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# **AGENDA FOR**

# LICENSING AND SAFETY PANEL

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To: All Members of Licensing and Safety Panel

**Councillors**: N Bayley, I Bevan, D Cassidy, J Frith, J Grimshaw, T Holt, D Jones (Chair), A Matthews, T Pickstone, A Quinn, S Southworth, B Vincent and J Walton

J Walton

Dear Member/Colleague

# **Licensing and Safety Panel**

You are invited to attend a meeting of the Licensing and Safety Panel which will be held as follows:-

Date:	Tuesday, 3 September 2013					
Place:	Meeting Room A & B, Bury Town Hall					
Time:	7.00 pm					
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.					
Notes:						

#### **AGENDA**

# 1 APOLOGIES FOR ABSENCE

# 2 DECLARATIONS OF INTEREST

Members of Licensing and Safety are asked to consider whether they have an interest in any of the matters on the agenda and, if so, to formally declare that interest.

# 3 MINUTES OF THE LAST MEETING (Pages 1 - 4)

To approve and sign as a correct record the Minutes of the last meeting held on 8 July 2013. The Minutes are attached.

# **4 OPERATIONAL REPORT** (Pages 5 - 10)

A report from the Assistant Director (Localities) is attached.

# 5 CONDITIONS IN RESPECT OF PET SHOP LICENCES (Pages 11 - 46)

A report from the Assistant Director (Localities) is attached. Model conditions are attached.

# **6 URGENT BUSINESS**

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

#### 7 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

# 8 PROPOSED SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE (Pages 47 - 50)

A report from the Assistant Director (Localities) is attached.

# Agenda Item 3

Minutes of: LICENSING AND SAFETY PANEL

**Date of Meeting:** 8 July 2013

**Present:** Councillor D Jones (in the Chair),

Councillors: N Bayley, D M Cassidy, J Frith, J Grimshaw, T Holt, A K Matthews;

T Pickstone and J F Walton

**Apologies for absence:** Councillor S Southworth, Councillor I

Bevan and Councillor B Vincent

**Public Attendance:** There were 3 members of public present

at the meeting

#### LSP.155 DECLARATIONS OF INTEREST

Councillor Pickstone declared a personal interest in respect of Minute LSP.158 below, Applications for a Public/Private Hire Driver's Licence, relating to 07/2013 as the applicant was employed at the same place of employment as his partner.

#### LSP.156 MINUTES OF THE LAST MEETING

# **Delegated decision:**

That the Minutes of the Licensing and Safety Panel meeting held on 10 June 2013, be approved as a correct record and signed by the Chair subject to Minute LSP 106 (5)being amended to include the correct spelling of "drugs".

# LSP.157 PUBLIC QUESTION TIME

There were no questions asked under this item.

#### LSP.158 OPERATIONAL REPORT

The Assistant Director (Localities) submitted a report setting out an update on operational issues within the licensing service. The report highlighted the outcome of a drivers appeal to the Magistrates Court which was dismissed along with the outcomes from 4 Licensing Hearings Panel meetings.

Further to the information detailed in the report, the Head of Commercial and Licensing reported on the outcome of 2 further Hearings Panels and a recent prosecution in respect of an unlicensed tattooist.

With regard to the granting of a licence for an alcohol home delivery service, it was explained that the Licensing Department

Licensing and Safety Panel, 8 July 2013

would have the ability to arrange test purchases and monitor the conditions of the licence. This is not currently the case for businesses licensed outside the borough who deliver to residents of Bury.

# **Delegated decision:**

That the report be noted.

# LSP.159 MEETINGS WITH THE TAXI TRADE

The Chair, Councillor Jones, reported that arrangements had been made for a meeting to take place with representatives from the local taxi trade. An undertaking was given to report back the outcome to the Panel.

# **Delegated decision:**

That the information be noted.

(Note: The above item, which was not included on the agenda for the meeting, was allowed by the Chair to be considered as a matter of urgency in view of the need to inform the Panel at the earliest opportunity.)

# LSP.160 EXCLUSION OF THE PRESS AND PUBLIC

# **Delegated decision:**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or applicants for Licences provided by the Authority.

# LSP.161 PROPOSED SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE

(e)

The Licensing Manager presented a report submitted by the Assistant Director (Localities) on the proposed suspension /revocation of a Hackney Carriage Driver's Licence.

The licence holder was invited into the meeting room for their hearing and the Chairman outlined the procedure to be followed. The Licensing Manager read out the contents of the report which was accepted by the licence holder.

