure their welfare needs ('Five Needs') are met.
Five Needs	Suitable environment; suitable diet; ability to exhibit normal behaviour; housing with/without others as appropriate; protection from pain, suffering, injury and disease.
AAL Regulations 2018	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and any amendments—introducing licensable activities, mandatory conditions and the risk-based star rating system.
DEFRA Statutory Guidance (AAL)	National guidance for local authorities on applying the AAL regime, including risk-based inspection and star ratings.
DWA 1976	Dangerous Wild Animals Act 1976—licensing regime for specified dangerous species kept by private individuals.
ZLA 1981	Zoo Licensing Act 1981—licensing of zoos by local authorities, including periodic inspections and conditions.
Primate Licenses Regulations 2024	Animal Welfare (Primate Licences) (England) Regulations 2024—new licensing regime for privately kept primates, with staged commencement and statutory guidance.

Primate Schedule 1 Conditions	Detailed licence conditions for primate keepers (Schedule 1 to the 2024 Regulations) and DEFRA explanatory guidance.
Local Authority	Basingstoke & Deane Borough Council (the Council), the licensing authority in this Policy.
Operator	The licence applicant/licence holder under applicable regulations (AAL or Primate).
Star Rating	1–5 rating awarded under AAL using national risk-based matrices and welfare standards.

Part 3. Policy Objectives

The Policy is designed to ensure that licence holders are not disqualified from holding a licence in accordance with the requirements of the relevant legislation. It also seeks to ensure that the principles arising from general licensing practices and the Council's responsibilities under the Animal Welfare Act 2006 are central to the exercise of all animal licensing functions.

These principles include protecting the welfare of animals, promoting and safeguarding the welfare needs of domestic and captive animals through the application of the "Five Needs" set out in the Animal Welfare Act 2006, and ensuring that those responsible for animal care and management observe recognised standards of good practice.

The Policy further seeks to ensure that, so far as it falls within the Council's powers, all relevant animal welfare and licensing legislation is rigorously and proactively enforced, that public safety is protected, and that appropriate safeguarding measures are in place for any children or vulnerable persons who may come into contact with a licensable activity.

In addition, the Policy is intended to ensure that every application is considered on its own merits and that decisions made by the Council are fair, transparent and consistent.

3.1 Animal Welfare Act 2006

This Act established that reasonable welfare standards must be maintained whilst unifying all animal legislation, including responsibilities falling to various enforcement agencies. The Act introduced five overarching principles of animal welfare, known as the “five needs” which are explained in Part 6.

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

The Regulations replace previous licensing and registration regimes including:

- Pet Animals Act 1951
- Animal Boarding Establishments Act 1963
- Riding Establishments Acts 1964 & 1970
- Breeding of Dogs Act 1973 & Breeding and Sale of Dogs (Welfare) Act 1999

They came into force on 1st October 2018 and apply to the following licensable activities:

- selling animals as pets
- providing or arranging for the provision of boarding for cats or dogs (including the provision of boarding for cats; kennels for dogs; home boarding for dogs; or day care for dogs
- hiring out horses
- breeding dogs
- keeping or training animals for exhibition

Links to the relevant DEFRA guidance and all other Key legislation can be found in Appendix 4.

Part 4. Scope of this Policy

This policy applies to all animal welfare establishments and activities that are subject to licensing, registration, inspection, or regulatory oversight by the local authority. The requirements set out within this policy are intended to promote high standards of animal welfare, ensure compliance with relevant legislation, and provide a consistent framework for applicants, licence holders, and enforcement officers.

The policy applies to:

- **Pet Selling Establishments**: Businesses that sell animals as pets, including pet shops, commercial pet dealers, and internet-based pet sales where a licence is required.
- **Dog Breeders**: Individuals or businesses involved in the breeding and sale of dogs where activities meet the threshold for licensing.
- **Home Boarders**: Businesses providing boarding for dogs within a domestic home setting.
- **Dog Day Care Establishments**: Premises offering daytime care, supervision, and socialisation opportunities for dogs.
- **Catteries**: Facilities providing temporary accommodation and care for cats.
- **Kennels**: Premises providing boarding, care, and accommodation for dogs.
- **Hiring Out Horses**: Businesses hiring out horses or ponies for riding, lessons, trekking, or similar activities.
- **Animal Exhibition Businesses**: Persons or businesses keeping or training animals for educational, entertainment, exhibition, or display purposes.
- **Dangerous Wild Animal Licence Holders**: Individuals or organisations keeping species listed under relevant dangerous wild animal legislation.
- **Zoological Collections and Zoos**: Establishments displaying animals to the public that fall within the scope of zoo licensing legislation.
- **Primate Licence Holders**: Persons keeping primates where licensing requirements apply under current legislation.

This policy applies to new licence applications, licence renewals, variations, compliance inspections, and enforcement activities. It should be read alongside all relevant animal welfare legislation, statutory guidance issued by central government, licence conditions, and any other local authority policies or procedures relating to animal welfare and licensing.

Applicants and licence holders are expected to demonstrate a commitment to maintaining and continually improving animal welfare standards, ensuring that the needs of animals in their care are always met.

Part 5. General Principles

When exercising its licensing, inspection, compliance, and enforcement functions, the Council will seek to ensure that its activities are fair, transparent, reasonable, and consistent with relevant legislation and statutory guidance. The Council is committed to regulating animal welfare businesses in a way that

protects animal welfare, supports compliant businesses, and promotes public confidence in the licensing system.

In carrying out its duties, the Council will:

- **Act Proportionately** - Ensure that any action taken is proportionate to the risk presented, the seriousness of any non-compliance identified, and the potential impact on animal welfare. Regulatory interventions will be appropriate to the circumstances of each case.
- **Be Accountable** - Take responsibility for its decisions and actions, providing clear reasons for regulatory decisions and ensuring that applicants and licence holders understand their rights, obligations, and any available appeals processes.
- **Be Transparent** - Conduct licensing and enforcement activities in an open and straightforward manner. Applicants will be provided with information on its requirements, procedures, decision-making processes, and expectations wherever possible.
- **Target Action Appropriately** - Direct resources and enforcement activity towards areas of greatest risk to animal welfare, public safety, or compliance with legal requirements. A risk-based approach will be adopted when planning inspections and determining enforcement action.
- **Maintain Consistency** - Apply legislation, licence conditions, policies, and procedures fairly and consistently across all licensed premises and activities. Whilst each case will be considered individually, comparable circumstances should result in broadly similar outcomes.
- **Consider Each Case on its Merits** - Assess every application, inspection outcome, complaint, and enforcement matter individually, considering all relevant facts, evidence, mitigating circumstances, compliance history, and the specific risks to animal welfare.

The Council will work constructively with applicants and licence holders to encourage compliance and promote high standards of animal welfare. However, where significant breaches of legislation or licence conditions are identified, or where animal welfare is compromised, the Council will take appropriate enforcement action in accordance with its enforcement policy and statutory powers.

Part 6. Animal Welfare Standards

This Policy adopts and promotes the Five Welfare Needs established by the Animal Welfare Act 2006. These needs provide the foundation for assessing animal welfare standards and form an important part of the licensing and

inspection process. Licence holders are expected to demonstrate how they meet these welfare requirements and ensure that the needs of all animals in their care are always met.

6.1 Suitable Environment

Animals must be provided with an appropriate environment in which to live, rest, and carry out normal daily activities. Accommodation should be clean, secure, appropriately maintained, and suitable for the species, age, size, and health status of the animal. Environmental conditions, including temperature, ventilation, lighting, noise levels, and cleanliness, should be monitored and maintained to promote the animal's welfare and comfort.

6.2 Suitable Diet

Animals must have access to a healthy, balanced, and nutritious diet appropriate to their species, age, health, and physiological needs. Fresh drinking water should always be available unless specific veterinary advice states otherwise. Feeding arrangements should take account of individual dietary requirements and ensure that animals maintain a healthy body condition.

