



Rochford District Council

To the Meeting of: COMMUNITY SERVICES

On: 20 JANUARY 2000

Report of: HEAD OF HOUSING, HEALTH & COMMUNITY CARE

Title: LICENSING OF PET SHOPS (MINUTE 88/99)

Author: R Peacey

Report approved by

## **Purpose of Report**

To advise Members that as part of a National Campaign the RSPCA have made recommendations for improving the animal welfare standards in pet shops, but the Pet Care Trust believe that these recommendations are unnecessary.

A copy of the RSPCA's letter and enclosures dated 5<sup>th</sup> November 1999 and the Pet Care Trust's letter of 1<sup>st</sup> December 1999 are at Appendix 1 and 2 respectively.

## **Background**

Pet shop licensing is regulated by the Pet Animals Act 1951. This Act prescribes who may apply for a licence, the matters the Council must consider when determining an application, and the conditions it can attach to a licence. It also specifies where animals cannot be sold from and the minimum age of purchasers.

The Council's conditions are based on the British Veterinary Association's guidance dated April 1986.

Members were advised on 2<sup>nd</sup> March 1999 that the a working group of the Local Government Association, the British Veterinary Association, the Chartered Institute of Environmental Health, the Pet Care Trust and the Ornamental Aquatic Trade Association Limited were producing new model standards for pet shops. In addition, new model conditions for dog breeding and animal boarding establishments had been produced by working groups with representatives from a range of interested organisations. Members resolved that the Council's licence conditions for pet shops, dog breeding and animal boarding establishments be amended following consultations with the licence holders when resources permit (Minute 88/99). This has not yet been implemented because of the resource

requirements. Since the report in March, the new model standards for pet shops have now been issued.

## **RSPCA Recommendations to Improve Animal Welfare Standards in Pet Shops**

Comments on the RSPCA's recommendations are as follows:

1. The Council is at present complying with this recommendation. Every pet shop licence issued by the Council contains a schedule specifying the types of animals that may be sold and the numbers held in stock.
2. An annual veterinary inspection of each pet shop is not carried out.

A veterinary inspection of a pet shop is carried out:

- prior to granting the first licence;
- at renewal of a licence if there is a significant change in the types of animals to be kept; and
- if an officer requires advice after becoming aware of unsatisfactory conditions.

The veterinarian's fee is only recharged for the inspection prior to granting the first licence.

Routine annual renewal inspections of pet shops are carried out by an officer alone. An unannounced inspection of each licensed premises is also carried out by an officer part way through the year.

Castle Point Council use a veterinarian to inspect pet shops on initial applications only. Basildon and Southend Councils do not use a veterinarian to inspect pet shops, either prior to granting the first licence or on renewal.

Consequently, it is considered that an annual veterinary inspection is not necessary.

There would be financial implications either for the applicant or the Council if this recommendation were to be implemented

Currently, there are 7 licensed pet shops and the Council's veterinarian would charge approximately £45 for each inspection. There are two options if an annual veterinary inspection is introduced:

- raise the licence fee from £107 to £152 (a 42% increase) to cover veterinary fees, or
  - the Council bears the annual costs of approximately £315
3. The applicant is not asked to provide details of any existing prosecutions for cruelty or neglect of animals. Nor are they asked to state if they have had a pet shop licence refused on a previous occasion.

Cruelty against animals is controlled by the Protection of Animals Act 1911 as amended. Where a person has been convicted of an offence of cruelty, the

court may order the offender to be disqualified for a specified period for having custody of any animal or animal of a specified kind. There are similar provisions to disqualify persons convicted of offences under the legislation governing pet shops, animal boarding establishments, riding schools, dog breeding establishments and keepers of dangerous wild animals.

Consequently, applicants are required to state that they are not disqualified under any legislation relating to the custody of animals.

The Pet Animals Act 1951 forbids the granting of a licence to a person disqualified from keeping a pet shop, but there is no provision to refuse an application if the applicant has been convicted of cruelty or neglect, or has been refused a licence. There is, therefore, no purpose in asking these additional questions.

4. The Council has never received an application for the one-off sale of exotics or for "exotic fairs".  
There is no provision in the Pet Animals Act 1951 to make blanket policy to refuse certain types of applications. Each application has to be judged on its merits in accordance with the provisions of the act.
5. The Council does encourage pet shops to provide suitable care and welfare information to prospective owners about the animals they are purchasing.
6. The Council current pet shop licence conditions do not require the employment of suitably qualified staff, the provision of suitable training for all staff in animal welfare issues or the employment of staff who can demonstrate acceptable levels of animal husbandry experience.