The licence holder took the opportunity to address the Panel, through their legal representative, Mr James Parry.

# **Delegated decision:**

Upon considering the written report, the oral representations made by the legal representative of Licence holder and taking account of relevant policy and guidance, the panel resolved that it was reasonable and proportionate to **admonish** the Licence holder identified as 08/2013 as to his future conduct.

Whilst acknowledging the severe provocation to the driver and the extraordinary circumstances he had found himself in, the Panel highlighted the fact that the driver had been convicted of an offence involving violence and that the expectation of the Council is that licence holders maintain the highest standards of public safety, trust and conduct.

# LSP.162 APPLICATIONS FOR PUBLIC/PRIVATE HIRE DRIVER'S LICENCES

(e)

The Assistant Director (Localities) submitted a report regarding applications for Public/Private Hire Vehicles Drivers' Licences.

The applicants were invited to attend the meeting for separate hearings. The Chairman outlined the procedure to be followed and the applicants were invited to address the Panel on their applications and any matters referred to in the Officer's report.

The Licensing Manager read out the contents of the report for each application which were accepted by the applicants, who took the opportunity to address the Panel individually.

# **Delegated decisions:**

- 1. That after careful consideration of all the representations and evidence submitted and taking into account the Council's Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 06/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
- 2. That after careful consideration of all the representations and evidence submitted and taking into account the Council's Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 07/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
- 3. That after careful consideration of all the representations and evidence submitted and taking into account the Council's

Licensing and Safety Panel, 8 July 2013

Conviction Guidelines, the application for a Private Hire Driver's Licence by applicant 09/2013 be **approved**. The Panel determined the applicant to be a fit and proper person in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

COUNCILLOR D JONES CHAIR

(The meeting started at 7.00 pm and finished at 8.30 pm)

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DECISION OF:	LICENSIN	IG & SAFETY PANEL			
DATE:	3 <sup>rd</sup> SEPTE	MBER 2013			
SUBJECT:	OPERATIONAL REPORT				
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)				
CONTACT OFFICER:	W A JOHNSON				
TYPE OF DECISION:	N/A – Report for information only				
FREEDOM OF INFORMATION/STATUS:	This paper is in the public domain				
SUMMARY:	A report to advise members on operational issues within the licensing service.				
IMPLICATIONS:					
Wards Affected:		N/A			
Scrutiny Interest:		Internal Scrutiny Panel			

#### 1.0 BACKGROUND

1.1 The report advises Members on operational issues within the licensing service.

# 2.0 Taxi Licensing Forum

On the  $1^{\rm st}$  August 2013, Councillor Jones and Council officers met with representatives of the hackney carriage and private hire trades. A copy of the minutes of the meeting are attached at Appendix 1

# 3.0 Licensing Act Hearings

3.1 On the 22<sup>nd</sup> July 2013, a Licensing Hearings Panel considered an application for a grant of a premises licence for off sales in respect of 88 Bury Old Road. Representations were received from Greater Manchester Police requesting conditions on the licence which were subsequently agreed by the applicant. In addition to this 6 representations were received from interested parties. After hearing all the evidence, the members of the panel decided to grant and add the conditions to the licence.

# 4.0 Review of the reporting mechanism relating to the testing of vehicles at Bradley Fold

The Licensing Section are currently reviewing the reporting mechanism in relation to the testing of vehicles at Bradley Fold with the licensing software providers Lalpac. The hope is that this will enable detailed statistics to be produced on how many tests have been undertaken, the number of failures and faults identified and the nature of those identified faults for regular reporting to Panel and the trade. The trade representatives were notified of the review at the meeting on the  $\mathbf{1}^{\text{st}}$  August 2013.

# 5.0 Scrap Metal Dealers Act 2013

The Licensing Section are currently developing processes in respect of the Scrap Metal Dealers Act 2013 which replaces the previous registration system for scrap metal dealers created by the Scrap Metal Dealers Act 1964. It creates a new licensing regime which will be administered by local authorities. This will require every scrap metal dealer to have a licence. Under the new legislation the definition of scrap metal dealers is extended to include motor salvage operators. Existing operators will be able to continue trading under the transitional arrangements. The provisions of the Act will commence on the 1<sup>st</sup> October 2013.