6.3 Ability to Exhibit Normal Behaviour Patterns

Animals should have sufficient space, facilities, enrichment, and opportunities to express normal and natural behaviours. This may include exercise, play, exploration, foraging, climbing, digging, resting, or social interaction, depending on the species. Enrichment should be provided to encourage mental stimulation and reduce stress, boredom, and frustration.

6.4 Appropriate Social Housing

Animals should be housed with, or apart from, other animals as appropriate for their species and individual needs. Consideration should be given to factors such as temperament, age, health, breeding status, and compatibility. Animals should be protected from bullying, aggression, stress, and social isolation where these could adversely affect their welfare.

6.5 Protection from Pain, Suffering, Injury and Disease

Animals must be protected from unnecessary pain, suffering, injury, and disease through effective husbandry, regular monitoring, and prompt veterinary attention

where required. Preventative healthcare measures, including vaccination programmes, parasite control, hygiene management, and disease prevention procedures, should be implemented. Any signs of illness, injury, or distress should be identified and addressed without delay.

Applicants and licence holders are expected to take a proactive approach to animal welfare and to continually review their practices to ensure that the Five Welfare Needs are met. Compliance with these principles will be considered during inspections, licence assessments, and any subsequent enforcement action.

Part 7. Delegation of Functions

Based on the Council's Constitution routine animal licensing decisions are generally delegated to authorised officers, with referral to Members where the circumstances warrant further consideration.

7.1 Decision-Making and Referral to the Licensing Sub-Committee

The Council's scheme of delegation allows a wide range of licensing functions to be exercised by authorised officers to ensure that applications and compliance matters are dealt with efficiently, consistently, and in accordance with the Council's Constitution and relevant legislation. Routine applications, renewals, variations, inspections, and compliance decisions will normally be determined under delegated authority by appropriately authorised officers.

However, there may be circumstances where a matter is considered unsuitable for officer determination and should instead be referred to the Licensing Sub-Committee for consideration. Referral may be appropriate where:

- **Relevant convictions, cautions, or other adverse information are identified**, particularly where these may call into question the applicant's suitability, competence, or ability to meet the required animal welfare standards.
- **Complex or significant animal welfare concerns arise**, including cases where there is conflicting evidence, a history of non-compliance, or concerns regarding the welfare of animals that require Member consideration.

- **There is significant public interest or reputational impact**, including where a decision is likely to attract substantial public concern, media attention, or representations from interested parties.
- **An application departs from normal policy expectations**, involves unusual circumstances, or raises novel legal, procedural, or welfare issues.
- **Officers consider that referral is appropriate**, having regard to the particular facts of the case, the need for transparency in decision-making, or where Member oversight would assist in determining the matter fairly and openly.

Where a matter is referred, the Licensing Sub-Committee will consider all relevant evidence, representations, statutory guidance, licence conditions, and Council policies before reaching a determination. Decisions will be based on the individual merits of each case, regarding the promotion of animal welfare, public confidence in the licensing regime, and compliance with the Council's regulatory objectives.

Part 8. The Licensing Process

Any individual who carries on a licensable activity is designated as the 'operator' of the business and must apply for a licence. The Council cannot grant a licence to anyone listed in Schedule 8 of the Regulations https://www.legislation.gov.uk/uksi/2018/486/schedule/8/made

An application may only be granted where it is satisfied that the relevant licence conditions will be met. In reaching that decision, regard will be had to all relevant information available at the time of determination, including the applicant's conduct as the operator of the licensable activity, whether the applicant is a fit and proper person to carry on the activity, the authorised officer's report, and any other relevant circumstances. The appropriate fee must also have been paid and that the grant of the licence is appropriate in all the circumstances of the case.

Each application will be considered on its own merits. Nothing in this Policy shall prevent the Council from considering any matter it considers relevant to the determination of an application, nor shall this Policy fetter the Council's discretion to depart from it where the individual circumstances of a case justify doing so, provided that clear reasons are given for any such departure.

To check their eligibility and suitability for a licence, all applicants listed on an application (including renewals) must provide a basic disclosure (DBS) certificate with their application. This certificate must be issued within 3 months of the date of application. For any renewal applications, the requirement for a DBS will begin

in relation to the renewals of licences received on or after the coming into force of this policy.

DBS checks must show that the applicant (or applicants) is not disqualified from holding a licence, and/or hold no relevant convictions which may affect whether they are ‘fit and proper’.

Part 9. Applications

9.1 Steps

- The individual will send an animal activity licence application, any other documents required and fee to the Licensing Team.
- Applications will be assessed to ensure that:
    - the operator comes within the scope of the regulations and requires licensing.
    - all the required documents have been received and are to the standard required.
- On the receipt of a valid application, the Licensing Officer will visit the animal activity site and produce a report.
- A decision to grant or refuse the licence application, considering the application, any comments made by the applicant and the inspection report (including any vet report, where required) and the statutory guidance.
- Applicants will be notified of the decision and any rights of appeal.
- The applicant has a right of appeal to a first-tier tribunal for a refusal.

9.2 Timescales

The Council will aim to deal with an application (including renewals) for a licence within 10 weeks. However, the process can take longer if further information is needed from an applicant, or it is difficult to arrange the inspection.

It should be noted that the Council will not consider an application until:

- the written application is received,
- all the required information has been submitted and is to the required standard, and

- the relevant fee has been paid.

If any elements are deemed incomplete, the applicant will be emailed with feedback/information about what is missing from the application, or the standards required. Having addressed the points raised in the email the application will then become valid and the 10-week time frame will start.

9.3 Renewal

The Council will aim to provide licence holders with three months' notice of when their licence is due to expire. Licence holders must then apply at least 10 weeks before their licence expires to continue the activity without a break.

It is the licence holder's responsibility to ensure that any renewal application is made in good time, and the Council cannot be held responsible for any delays or lapses of a licence caused by an incomplete or late application.

9.4 Fees

The fees can be viewed on the Council's website Licence fees

The fees for each licence are made up of two parts, Part A and Part B, Also referred to by Application Fee and Grant Fee: -

- Part A covers the direct costs associated with processing the application and is payable on submission of the application.
- Part B covers the costs associated with the running of the licensing function. This includes dealing with complaints, enforcement, and general administration. If Part B of the fee is not paid, then the licence will not be granted

The licensing refunds policy on the fees page sets out when and if any refunds are available.

9.5 Vet fees

A vet is required to carry out an inspection as part of the application process for applications for a dog breeding licence or the hiring out of horses. These costs will be payable by the applicant.

Part 10. Inspections

Following receipt of the completed application and Part A of the fee (plus vet fee for dog breeding and hiring out horses' applications which is invoiced after the inspection as the vet invoice is based on the time they have taken during the

inspection. The vet will invoice the council and we then invoice the applicant.), the premises will be visited by an authorized officer. For applications for either a dog breeding licence or hiring out horses, a vet will be present. The vet's primary purpose is to inspect and form an opinion on the condition and welfare of the animals.

The authorised officer and vet (where applicable) will prepare and submit a report to the Council for the consideration as to whether a licence can be granted or renewed.

The report will contain information relating to the operator, including details of any DBS checks undertaken, the relevant premises, any records examined during the inspection, and the condition and welfare of the animals. The report may also include any other matter considered relevant to the determination of the application, including the operator's history of non-compliance with licensing conditions or statutory requirements, the applicant's conduct during the inspection process, and any failure to cooperate with reasonable requests made by authorised officers where such conduct is relevant to the assessment of compliance, competence, management standards, or whether the applicant is a fit and proper person. The report will also consider whether any safeguarding concerns arise from the licensed activity, whether the granting of a licence could have a negative impact on animal welfare, whether the accommodation, staffing, or management arrangements are inadequate for the wellbeing of animals, and the authorised officer's professional opinion as to whether the licence conditions are likely to be met.