The new model standards for pet shop licence conditions require that:

- a. no animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience;
  - b. in respect of new applications (not renewals), at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification; or must be in the course of training, and obtain the qualification within two years of the licence being granted.
7. The Council does not encourage pet shops not to sell to unaccompanied children under the age of 16.

It is, however, an offence under The Pet Animals Act 1951 for a pet to be sold to a person under the age of 12.

The new model standards for pet shop licence conditions recommend that:

- no animal should be sold to any person under the age of 16 years who is unknown to the retailer unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 12 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian

or appropriate written consent, provided that the retailer is satisfied as far as possible that:

- the parent /guardian would not object to the acquisition;
- the juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;
- the juvenile's intentions towards the acquisition is consistent with the well-being of the animal concerned.

### **The Pet Care Trust's View**

The Pet Care Trust suggest that the new model standards for pet shops adequately and fully cover all important welfare issues and believe that the RSPCA's recommendations are unnecessary.

### **Crime and Disorder Implications**

None.

### **Environmental Implications**

None.

### **Financial/Resource Implications**

As detailed above, there are financial implications for either the applicant or the Council if Members decide that there should be an annual veterinary inspection of each pet shop.

As reported previously, there are resource implications in implementing the new animal welfare conditions. Staff would have to be diverted from other work.

The process of implementing the new licence conditions will involve:-

- redrafting the conditions on the relevant Council Licences to reflect the new model standards
- staff training
- consulting with all relevant licence holders on the proposed new conditions and considering any representations and comments received
- visits to some or all premises to agree action plans and timetables for compliance with the new requirements
- monitoring progress with implementation and any necessary enforcement
- defending any appeals lodged in the Courts and dealing with any formal complaints made

It is difficult to accurately estimate the staffing resources required to implement these steps, as this will depend to some extent on the response of licence holders. At best, several weeks work is likely to be involved. However, it is likely that some adverse response will be received and some enforcement action necessary, as has been the experience in some other authorities who have started to implement the new standards.

## **Legal Implications**

There would be legal implications if applications were not processed in accordance with the Pet Animals Act 1951. It would be difficult to defend licence conditions which go beyond those recommended nationally by the working group of interested organisations.

## **Parish Implications**

None.

## **Proposed that this Committee RESOLVES**

1. That the RSPCA be advised that the Council has resolved to apply the new model standards produced by expert working groups for pet shops, dog breeding and animal boarding establishments, following consultation with licence holders and when resources permit, and that it considers these will provide adequate safeguards.

## **Background Papers**

None.

**Royal Society for the Prevention of Cruelty to Animals**  
 Patrons HM The Queen, HM Queen Elizabeth The Queen Mother Vice Patron His Grace The Archbishop of Canterbury

HOUSING, HEALTH &  
 COMMUNITY CARE



November, 5<sup>th</sup> 1999

To all chairpersons of environment services committees in England and Wales

Dear Councillor

You may be aware of the RSPCA's growing concerns over the increasing numbers of exotic animals being kept as pets. Due to their complex requirements many owners are failing to provide proper care for these animals and the Society is experiencing an alarming rise in cases of abandonment and neglect.

Many of these animals will have come from pet shops and unfortunately people buy these exotic species without realising the scale of the commitment they are taking on. Some pet shops themselves are not aware how to care for these animals and this year has seen a huge rise in the number of prosecutions the RSPCA has brought against pet shop staff who have neglected animals in their care.

We have produced a list of policies which we are urging councils to introduce as part of their responsibility to licence and inspect pet shops under the 1951 Pet Animals Act. Much of the suffering caused to exotic species and indeed, all live animals sold in pet shops, is totally unnecessary and can be avoided if the council adopts a more robust and comprehensive approach to licensing. For example, including a vet in all annual inspections would ensure the animals' welfare is assessed by someone specifically trained and experienced in recognising danger signals and preventing suffering. We would also like pet shops to provide detailed information to purchasers about the animal they are buying. This will help ensure that buyers are fully aware of the responsibility they are taking on. I have sent more detailed information to your Chief Environmental Health Officer.

As the body responsible for licensing pet shops in your area, you can make a real difference to the welfare of the animals being sold. Please consider adopting the RSPCA's list of action points attached and help improve animal welfare.