# **Contact Details:**

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# **Taxi Liaison Meeting**

# Minutes of meeting

1<sup>st</sup> August 2013 at 1.00pm

**Venue: Town Hall, Knowsley Street, Bury** 

# 1. Welcome and introduction:

Councillor Jones
Janet Witkowski
Andrew Johnson
Michael Bridge
Gerry Kelly
Charles Oakes – Bury Hackney Drivers Association
Paul Brent – National Taxi Association
Ian Charles – Private Hire Operator
Chris Hargreaves – Private Hire Operator (Limousines)

# 2. Apologies for absence:

Ray Porter - Private Hire Operator

# 3. Introductions

Councillor Jones introduced himself to the group and explained how he thought the meeting should progress, he explained that Mr Bridge had created an agenda but he did not intend to stick to it rigidly and that he would like to give all parties concerned an opportunity to speak. All other parties introduced themselves.

# 4. Testing Station Fees:

Discussions took place about the proposed increase in the charge of a vehicle inspection at Bradley Fold to £47.50, Councillor Jones and Mr Johnson advised the group that due to the licensing section making a surplus of approximately £6000 there would not be an increase. Therefore the charge per vehicle inspection will remain at £45.00. Mr Brent indicated that the cost of a test in Trafford was £71.00 and approximately £27.00 for a retest.

# 5. Second Testing Station:

Mr Oakes raised the issue of a second testing station and acknowledged that he had previously brought this issue before members in the past. He spoke about the Department of Transport Best Practice guidance issued in 2006 on this issue and indicated that all the hackney trade want is a choice to where they can take their vehicles to for a vehicle examination.

Mr Brent indicated that at Trafford Council, they used to have an in-house garage but have subsequently outsourced to a private company, however it still remains in the old Council garage.

It was asked whether or not the opening hours of Bradley Fold could be extended. Mr Bridge explained that this had been done previously on a pilot basis for Saturday mornings and both elements of the trade did not utilise the additional availability.

# 6. Council Fees:

Mr Oakes indicated that he had asked for fees and charges to be completely reviewed to identify the actual cost of licences relating to the taxi trade. He went on to explain about the challenges relating to fees at other authorities such as Westminster (relating to sex shops), Guildford and Manchester.

The licensing service advised that they are currently looking at application fees in light of the recent court case concerning Westminster Council.

# 7. Maintenance of Vehicles

Mr Bridge gave the group some examples of what both hackney carriages and private hire vehicles were failing on when they are presented for test. Mr Charles outlined that his vehicles go for a pre-inspection at a private garage prior to going for their test to ensure that all the necessary work that is needed is undertaken prior to the Council test. This ensures that his vehicles pass first time. He went on to advise the group that he did not see any problems with Bradley Fold, as they know his vehicles have been checked prior to test.

Mr Oakes raised the issue that in his opinion Bury Council was not dealing with the proprietors who are not maintaining their vehicles. Officers of the licensing service explained that the Licensing and Safety Panel had in June this year considered the hackney carriage age policy and the five fault rule. The five fault rule has been amended to be applicable to hackney carriage vehicles over the age of 6 years old. Members felt that this would ensure that the vehicles would be maintained prior to going for the vehicle examination which would enable them to continue to be licensed as a hackney carriage. Licensing Officers explained that there is not a fit and proper test for the proprietor of a vehicle.

Mr Oakes advised the group that other authorities undertake joint enforcement with partner agencies such as the Police and

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VOSA. He stated that he feels that other authorities are dealing with proprietors/ drivers who are not maintaining their vehicles. Mrs Witkowski asked Mr Oakes what sorts of things they were doing. He explained that Council's have been criticised for undertaking exercises at the weekend and not for doing them at other times during the week.

# 8. Future Liaison Meetings

Mr Bridge advised the group, that it was his intention to attach the minutes of the meeting to the operational report which is due to be heard at the next meeting of the Licensing and Safety Panel on the 3<sup>rd</sup> September 2013. Councillor Jones said that he would discuss the meeting with the other members of the panel to take advice on future meetings.

# 8. Any Other Business:

Mr Hargreaves spoke about a recent prom that his father has been doing a job and there were a number of different types of vehicles fire engines, tractors and tanks which did not have the appropriate licences. He could not recall where the prom was.

Mr Charles mentioned that other Bury private hire companies are going into Ramsbottom and picking up. This was noted and will be looked into at a later date.