10.1 Authorised Officers Qualifications

All authorised officers appointed will be suitably qualified in accordance with the relevant legislation.

An authorised officer will only be considered qualified to inspect a particular licensable activity where their qualification applies to that activity. The vet being used will hold a formal veterinary qualification recognised by the Royal College of Veterinary Surgeons (RCVS), together with an appropriate record of continuing professional development maintained in accordance with RCVS requirements.

Part 11. Determination of Applications

In accordance with the Council's Scheme of Delegation, applications for animal licences will normally be determined by the Regulatory Services Manager, or by an appropriately authorised officer acting under delegated authority. The Regulatory Services Manager has delegated authority for the administration and determination of animal licensing matters to authorised officers within the Shared

Service Licensing Team, where permitted by the Council's Scheme of Delegation.

This includes applications for new licences, licence renewals, variations, transfers (where applicable), and other routine licensing matters. Decisions will be made in accordance with relevant legislation, statutory guidance, licence conditions and the principles set out within this Policy.

Each application will be considered on its individual merits, having regard to all relevant information, including:

- Inspection findings.
- Compliance and enforcement history.
- Supporting documentation provided by the applicant.
- Professional qualifications, competence, and experience.
- Animal welfare standards and licence conditions.
- Any relevant representations received.

Where a matter is referred, the Licensing Sub-Committee will determine the application having regard to the relevant legislation, statutory guidance, licence conditions, Council policies, and all relevant evidence before it. Decisions will be taken on the individual merits of each case, regarding animal welfare, public protection, and the Council's regulatory objectives.

Part 12. Fit and Proper Person Assessment

The Council cannot grant a licence unless it is satisfied that the licence conditions will be complied with. In assessing this, it must be satisfied that the applicant is a ‘fit and proper’ person.

The term ‘fit and proper’ is not defined in the legislation or guidance. For the purpose of this Policy, Consideration will be given to a ‘fit and proper person’ to be an individual who can demonstrate upon application that they have:

- no relevant convictions or cautions
- not been disqualified from holding an animal licence
- the knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of animals in their care.
- made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licensed activity

This does not limit the scope of the 'fit and proper' assessment and authorised officers may take in to account other matters, should they be considered relevant to the licensing process.

12.1 Conduct of the Applicant During the Licensing Process

Authorised officers may consider the conduct of an applicant during the application and inspection process. Failure to cooperate with reasonable requests, refusal to provide relevant information, obstruction of inspections, or conduct that prevents proper assessment compliance may be considered as part of the fit and proper person assessment determining whether the Council can be satisfied that licence conditions will be met.

This Policy recognises that applicants are entitled to challenge, question, or disagree with officers and the exercise of those rights will not, in itself, count against an applicant. However, deliberate obstruction, failure to provide relevant information, provision of false or misleading information, or conduct that prevents the Council from carrying out its statutory duties may be considered when determining an application. Each case will be considered on its own merits.

12.2 Relevance of Convictions

Consideration will be given to the unspent convictions in question and what weight should be attached to them considering the licensable activity applied for when considering if a person is 'fit and proper' to be granted a licence (including renewal). Each case will be determined on its own merits, having regard to these guidelines

The Council can only consider convictions which are not spent within the terms of the Rehabilitation of Offenders Act 1974, as amended. As a general guide, the table below shows when convictions are spent:

Rehabilitation Periods for Adult Convictions	
Sentence	**Rehabilitation Period**
Imprisonment – 4 years or more	Never spent
Imprisonment* – 2 ½ years to <4 years	Sentence + 7 years
Imprisonment* – 6 months to less <2 ½ years	Sentence + 4 years
Imprisonment* – less than 6 months	Sentence + 2 years
Fine	1 year from date of conviction
Community Order	Period specified in order + 1 year
Disqualification, Conditional Discharge, Bind –over	End of period specified in the Order
Absolute Discharge, Simple Caution	Spent immediately

*Applies even if the sentence was suspended

It should be noted that even if a conviction is spent but the applicant is still subject to a disqualification order as specified under Schedule 8 of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 then a licence cannot be granted.

12.3 General Approach to Offences

The offences below detail the Council's approach to different types of offences.

Absolute and conditional discharges are a finding of guilt by a court but are not a conviction. However, where these are revealed on a DBS, the Council will take them into account, in so far as they are relevant to the determination of 'fit and proper'.

When considering an absolute or conditional discharge the following factors will be considered:

- the nature of the offence
- the circumstances of the offence
- any other current convictions revealed.
- the guidelines set out in this policy had it been a conviction

The Council reserves the right to depart from this policy where the individual circumstances of a case warrant it. Where it does so, the reasons for the departure from policy will be recorded as part of the decision-making process.

Any offences or behaviour not expressly covered by this policy may still be considered where it is considered relevant to the criteria set out in deciding whether the licence conditions will be met.

If an applicant has any convictions revealed on their DBS check, Consideration will be given to the following when deciding whether or not to grant the licence in light of the conviction: -

- the circumstances of the offence
- the seriousness of the offence
- when the offence was committed
- the date of conviction

- the sentence imposed by the court
- the relevance of the offence to the licensable activity applied for
- whether it was an isolated offence
- whether any pattern of offending behaviour is revealed on the DBS
- how long is left before the conviction is considered 'spent'

12.4 Offences involving Animal Welfare/Cruelty or Suffering (including offences of a similar nature)

The primary purpose of the Regulations is to ensure the welfare of animals and as such these offences are highly relevant

Examples of offences

- Animal Welfare Act 2006 – Section 4
- Animal Welfare Act 2006 – Section 5
- Animal Welfare Act 2006 – Section 9
- Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018 – Regulation 20)
- Animal Welfare Act 2006 – Section 13
- Non animal related licensing offences

A current conviction will normally lead to refusal of an application for grant or renewal.

12.5 Other relevant offences

The Council can consider any other relevant matter when assessing if the licence conditions will be met. Such matters may relate to the applicant's integrity, honesty and conduct which are important characteristics to provide assurance that the operator can be appropriately regulated and that a licensee will operate in a manner that both the Council and consumers would expect.

- Offences involving dishonesty

The Council must be satisfied that licence conditions will be complied with and therefore current convictions for dishonesty may cast doubt on the applicant's honesty in dealing with both customers and animals and his ability to keep accurate, honest records.

- Offences involving violence (including possession of a weapon)

The Council consider whether granting the licence will have a negative effect on animal welfare and therefore a current conviction for violence may raise a concern of the applicant's control in general and attitude towards violence. It may also cast doubt on the applicant's ability to protect the animals in their care from pain, suffering, injury, and disease. It would also potentially raise concerns for risks posed to customers who may visit the operator's home/business

- Offences involving Sex and Indecency

The granting of a licence puts the operator in a position of trust in respect of both their animals and their customers. A current conviction of this nature would raise safeguarding and safety concerns in respect of vulnerable customers who, depending on the nature of the licensable activity, may visit the applicant's home/business in situations where they are vulnerable due to being alone, for example.

- Licensing Offences

Convictions of this type are relevant when assessing the conduct of the applicant as the operator of the licensable activity. They may show a disregard for the licensing process and procedures. They indicate a reluctance to be regulated or to work within the regulatory regime. As such, they cast doubt upon an applicant's willingness to work with the Licensing Authority and the applicant's ability to comply with the licensing conditions.

Aggravating Features

- Ignoring warnings/advice prior to prosecution
- Indications of contempt towards the licensing regime Mitigating Features
    - A clear change of behaviour since conviction
    - Demonstrative commitment to work with the licensing authority and within the licensing regime moving forward

If any of the following occur during the application process, the applicant must notify the Council immediately and supply all relevant information. Failure to do so may lead to the suspension or revocation of any licence granted as it may raise questions as to accuracy of the information supplied by the applicant:

- they have any existing animal activity or other animal related licence suspended or revoked.