If you would like any further information please do not hesitate to contact me.

Yours faithfully,

Joceline Tran, Local Government Campaigns Officer

## **THE RSPCA'S CALL TO ACTION TO IMPROVE ANIMAL WELFARE STANDARDS IN PET SHOPS**

The RSPCA is calling for all local authorities to adopt the following policies for licensing pet shops:

- 1 • devise specific licences for each individual shop listing the specific species that may be sold and the numbers held in stock
- 2 • impose at least one annual veterinary inspection for each shop. This should be in addition to spot checks by an environmental health officer or animal welfare officer. Where pet shops are selling exotic species, the vet carrying out the inspection should be experienced in the care of exotic species
- 3 • on application forms for new pet shop licences, applicants should be asked to provide details of any existing prosecutions for cruelty or neglect of animals. They should also state whether they have had a pet shop licence refused on a previous occasion
- 4 • refuse to issue licenses for one-off sales of exotics or for so called 'exotics fairs'
- 5 • ensure that pet shops provide suitable care and welfare information to prospective owners about the animal they are purchasing
- 6 • insist pet shops employ suitably-qualified staff (to NVQ or BTEC levels), provide suitable training for all staff in animal welfare issues and only employ staff who can demonstrate acceptable levels of animal husbandry experience
- 7 • encourage pet shops not to sell pets to unaccompanied children under the age of 16.

**EXAMPLES OF RSPCA PROSECUTIONS AGAINST  
PET SHOP STAFF 1998 -99**

- An animal kept unlawfully without a Dangerous Wild Animals licence, an unlicensed pet shop and a case of cruelty under the 1911 Act led to prosecution on three counts for a Manchester pet shop owner.
- Two Hyndburn defendants who neglected mice, rabbits, chinchillas, and rats, received fourteen convictions each and were banned from obtaining a pet shop licence for two years.
- A Leeds company director of a pet shop was banned from obtaining a pet shop licence for two years for neglect to an Amazon parrot, boa constrictor, budgerigar, rat and finches.
- Neglect and failure to adequately clean birdcages led to two convictions for an Enfield pet shop owner in a case brought with the assistance of the local authority.

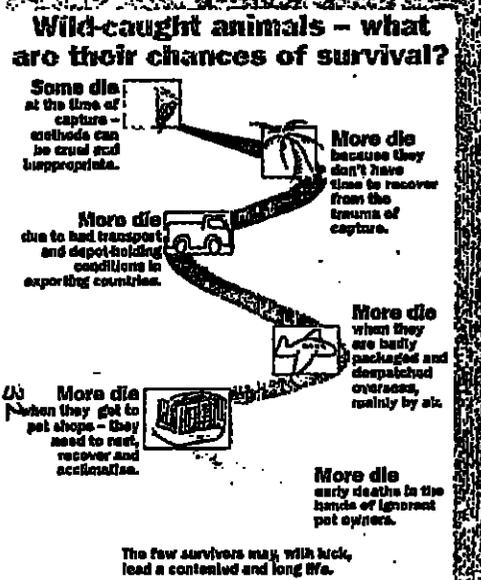
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**A COLD-BLOODED TRADE**

A copy of the RSPCA's campaign leaflet on exotic pets, *A cold-blooded trade*, is enclosed. Further copies are available free of charge. Please contact Joceline Tran, Local Government Campaigns Officer, Public Affairs, RSPCA, Causeway, Horsham, RH12 1HG, or call 01403 223166, fax 01403 240246, or e-mail [paffairs@rspca.org.uk](mailto:paffairs@rspca.org.uk).

**Wild-caught animals - what are their chances of survival?**

Every year, thousands of wild animals are trapped for use in the exotic pet trade - not all before reaching their home and many species are now endangered because of the trade.



**Call for action:**

- Don't contribute to the trade.
- Use your local council to help enforce the law.
- Ask the government to fund research into the welfare of wild-caught animals.
- Report any illegal trade to the RSPCA.

**THINK ABOUT THE COST...**

**Abandoned lizard**  
The RSPCA rescued a badly-neglected monitor lizard from a house whose owner had moved away leaving it without proper care. The lizard had an infection which was so severe it could no longer move. The lizard was put to sleep to end its suffering.

**Python problem**  
A man with no knowledge of how to care for snakes tried to keep a 12ft Burmese python that was dumped on his doorstep. He fed it chicken, let it sleep in his bed and turned his heating right up before calling the RSPCA. The Society has found a suitable home for the snake.