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	REPORT FOR DECISION	



MEETING: LICENSING AND SAFETY PANEL

DATE: 3<sup>rd</sup> SEPTEMBER 2013

SUBJECT: CONDITIONS IN RESPECT OF PET SHOP LICENCES

REPORT FROM: ASSISTANT DIRECTOR (LOCALITIES)

CONTACT OFFICER: M BRIDGE

TYPE OF DECISION: COUNCIL

**FREEDOM OF** 

**INFORMATION/STATUS:** This paper is within the public domain

**SUMMARY:** Through the Council Constitution the determination of

conditions to be attached to licences is reserved to the Licensing and Safety Panel. This report requests Panel approval of new conditions in respect of pet shop licences. The conditions have been drafted by the Chartered Institute of Environmental Health and a number of partner organisations including the British

Veterinary Association

OPTIONS & RECOMMENDED OPTION:

The recommendation is for Members to approve the conditions in the format requested as shown in Schedules A- I inclusive within the attached document. With the conditions being applied by officers in an appropriate and proportionate manner in consideration

of individual premises.

Alternatively, Members may amend or reject all or any of

the proposed conditions.

# **IMPLICATIONS: Corporate Aims/Policy** Do the proposals accord with the Policy Framework: Framework? Yes ✓ No □ **Financial Implications and Risk** There are no specific risks arising from the Considerations: report other than the potential costs/ risks associated with legal challenges. **Statement by Director of Finance** The proposed changes are not anticipated to and E-Government: result in any significant change to resource requirements. None. Agreed conditions will be applied to all **Equality/Diversity implications:** appropriate licence holders equally. **Considered by Monitoring Officer:** Yes ☑ No □ Are there any legal implications? Yes. licences are regarded as possessions under the Human Rights Act 1998. Any conditions adopted and applied must be reasonable and proportionate.

N/A

All equally

Internal

# TRACKING/PROCESS DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners	
Scrutiny Commission	Executive	Committee	Council	

# 1.0 BACKGROUND

Staffing/ICT/Property:

Wards Affected:

**Scrutiny Interest:** 

- 1.1 Local Councils may grant licences to the proprietors of pet shops under the provisions of the Pet Animals Act 1951.
- 1.2 Before granting a licence the Council must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with food &

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drink and that they are adequately protected from disease and fire. In granting a licence the Council may attach conditions.

# 2.0 Issues

- 2.1 The Chartered Institute of Environmental Health has published the model licence conditions on behalf of a national working group. The working group was made up of representatives of various professional and trade organisations whose logos appear on the front cover of the attached document. The Model Conditions set out in this document are the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops. If accepted Council Officers will consider the advice contained in this document before applying and enforcing licence conditions in an , appropriate and proportional manner.
- 2.2 Key objectives in developing these model licensing conditions have been to encourage improved conditions in pet shops licensing and a consistency of approach across local authorities which minimise the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending.
- 2.3 The Council has existing conditions relating to pet shops and other animal licensing activity. Approval of these new proposed conditions will replace the existing conditions giving more specific control in respect of certain species in pet shop licensing with no detriment to existing controls.

# 3.0 CONCLUSION

3.1 Members are asked to approve the conditions as attached at Appendix A.

# **List of Background Papers:-**

Model Conditions for Pet Vending Licensing 2013

#### **Contact Details:-**

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Licensing Unit Manager
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Appendix A



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# Model Conditions for Pet Vending Licensing 2013



















This document has been prepared in the best interests of animal welfare and to improve pet shop management. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

# **Contents**

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# Introduction

The Model Conditions set out in this document are the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.

Licensing authorities should apply and enforce the licence conditions sensibly and appropriately.

These Model Conditions should not be considered as a complete manual on animal husbandry. It is a living document which will be revised from time to time to take into account new knowledge of animal physiology and behaviour as well as advances and development in standards of animal welfare.

Local authorities in England, Scotland and Wales issue licences to proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act (1951). Before granting a licence the local authority must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with appropriate food and drink; and are adequately protected from disease and fire. The local authority may attach conditions to the licence, may inspect the licensed premises at all reasonable times and may refuse a licence if the standards at the premises are unsatisfactory or if the terms of the licence are not being complied with.

Under the Animal Welfare Act (2006)<sup>1</sup> which applies in England and Wales and the Animal Health and Welfare (Scotland) Act 2006<sup>2</sup> in Scotland those responsible for animals, including pet vendors, have a responsibility towards the welfare of the animals in their care. Under these Acts it is an offence to cause unnecessary suffering to a protected animal, whether by an act or omission. Vendors also have a legal 'duty of care' towards the animals in their care. Vendors must therefore take such steps as are reasonable in all the circumstances to meet the welfare needs of the animals, to the extent required by good practice. The Acts define an animal's needs as including:

- Its need for a suitable environment
- Its need for a suitable diet
- Its need to be able to exhibit normal behaviour patterns
- Any need to be housed with, or apart from, other animals
- Its need to be protected from pain, suffering, injury and disease

During the inspection, prior to the issue of a licence, it is important that the five needs as outlined above are considered. Defra, the Welsh Assembly Government and the Scottish Government have produced various Codes of Practice under the Animal Welfare Acts, which outline in more detail certain species' needs that can be referred to for guidance. Issues specific to pet shops and other pet vendors are covered in this document.