- they are arrested, charged, cautioned or convicted for any offence referred to above.
- they have any pending charges relating to any of the offences referred to above, to include any notices of intended prosecution

Part 13. Other relevant matters

13.1 Safeguarding

The Regulations have the aims of maintaining and improving animal welfare standards. However, there are other safeguarding considerations arising from licensable activities, surrounding the protection of children and vulnerable persons.

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).

Applicants and licence holders whose activities involve contact with children or vulnerable persons to would be expected to have appropriate safeguarding arrangements in place, including a written safeguarding policy and suitable procedures for vetting staff who may have unsupervised contact with children or vulnerable persons.

For information purposes, several charitable organisations offer advice on safeguarding issues, including policies and staff recruitment, such as the NSPCC, which applicants and licence holders may find helpful.

13.2 Preventative Health Care Plan

It is a requirement for all Licence applicants for boarding premises to submit a preventative health care plan, with every application to comply with minimum conditions. Guidance regarding completing a preventative health care plan is available from the British Veterinary Association at guidance-aal-preventative-healthcare- plan-guidance-for-private-vets.pdf

13.3 Applications for Dog Breeding Licence

All breeding bitches must be named on the plan and the applicant's vet must sign to confirm that each of those bitches is suitable to be bred from. This is to protect the health of the bitches.

For breeding bitches living with someone other than the applicant (for example, co breeders or dogs on breeding terms) the Council will need to inspect the premises where the dog is normally kept.

This is to ensure that the living environment is suitable, that the person looking after the dog is competent and that suitable measures are in place to protect the dog's welfare.

In addition, a contract between the applicant and the person looking after the dog must be submitted with the licence application. This contract should set out each party's responsibilities in terms of protecting the dog's welfare, for example, who is responsible for taking the dog to the vet, deciding when the dog is mated etc.

Part 14. Information relating to the Grant of a Licence

Upon granting the licence, applicants will be provided with the following (if applicable):

- the licence
- how the business has been rated (Star Rating)
- a list of the higher standards the business currently fails to meet, or
- a list of the minimum standards the business is failing to meet (resulting in a "minor failing" category – applicable to renewals only)
- a copy of the risk scoring assessment table (Not required for keeping or training animals for exhibition)
- details of the star rating appeals process and timescales (Not required for keeping or training animals for exhibition)

All new applicants must be able to demonstrate that they will comply with the minimum conditions and demonstrate that they meet these standards to be able to be granted a licence.

Any licence holder renewing a licence who has minor failings noted/recorded in relation to predominantly administrative conditions which do not compromise the welfare of the animals, may still be granted a licence however, the minor failures will impact upon their star rating.

14.1 Licence Period

Licences for the keeping or training animals for exhibition are issued for three years. All other licences can be issued for a period of either one, two or three years depending on the risk rating and level of compliance. The length of the licence will correspond with the Star Rating for the establishment.

It should be noted that all applicants for a new licence will be scored as higher risk unless they have at least one year's compliance history with an authority or have UKAS (proof to be provided by the applicant).

New businesses can only get a two star or four-star licence based on whether they meet minimum or higher standards. It is not possible to get 1, 3 or 5 stars.

14.2 Licence Standards and Conditions

All licences are granted subject to the mandatory conditions set out in the regulations. The conditions are divided into two categories, General Conditions applicable to all licences and Specific Conditions relevant to the activity being licensed.

For all licensable activities except 'keeping or training animals for exhibition', several higher standards are laid down in the specific guidance for each activity. Meeting the higher standards is optional but an applicant who can demonstrate that they can meet these higher standards will gain a higher star rating.

The higher standards are split into two categories – mandatory (Normally referred to as 'Required') and optional. These are typically colour coded in the guidance as blue and red respectively or otherwise clearly marked and differentiated

To qualify as meeting the higher standards the business must achieve all the Required higher standardsas well as a minimum of 50% of the optional higher standards.

Part 15. Star Ratings

Under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, local authorities are required to apply the DEFRA Star Rating System when determining licences for activities covered by the Regulations. The star rating scheme promotes consistency across England, rewards high standards of animal welfare, and provides transparency for both licence holders and members of the public.

The Council will apply the star rating system in accordance with the Regulations and DEFRA's statutory guidance. The methodology for calculating star ratings is prescribed nationally and must be applied consistently. Neither the Council nor licence holders have discretion to depart from the prescribed framework.

The star rating awarded determines both:

- The overall rating awarded to the licensed premises (ranging from **1 star to 5 stars**); and
- The duration of the licence, which may be issued for a period of **one, two, or three years**, depending upon the outcome of the assessment.

Participation in the star rating process is mandatory and applies to all eligible licence holders operating under the Regulations (Not required for keeping or training animals for exhibition). Licence holders cannot opt out of the assessment process or elect not to receive a star rating.

15.1 Calculation of Star Ratings

The star rating is determined using the scoring matrix set out in DEFRA's statutory guidance and is based on an assessment of two key factors:

Welfare Standards

The authorised officer will assess the extent to which the premises complies with the relevant licence conditions and whether it meets any of the recognised higher welfare standards.

- **Minimum Standards** are the mandatory licence conditions that must be met before a licence can be granted.
- **Higher Standards** are additional welfare measures prescribed within DEFRA's guidance that exceed the minimum requirements and demonstrate a greater commitment to animal welfare.

Premises that successfully achieve the applicable higher standards may qualify for a higher star rating and a longer licence duration.

Risk Assessment

The authorised officer will also undertake a risk assessment of the business. This assessment considers factors including:

- The licence holder's history of compliance with animal welfare legislation and licence conditions.
- Previous inspection results and enforcement history.
- The management standards and operating procedures in place.
- The likelihood of the operator maintaining compliance throughout the licence period.

Businesses are classified as either **higher risk** or **lower risk** in accordance with DEFRA's guidance, and this classification contributes to the final star rating awarded.

Inspection and Review

Star ratings will normally be determined following the inspection carried out as part of a new application, renewal application, or other inspection required under the Regulations. The rating awarded will be confirmed in writing and will be displayed on the licence in accordance with statutory requirements.

Where a licence holder believes that a star rating has been awarded incorrectly, they may request a review of the rating in accordance with the procedures set out in DEFRA guidance and the Council's published appeals and complaints processes.

The Council will publish star ratings where required by legislation and will encourage businesses to maintain and continually improve animal welfare standards to achieve and retain higher ratings.

15.2 Scoring Matrix

Risk Rating	***Welfare Standards***: Minor Failings (existing businesses failing to meet minimum standards)	***Welfare Standards***: Minimum Standards (as laid down in the schedules and guidance)	***Welfare Standards:*** Higher Standards (as laid down in the guidance)
Low Risk	***1 Star*** 1-year licence Minimum 1 unannounced visit within 12 months	***3 Stars*** 2-year licence Minimum 1 unannounced visit within 24 months	***5 Stars*** 3-year licence Minimum 1 unannounced visit within 36 months
Higher Risk	***1 Star*** 1-year licence Minimum 1 unannounced visit within 12 months	***2 Stars*** 1-year licence Minimum 1 unannounced visit within 12 months	***4 Stars*** 2-year licence Minimum 1 unannounced visit within 24 months

15.3 Meaning of Star Ratings

The star rating awarded under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 provides an indication of the standards of animal welfare and management arrangements operating at a

licensed premises at the time of inspection. The rating also determines the duration of the licence and the level of regulatory oversight that may be applied during the licence period.

Four and Five Star Ratings - High Standard Operators

Premises awarded a four- or five-star rating are considered to be operating to a high standard and have demonstrated strong management controls, good compliance history, and high levels of animal welfare.