**Snapping turtle**  
A vicious snapping turtle had to be rescued from a London park after jamming itself under the wheel of a police patrol car. It had probably been abandoned after it grew to about 50cm (20 in) long and 9kg (20 lb) weight.

**Don't buy an exotic animal without knowing what you're really in for.**

Will it live?  
Will it grow?  
Will it need space?

**Cruelty watch**

If you see an animal which you believe is suffering unnecessarily, please call the RSPCA's cruelty line on 08705 555999.

**RSPCA**  
Cruseway, Horsham  
West Sussex RH12 1HG  
Telephone 01403 264181  
Website: [www.rspca.org.uk](http://www.rspca.org.uk)  
Registered charity no 219029  
It receives no government funding  
P107 10.99

**A cold-blooded trade**

**RSPCA** Think again if you want an exotic pet

# Cold-blooded trade



A surge in the number of exotic animals kept as pets in the UK has led to a steep increase in welfare problems encountered by the RSPCA. Because many owners do not know how to care for exotics properly, the Society is dealing with more and more neglected, sick or dumped animals.

## Are exotic animals dangerous?

Some animals, like crocodiles, poisonous snakes, and snakes, can only be legally kept if you have a special licence. But all exotic animals need careful handling. It can be very dangerous to have a pet that is not used to being handled. Exotic animals are particularly dangerous to young children. Exotics are particularly dangerous to people with allergies.

## Can they endanger my health?

A variety of bites and scratches can be dangerous. Some animals, like crocodiles, snakes, and snakes, can be particularly dangerous. Some animals, like crocodiles, snakes, and snakes, can be particularly dangerous. Some animals, like crocodiles, snakes, and snakes, can be particularly dangerous.

## How big can exotic animals grow?

Many people buy baby exotic animals without knowing how big they will grow. A few species can grow up to 1m (3ft), an iguana to 1.5m (5ft), and a crocodile to 3m (10ft). Many exotic animals can grow to over 1m (3ft) long. Many exotic animals can grow to over 1m (3ft) long.

## Are exotic animals easy to keep?

No. Many exotic animals need special diets, special natural environments, and special care. Many exotic animals need special diets, special natural environments, and special care. Many exotic animals need special diets, special natural environments, and special care.

## Are they expensive to look after?

Yes, they can be. You will need special food, special care, and special equipment. Many exotic animals need special food, special care, and special equipment. Many exotic animals need special food, special care, and special equipment.



## Why keep an exotic animal at all?

Fashions change. Novelties wear off. Exotic animals can be disappointing by the time they are old. Lack of interaction with their new pet. When the excitement dies away the animal may be left to suffer or may even be dumped. Ask yourself if you think it's right to keep an animal away from its natural environment.

## How long will an exotic animal live?

Many exotic animals live for a long time. Some can live for over 100 years. Many exotic animals live for a long time. Some can live for over 100 years.

## Do exotic animals get sick easily?

Many people buy exotic animals without knowing how to care for them. Exotic animals can get sick easily. Many people buy exotic animals without knowing how to care for them. Exotic animals can get sick easily.



Ref

APPENDIX 2

**PET CARE TRUST**

Bedford Business Centre  
170 Mife Road, Bedford MK42 9TW  
Telephone: 01234 273933 Fax: 01234 273550  
e-mail: info@petcare.org.uk  
web: www.petcare.org.uk

HOUSING, HEALTH &  
COMMUNITY CARE  
06 DEC 1999



01 December 1999

Dear Sir or Madam,

We understand that you may have recently received a representation from the R.S.P.C.A. concerning their views on animal welfare standards in pet shops.

As the member organisation representing all aspects of the pet industry, including pet shops, we believe that they are in error and suggest that the Local Government Association document "Model Standards for Pet Shop Licence Conditions" published earlier this year adequately and fully cover all important welfare issues.

These standard conditions were devised and agreed by the LGA, the Pet Care Trust, the British Veterinary Association, the Ornamental Aquatic Trade Association and the Chartered Institute of Environmental Health. We strongly endorse this important document and feel no further elaboration is necessary. I would therefore strongly urge you to adopt it in its entirety.

Should you have any queries in relation to this please do contact us- we would be only too pleased to help.

Yours Faithfully

Nicholas Grierson  
Chief Executive Officer  
Pet Care Trust