Typically, these businesses will:

- Meet all relevant mandatory licence conditions.
- Demonstrate effective management systems and record keeping.
- Achieve applicable higher welfare standards prescribed within DEFRA guidance.
- Maintain a good history of compliance with licence conditions and animal welfare legislation.
- Provide confidence that appropriate standards will be maintained throughout the licence period.
- Benefit from longer licence durations, subject to the outcome of the risk assessment.
- Be subject to a lower level of routine regulatory intervention than lower-rated premises.

A four- or five-star rating provides assurance that the business is generally well-managed, established, and committed to maintaining high standards of animal welfare.

Three Star Rating - Compliant Operators

A three-star rating indicates that the business has demonstrated satisfactory compliance with the licensing regime and is meeting the required standards of animal welfare.

Typically, these businesses will:

- Fully comply with the mandatory licence conditions.
- Meet the minimum welfare standards required by legislation.
- Be assessed as presenting a lower regulatory risk.
- Demonstrate appropriate management arrangements and operational controls.

- Be considered compliant and suitable to continue operating under the terms of their licence.

A three-star rating should be regarded as a positive outcome, reflecting compliance with the legal requirements applicable to the licensed activity.

One and Two Star Ratings - Improvements Required

A one- or two-star rating indicates that, whilst the premises may be licensed, improvements are required in relation to management standards, risk factors, or welfare provision before a higher rating can be achieved.

Typically, these businesses will:

- Be issued with a shorter licence duration, normally one year, in accordance with DEFRA's rating methodology.
- Be subject to increased regulatory monitoring and oversight.
- Normally receive at least one unannounced inspection during the licence period, where required by the Regulations and statutory guidance.
- Be expected to demonstrate improvements in management systems, compliance arrangements, or animal welfare standards.
- Be assessed as presenting a higher regulatory risk than businesses awarded higher ratings.

The Council will work with licence holders to encourage compliance and continuous improvement; however, licence holders should be aware that lower ratings are publicly available information and may influence customer confidence and business reputation.

15.4 Continuous Improvement

A culture of continuous improvement across all licensed animal welfare establishments. Licence holders are encouraged to review their procedures regularly, invest in staff training and welfare provision, and work towards achieving higher welfare standards wherever practicable. Higher standards of animal welfare benefit both the animals in care and the reputation of the licensed business, whilst supporting the objectives of the licensing regime.

15.5 Star Rating Appeals

An appeals procedure is in place for the operator to dispute the star rating given. The business will be provided with supporting information (the inspection report) which will highlight the inspecting officer’s decision on how the risk rating,

compliance level and star rating has been determined. The business is encouraged to discuss the matter initially with the inspecting officer where possible.

A business may appeal if they consider their star rating to be wrong. Any appeal must be made in writing to the Council within 21 days (including weekends and bank holidays) of the date the licence was issued.

The appeal will be determined by a different officer to the one who carried out the initial inspection within 21 days of receipt, including weekends and bank holidays. Depending on the specific details of the appeal, the relevant officer may or may not visit the premises themselves. It is important to note that the appeal is concerned with the standards present at the time of the original inspection and the cost of any additional inspection related to the appeal will be borne by the applicant unless it results in a higher rating being awarded

The final decision on a rating appeal will be taken by the Licensing Team Leader, based on the information provided by the officer. The decision will be given in writing.

If the business disagrees with the outcome of the appeal, they can challenge the decision by means of judicial review. The business also has recourse to the Council's complaints procedure, taking the matter to the Local Government Ombudsman where appropriate if they consider that the service has not been properly delivered.

Where the business has made improvements to their business since the initial inspection such as rectifying any non-compliance or improvements to achieve higher standards, the appeals process should not be followed. In this case the business should apply for a re-rating, this is a chargeable service.

Part 16. Refusing a Licence

The Council must refuse to grant a licence if it considers that:

- the applicant cannot meet the licence conditions. Refusal on this ground would cover (but is not limited to) things such as the applicant not being fit and proper.
- the fee has not been paid.
- the grant or renewal is not appropriate having considered the officers report.

Refusal on these grounds would cover (but is not limited to) things such as:

- granting the licence will have a negative impact on animal welfare
- the level of accommodation, staffing or management is inadequate for the well-being of the animals
- safeguarding concerns arising from the licensable activity
- the applicant's conduct during the application, inspection or compliance process, including any unreasonable obstruction of authorised officers, may be considered when assessing whether the applicant is a fit and proper person and whether there is sufficient confidence that licence conditions will be complied with.

The decision of the Council will be given in writing and will detail the applicant's right of appeal. The right of appeal is to a First-tier Tribunal within 28 days of the decision notice.

Part 17. Variations, Suspensions and Revocations of Licences

A licence can be varied at any time by:

- the application in writing of the licence holder
- the Council's own initiative, with the consent in writing of the licence holder

Authorised officers may suspend, vary or revoke a licence without the consent of the licence holder if:

- The licence conditions are not being complied with
- There has been a breach of the Regulations.
- Information supplied by the licence holder is false or misleading.
- It is necessary to protect the welfare of an animal.

A decision to suspend, vary or revoke a licence will normally take effect at the end of 7 working days beginning with the date the decision was issued to the licence holder.

However, where the reason for suspension, variation or revocation is to protect the welfare of an animal, authorised officers may stipulate that the decision has immediate effect.

Decisions to suspend, vary or revoke the licence will:

- be notified to the licence holder in writing.
- provide the reasons for the decision.
- state when the suspension or variation comes into effect.
- specify any changes deemed necessary to remedy the situation.
- explain the rights and process for the licence holder to make written representations in respect of the decision within 7 working days.
- explain the rights and process for an appeal against the decision (where available)

17.1 Suspensions and variation

The decision to vary or suspend a licence is dependent on the severity of the situation

Where adjustments need to be made, whether to the licence itself or to the premises/animals referred to in the licence, a variation will usually be considered appropriate.

Suspension can occur where an operator fails to meet administrative conditions or to provide information when requested. The business will not be able to trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by the Council. (See ‘Licence Holder Representations’ below). A suspended licence will be reinstated by way of written notice once the Council is satisfied that the ground specified in the notice has been or will be remedied.

Once a licence has been suspended for 28 days, the Council will, on the next working day, take one of the actions listed below:

- reinstate the licence without varying it.
- vary and reinstate it as varied, or
- revoke it.

The licence will be deemed to be reinstated immediately if one of the above actions is not taken within timescale stated.

17.2 Revocation

Revocation is generally considered appropriate where:

- there are repeated failures to comply with administrative conditions or to provide information and suspension is not considered appropriate.
- there are poor welfare conditions.
- where it would benefit the welfare of the animals to be removed from the activity.
- any other situation where the Council considers that revocation is the appropriate course of action

17.3 Licence Holder Representations against a decision

When issued with a decision to suspend, vary, or revoke a licence, the licence holder can make written representations in respect of that decision to the Council.

The representation must be received by the Council within 7 working days beginning with the date the notice was issued

Upon receipt of the representations, Consideration will be given to the representations and decide whether the original decision still stands or whether to overturn that decision.

Where the decision is one made with immediate effect to protect the welfare of an animal then the Council, having considered the representation, will indicate that this is the reason for the decision and state whether the decision remains in effect or whether the licence will be reinstated, or the variation cancelled.

The Council will reply within 7 working days from receipt of the licence holder's representation. Failure to reply within this timescale will mean that the original decision is considered to be overturned.

Except where the reason for the suspension or variation is to protect the welfare of an animal, where a licence holder makes representations, the decision to suspend or vary the licence does not come into effect until the date of service of the Council's response to the representations.

17.4 Right of Appeal

A licence holder/applicant may appeal to a First-tier Tribunal against a decision to:

- refuse to grant or renew a licence.
- vary a licence.

- revoke a licence.

Any appeal must be brought within 28 days beginning with the day after the date of the decision The business cannot trade until, either:

- the decision is overturned by the Council upon it being satisfied that the licence conditions are being met, or
- the First-tier tribunal decides that the Council's decision was wrong. However, the First-tier Tribunal may:
- permit a licence holder to continue to carry on a licensable activity or any part of it subject to the licence conditions, or
- suspend a revocation or variation until the appeal is determined or withdrawn,

Details on the appeal process will be provided to the licence holder/applicant in any written decision. There is no right of appeal against a decision to suspend a licence

17.5 Death of a Licence Holder

If a licence holder dies, the personal representative of the deceased may take on the licence provided that they inform the Council within 28 days of the death that they are now the licence holder.

The licence will then remain in place for three months from the date of death or for the remaining time left on the licence, whichever is shorter. The new licence holder should then apply for a new licence one month before the expiry of this new period.

On request of the personal representatives, the Council can extend the three-month period by up to a further three months if the personal representatives believe the additional time is needed to wind up the estate of the former licence holder.

If the personal representatives do not notify the Council within 28 days of the death of the licence holder, the licence will cease to have effect from the 29th day from the date of death.

Part 18. Inspections During Course of a Licence

There will be cases where inspections must be carried out during the term of a licence.

For the activity of hiring out horses, there is a requirement for an annual inspection by a veterinarian, regardless of the total length of the licence. The Council will appoint a listed veterinarian to inspect the premises on which the activity is being carried out before the end of the first year after the licence is granted and then each subsequent year. The veterinarian must be independent and not one that is retained by the applicant / licence holder.

Unannounced inspections will be carried out in accordance with the statutory guidance and may also be used in the case of complaints or other information that suggests the licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.

During an inspection of premises, the authorised officer may choose to take samples for laboratory testing from the animals on the premises occupied by an operator. The operator must comply with any reasonable request of an authorised officer to facilitate the identification, examination and sampling of an animal, including ensuring that suitable restraints are provided if requested.

Samples will be as non-invasive as possible; however, authorised officers may deem more invasive samples necessary if there are concerns over the welfare of the animals. The provision for sampling is primarily aimed at veterinarians carrying out inspections and it is not expected that samples be taken by those without the training to properly and safely do so.

During visits the operator must comply with any reasonable request of an authorised officer to facilitate the identification, examination and sampling of an animal, including ensuring that suitable restraints are provided if requested.

18.1 Re-Rating Inspections

A business can request a re-rating during the term of a licence.

This situation may arise where the business has accepted its star rating of 1 – 4 but have since made improvements to address non compliances found during the previous inspection.

To request a re-rating inspection, a licence holder should contact the Council in writing and:

- outline their case for a re-rating.
- indicate what they have done to improve the level of compliance or welfare since the inspection by making direct reference to the actions recommended at the last inspection.
- include supporting evidence, if appropriate

The request and supporting evidence will be reviewed and, where the evidence supplied supports the request, an authorised officer will visit and complete another assessment within three months of receipt of the request.

There is no limit on the number of re-ratings visits a licence holder can request however there will be a fee for each request.

Where a re-rating inspection is not considered appropriate based on the information and evidence supplied, the licence holder will receive a response outlining the reason for the decision. The response will re-emphasise what the licence holder must do to improve their rating and outline what evidence the Council needs to see to justify a re-inspection

Part 19. Enforcement

The Council's primary enforcement and compliance role in relation to animal licensing is to safeguard and promote animal welfare. This is achieved by monitoring compliance with licence conditions and taking appropriate enforcement action where standards are not maintained. The Council will also investigate and take appropriate action against any person or business carrying out a licensable animal activity without the required licence.

All enforcement action against licensed and unlicensed operators will be undertaken in accordance with the Council's Licensing Enforcement Policy. Officers will seek to assist businesses and others in meeting their legal obligations through the provision of reasonable advice and guidance, aiming to be clear, open and helpful in their approach. However, the Council will take robust action against those who knowingly contravene the law or act irresponsibly. Enforcement resources will be targeted towards activities presenting the highest risk to animal welfare and public safety.

The Council will record and, where appropriate, investigate complaints relating to animal activities that are currently licensed or may require a licence under the relevant legislation.

The Council is committed to ensuring a consistent, proportionate and risk-based approach when investigating complaints and determining the most appropriate course of action. In reaching any decision, Consideration will be given to, amongst other factors:

- The seriousness of any offence or breach of licence conditions.
- The licence holder's or operator's compliance history.
- The consequences of the non-compliance.

- The likely effectiveness of available enforcement options.
- Any risk posed to animal welfare and/or public safety.

19.1 Partnership Working

Enforcement activity may be undertaken in conjunction with other agencies, including the RSPCA, Trading Standards and the Police. Where appropriate, officers from neighbouring authorities may be authorised to carry out animal welfare enforcement duties within the Council's area. Similarly, Authorised officers may be authorised to undertake enforcement activities within neighbouring authority areas.

19.2 Powers under the Animal Welfare Act 2006

Officers carrying out inspections relating to animal licensing are appointed as authorised officers under Section 51 of the Animal Welfare Act 2006. This provides additional powers under the Act, including powers of entry, the ability to seek warrants where appropriate, and powers relating to the seizure of animals in prescribed circumstances.

19.3 Enforcement Action and Information Sharing

Any enforcement action taken by the Council will be proportionate, reasonable and consistent whilst ensuring the protection of animal welfare and public safety.

Interviews, whether informal or conducted under caution, will normally be recorded to ensure that an accurate record is maintained.

Complaints received, inspections undertaken, compliance concerns identified and any warnings issued may be retained on file and taken into consideration when determining licence applications, renewals, variations or enforcement action. Where an applicant or licence holder has previously operated, resided or been licensed within another local authority area, authorised officers may / The licensing authority may seek information regarding their licensing and compliance history to assist in determining their suitability to hold a licence.

19.4 Right to be Heard

Where the Council is considering suspending, varying or revoking a licence, the licence holder will normally be given an opportunity to discuss the Council's concerns and to provide representations before a final decision is made.

However, there may be circumstances where immediate action is necessary, particularly where there is an imminent risk to animal welfare, public safety, or both. In such cases, the Council must balance an individual's right to be heard against the need to protect animals from harm and may take urgent action were permitted by law.

19.5 Seizure of Animals

Where it becomes necessary to remove animals from premises through the exercise of powers available under the Animal Welfare Act 2006 or other relevant legislation, the Council will seek to recover any reasonable costs incurred in connection with the seizure, transport, care, treatment and accommodation of those animals, where permitted by law.

19.6 Offences and Penalties

It is a criminal offence to:

- Carry on, or attempt to carry on, a licensable activity without the appropriate licence.
- Breach any condition attached to a licence.
- Fail to comply with an authorised officer's request to take a sample from an animal.
- Obstruct an authorised officer appointed by a local authority for the purposes of enforcing the relevant legislation.

Where a person is convicted of an offence under the Animal Welfare Act 2006 or any regulations made under that Act, the Court may:

- Disqualify the person from owning, keeping, participating in the keeping of animals, or from being party to any arrangement under which they can control or influence the way an animal is kept.
- Disqualify the person from transporting, dealing in, or otherwise being involved with animals.
- Cancel any existing animal activity licence held by the person.
- Disqualify the person from holding an animal activity licence for such period as the Court considers appropriate.

Failure to comply with a disqualification order is a criminal offence.

Under Section 30 of the Animal Welfare Act 2006, local authorities have the power to institute proceedings for offences under that Act and any regulations made pursuant to it.

19.7 Recovery of Fees

The statutory provisions enabling the Council to set and recover fees for animal licensing activities are contained within:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- The Animal Welfare Act 2006.
- The Dangerous Wild Animals Act 1976.
- The Zoo Licensing Act 1981.

In setting fees, the Council will have regard to relevant guidance issued by DEFRA, the Local Government Animal Welfare Group and the Local Government Association, including *Open for Business: LGA Guidance on Locally Set Licence Fees*.

Basingstoke and Deane Borough Council will adopt a reasonable and proportionate approach when setting fees, aiming to recover the costs associated with administering and enforcing the licensing regime without generating a surplus. Fees will be structured to provide value for money and, where appropriate, may be tiered to reflect the size, nature and complexity of the licensed activity. Veterinary inspection fees will generally be charged separately to reflect variations in inspection requirements and complexity between different premises and activities. This approach seeks to ensure fairness, particularly for smaller businesses where administrative and inspection costs may be lower.

Part 20. Primate Licensing

20.1 Introduction

This Policy recognises that primates are highly intelligent, social animals with complex behavioural, social, environmental and welfare needs. The Animal Welfare (Primate Licences) (England) Regulations 2024 introduce a specific licensing regime for the private keeping of primates in England, which came fully into force on **6 April 2026**. The Regulations establish minimum welfare and management standards designed to ensure that primates are only kept in environments capable of meeting their physical, psychological and social needs.

This section sets out the Council's approach to administering, inspecting, enforcing and determining applications under the Regulations and should be read alongside the statutory guidance issued by DEFRA and any associated legislation.

20.2 Scope of the Licensing Requirement

From 6 April 2026, any person keeping a primate in England must hold a valid Primate Licence unless a statutory exemption applies.

The licensing requirement applies to all non-human primates commonly kept in private settings, including but not limited to:

- Marmosets
- Tamarins
- Capuchin monkeys
- Spider monkeys
- Squirrel monkeys
- Lemurs
- Bushbabies
- Lorises
- Other non-human primate species

20.3 Exemptions

A Primate Licence is not required where a primate is kept under another statutory regime that provides equivalent or higher levels of welfare regulation, including:

- A Zoo Licence granted under the Zoo Licensing Act 1981.
- A project or establishment licensed under the Animals (Scientific Procedures) Act 1986.
- Any other exemption provided for within the Regulations.

Applicants are responsible for ensuring that they hold the appropriate authorisation before keeping a primate.

20.4 Application Requirements

Applicants must satisfy the Council that they can comply with all relevant licence conditions and provide for the welfare needs of each primate throughout the licence period.

Applications must be accompanied by sufficient information to enable a full assessment of the premises, facilities, management arrangements and welfare provisions.

Information may include:

Written Procedures

Documented procedures covering:

- Daily husbandry and care arrangements.
- Feeding and nutritional management.
- Enrichment programmes.
- Cleaning and hygiene procedures.
- Disease prevention and biosecurity measures.
- Emergency arrangements for illness, injury or escape.
- Arrangements in the event of the death or incapacity of the licence holder.
- Holiday, temporary and contingency care arrangements.

Enclosure Details and Plans

Applicants must provide details demonstrating that accommodation is suitable for the species concerned, including:

- Dimensions and layout.
- Climbing structures and elevated areas.
- Environmental enrichment.
- Shelter and resting facilities.
- Environmental controls, including temperature, humidity and lighting.
- Security measures designed to prevent escape.
- Facilities for safe separation where necessary.

Individual Animal Records

A register of each primate must be maintained and include:

- Species.
- Date of birth or estimated age.
- Sex.
- Identification details, including microchip information where applicable.
- Veterinary history.
- Breeding history.
- Acquisition, transfer and mortality records.

Veterinary Arrangements

Applicants must demonstrate access to appropriate veterinary care and provide details of:

- Routine preventative healthcare.
- Veterinary support arrangements.
- Emergency treatment procedures.
- Disease control measures.

Fees

Applications must be accompanied by the appropriate fee approved by the Council. Applicants will also be responsible for any veterinary or specialist inspection costs incurred in determining the application.

20.5 Inspection and Assessment

Applications will not be granted until a satisfactory inspection has been completed.

Inspections under the Regulations must be carried out by a **suitable person**, being:

- A veterinary surgeon; or
- Another person considered by the Council to possess the necessary qualifications, knowledge, skills and experience to assess compliance with the Regulations.

Authorised officers may / The licensing authority may also arrange for suitably qualified specialists to assist in assessing species or welfare requirements.

The inspection will assess compliance with all mandatory licence conditions, including:

Environment and Accommodation

Authorised officers will consider whether:

- Accommodation is appropriately designed and maintained.
- The environment provides suitable space and complexity.
- Enclosures facilitate exercise, climbing, exploration and natural behaviours.

- Environmental conditions are suitable for the species.

Social Housing

Primates must be housed in appropriate social groups unless separation is necessary for welfare, veterinary or safety reasons.

Any long-term solitary housing must be supported by appropriate evidence and justification.

Enrichment and Behavioural Needs

Applicants and licence holders are expected to primates to be provided with opportunities to:

- Forage.
- Climb.
- Explore.
- Solve problems.
- Interact socially.
- Exhibit species-specific behaviours.

Nutrition

Authorised officers will assess whether:

- Diets meet species-specific requirements.
- Fresh water is continuously available.
- Feeding practices encourage natural foraging behaviour.
- Nutritional deficiencies are prevented.

Healthcare

The inspection will consider:

- Veterinary oversight.
- Preventative healthcare programmes.
- Disease monitoring procedures.
- Medical treatment records.
- Breeding management arrangements.

Welfare Standards

Failure to meet the mandatory welfare requirements contained within the Regulations and Schedule 1 licence conditions will normally result in the refusal of the application.

20.6 Licence Duration and Renewal

Primate Licences may be granted for a period of up to **three years**.

Licence holders are responsible for ensuring that renewal applications are submitted in sufficient time before expiry. The Council recommends that applications are submitted at least ten weeks before the licence expires.

Failure to renew a licence before expiry may result in the continued keeping of primates becoming unlawful.

20.7 Death of a Licence Holder

Where a licence holder dies, the provisions of the Regulations relating to the death of a licence holder will apply.

Applicants and licence holders are expected to suitable arrangements to be in place to ensure continuity of care for all primates.

Responsibility for the welfare of the animals will fall to the person having control of the premises or acting on behalf of the estate until permanent arrangements are made.

Where the keeping of primates is to continue, a new application may be required in accordance with the Regulations.

20.8 Enforcement

The Council will investigate complaints and allegations of non-compliance and may take enforcement action where appropriate.

The Council's primary objective is to secure compliance and protect animal welfare. Action taken will be proportionate, risk-based and consistent with the Licensing Enforcement Policy.

Where non-compliance is identified, Authorised officers may / The licensing authority may:

- Provide advice and guidance.
- Issue a Rectification Notice.
- Vary a licence.
- Revoke a licence.
- Commence legal proceedings where appropriate.

20.9 Rectification Notices

Where a licence holder fails to comply with a licence condition, authorised officers may / The licensing authority may issue a Rectification Notice requiring specified improvements to be completed within a stated period.

Failure to comply with a Rectification Notice may lead to further regulatory action, including variation, revocation or prosecution.

20.10 Variation and Revocation

The Regulations do not provide a power for the Council to suspend a Primate Licence.

Where serious concerns arise, authorised officers may / The licensing authority may instead exercise its powers to:

- Vary licence conditions.
- Restrict activities authorised by the licence.
- Revoke the licence.
- Take other enforcement action available under the Regulations or the Animal Welfare Act 2006.

20.11 Offences

A person may commit an offence by:

- Keeping a primate without a required licence.
- Failing to comply with licence conditions.
- Obstructing an authorised officer or officer exercising statutory powers.
- Knowingly providing false or misleading information.
- Failing to comply with requirements imposed under the Regulations.

Consideration will be given to prosecutions where appropriate, particularly where animal welfare is compromised or there is deliberate non-compliance.

20.12 Penalties

Depending upon the circumstances of the case, offences may result in:

- Criminal prosecution.
- Unlimited fines.
- Imprisonment were provided for by legislation.
- Disqualification from keeping animals.
- Orders relating to the disposal or welfare of animals.

More serious welfare offences may also be prosecuted under the Animal Welfare Act 2006, including offences relating to unnecessary suffering and failure to ensure animal welfare.

20.13 Reviews and Appeals

Where the Council proposes to refuse, vary, revoke or otherwise act in relation to a licence, applicants and licence holders will be afforded the rights available under the Regulations.

A person affected by a licensing decision may:

- Submit written representations to the Council within the prescribed timescales.
- Request reconsideration of the decision was permitted by the Regulations.
- Appeal to the First-tier Tribunal where a right of appeal exists.

Applicants and licence holders will be notified of any rights of review, reconsideration or appeal applicable to the decision.

20.14 Relationship with Other Licensing Regimes

The primate licensing regime operates alongside other animal welfare legislation and licensing requirements.

Where applicable, the Council will also have regard to:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- The Dangerous Wild Animals Act 1976.
- The Zoo Licensing Act 1981.
- The Animal Welfare Act 2006.

Where more than one regulatory regime applies, the Council will apply the relevant statutory requirements and seek to ensure the highest appropriate standards of animal welfare are maintained.

Part 21. The Dangerous Wild Animals Act 1976 (‘’DWA Act’’)

21.1 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 form 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 several occasions. via secondary legislation. The species of animals currently included on the schedule can be. seen
here: https://www.legislation.gov.uk/uksi/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

21.2 Length of Licence

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

21.3 Application Process

Applications must be made by an individual. Links to the application pages can be found at Appendix 2.

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 authorised officer. 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.

21.4 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.

21.5 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 1 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 magistrate's court.

21.6 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 magistrate's court. Any appeal must be brought within 21 days from the date of service of the decision by the Council

Part 22. Zoo Licensing Act 1981 (as amended)

22.1 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.

22.2 Guidance

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

Zoo licensing act 1981: Guide to the act's provisions - GOV.UK. 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:

Secretary of State's standards of modern zoo practice - GOV.UK.

22.3 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 one of the following:

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

22.4 Application Process

Applications are made via the Gov.uk website which also gives guidance on the application process: https://www.gov.uk/zoo-licence

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 one local and one 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 Council offices for public inspection, free of charge at any reasonable hour and on the Council website

The Council will consider any representations received from any off the following:

- The applicant
- Hampshire & Isle of Wight Constabulary
- Animal Plant and Health Agency
- 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.

- Hampshire and Isle of Wight Fire and Rescue 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, and the Local Ward Councillor.

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 authorised officers nominated by the Animal and Plant Health Agency. 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.

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.

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. Authorised officers 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 (that is 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.

22.5 Grounds for Refusal

Authorised officers may / The licensing authority may refuse a licence if:

- An authorised officer's report recommends that the application be refused
- They are 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.
- They are not satisfied that zoo operators are able to meet conditions to take forward the relevant conservation measures
- They are 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.

22.6 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.

22.7 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.

22.8 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 are 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 authorised officers, consisting of two Secretary of State authorised officers 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 authorised officer 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 authorised officer(s), usually accompanied by a Council officer.

The APHA must select from the list of Secretary of State nominated authorised officers 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 authorised officer. 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 authorised officer's report and are given an opportunity to make comments on the report which will be recorded and returned to the authorised officer 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 because 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 suitably competent person to complete the inspection.

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

22.9 Licence Conditions

Any zoo licence issued by this Council will be subject to the licence conditions detailed in the Secretary of State's Standards of Modern Zoo Practice. This is available at:

Secretary of State's Standards of Modern Zoo Practice (publishing.service.gov.uk).

All authorised officers 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 authorised officer's report as set out in above.

Following a periodical inspection, a Secretary of State nominated authorised officer 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.

22.10 Non-compliance 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 the zoo permanently or permanently to close the affected section of the zoo.

22.11 Change of Circumstances and Incident Reporting

Change of Circumstances

The Council has an expectation that 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 2 working days, 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.

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.

Notify the Council

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

Appendix 1: Enforcement Matrix

The enforcement matrix provides a consistent framework for selecting proportionate actions.

Scenario	Examples	Indicative Council Response
Administrative or minor non-compliance (no welfare impact)	Missing training record; minor policy lapse discovered at inspection	Advice / written warning with timescale for remedy; confirm at next visit.
Condition breach with low to medium welfare impact	Incomplete isolation protocol; occasional record gaps; cleanliness issues without acute impact	Compliance notice / variation; re inspection to verify fix; note impact on risk rating and star rating.
Serious welfare breach or public safety risk	Overcrowding; unsafe enclosures; unlicensed high-risk activity	Immediate suspension where permitted; consider revocation and prosecution (AWA 2006 offences for suffering/failure to meet needs).
Criminal welfare offence (evidence of unnecessary suffering)	Neglect leading to injury; deliberate cruelty	Prosecution; consider disqualification; sentencing per national guidelines (fines/imprisonment).

Notes: The Council applies DEFRA's **proportionate and risk-based** approach; the precise action depends on severity, persistence, and risk of recurrence.

Appendix 2: Basingstoke & Deane application webpages

- **Animal Licensing Hub** — all licence categories, fees, and application routes
- **Animal Activity (AAL) overview + application process**
- **Dangerous Wild Animals Licence**
- **Zoo Licence**
- **Primate Licence**

Appendix 3: Dangerous Wild Animals Act 1976 – Mandatory Licence Conditions (Section 1(6))

Section 1(6) of the *Dangerous Wild Animals Act 1976* requires that any licence granted by a local authority **must include conditions** necessary to secure public safety and animal welfare. These statutory conditions reflect the matters the authority must be satisfied of under section 1.

Mandatory Conditions

A licence must include conditions to ensure that:

- **Secure accommodation and prevention of escape** - The animal is always kept in accommodation which is suitably constructed and maintained to prevent escape.
- **Suitability of accommodation** - The accommodation must be appropriate in terms of size, temperature, lighting, ventilation, drainage and cleanliness, and suitable for the number of animals kept.
- **Provision of adequate care** - The animals must be provided with adequate and suitable food, drink and bedding, and must be visited at appropriate intervals.
- **Animal welfare and exercise** - The accommodation must allow the animal to take adequate exercise and otherwise meet its welfare needs.
- **Emergency planning** - Appropriate steps must be in place to protect the animal in the event of fire or another emergency.
- **Disease control** - All reasonable precautions must be taken to prevent and control the spread of infectious diseases.
- **Protection of the public and prevention of nuisance** - The keeping of the animal must not be contrary to the public interest, including considerations of public safety and potential nuisance.

Additional Standard Requirement (Insurance)

Although often set out separately in licence conditions, the Act also requires that:

- The licence holder must hold suitable public liability insurance, providing cover for damage caused by the animal, as specified by the local authority.

Section 1(6) ensures that all licences are subject to conditions which secure containment, protect public safety, and safeguard animal welfare. Local authorities retain discretion to impose additional conditions, but the above matters form the core statutory minimum that must be addressed in every case.

Appendix 4: Key legislation

- Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974
- Dangerous Wild Animals Act 1976
- Animal Health Act 1981
- Animals (Scientific Procedures) Act 1986
- Animal Welfare Act 2006
- Business Protection from Misleading Marketing Regulations 2008
- Aquatic Animal Health (England and Wales) Regulations 2009
- Equality Act 2010
- Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- Equine Identification (England) Regulations 2018
- Microchipping of Cats and Dogs (England) Regulations 2023
- Digital Markets, Competition and Consumers Act 2024
- Zoo Licensing Act 1981
- The Animal Welfare (Primate Licences) (England) Regulations 2024