The Animal Welfare Acts also increased the minimum age at which a person can buy an animal to 16 and prohibit giving animals as prizes to unaccompanied children under this age. In Scotland, there is a prohibition on giving animals as prizes.

Another key objective in developing these model licensing conditions is to encourage conditions in pet shops licensing and a consistency of approach across local authorities which minimises the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending.

Humankind shares a world with animals; it is unsurprising therefore that we also share some diseases. Zoonoses, or zoonotic disease are infectious diseases transmissible between humans and other animals: many thousands of zoonotic disease have been identified. While the reported instances of transmission are infrequent, they nevertheless represent significant disease prevalence. The risk to humans depends on the kind of disease and the type of exposure.

<sup>1</sup> www.defra.gov.uk/foodfarm/farmanimal/welfare/act

<sup>&</sup>lt;sup>2</sup> www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp\_20060011\_en.pdf

# Legislation/Orders that are relevant<sup>3</sup>: England

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(England)
   Order 2006
- Animal Welfare Act 2006
- Docking of Working Dogs' Tails (England) Regulations 2007
- Mutilations (Permitted Procedures)(England) Regulations 2007
- EU Wildlife Trade Regulations: Council Regulation (EC) No. 338/97, implements CITES (Convention on International Trade in Endangered Species of Flora and Fauna) in the European Community
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

#### Scotland

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Control of Dogs (Scotland) Act 2010
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(Scotland) Order 2006
- Animal Health and Welfare (Scotland) Act 2006
- The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010
- The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

#### Wales

- Pet Animals Act 1951
- Animal Welfare Act 2006
- The Welfare of Animals (Transport) (Wales) Order 2007
- The Docking of Working Dogs' Tails (Wales) Regulations 2007
- Mutilations (Permitted Procedures) (Wales) Regulations 2007
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

The working group agreed that the LGA Model Standards<sup>4</sup> needed to be updated whilst anticipating secondary legislation under the Animal Welfare Act 2006. These conditions should therefore not be seen as a substitute for secondary legislation.

<sup>&</sup>lt;sup>3</sup> All legislation referred to in this document is intended to represent the most recent version

<sup>&</sup>lt;sup>4</sup> Local Government Association (1998) "The Pet Animals Act 1951: Model standards for pet shop licence conditions", LGA Publications

# The groups consulted included:

- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Department for Environment, Food and Rural Affairs (Defra)
- Dogs Trust
- Federation of Companion Animal Societies
- Feline Advisory Bureau
- Local Government Association
- Ornamental Aquatic Trade Association
- Pet Care Trade Association
- Rabbit Welfare Association & Fund
- Reptile and Exotic Pet Trade Association
- Royal Society for the Prevention of Cruelty to Animals

# Special thanks also to:

- Peter Scott Zoo and Aquatic Veterinary Group/Companion Animal Welfare Council
- William H Wildgoose Fish Veterinary Society/Midland Veterinary Surgery
- Ian Strachan Scottish Government
- Wood Green Animal Shelters
- OneKind

# **Definition of terms**

 $^{\star\star}$  A batch should be defined as a group of animals arriving from the same supplier, at the same time

One  $m^2$  measures one metre by one metre Consequently 2  $m^2$  measures 2 metres by 1 metre. (2 square metres measures 2 metres by 2 metres.)

<sup>\*\*</sup>  $m^2$  is a measurement of area.

# Schedule A – General conditions

# 1. Licence Display

#### 1.1 Condition

The licence or a copy of the licence must be suitably displayed to the public in a prominent position

#### Guidance

For security reasons, the licence should not display the licence holder's home address.

#### 2. Accommodation

# 2.1 Condition

Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.

# Guidance

Animals should be able to move around freely, climb, fly, swim and jump where appropriate, and be comfortable in their environment. Definitions of appropriate sizes and materials are in the appropriate schedules to this document. Regular maintenance and repair will prevent injury from damaged housing. Temperature monitoring devices should be provided. It is important to avoid draughts.

# 2.2 Condition

Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.

#### Guidance

The spread of airborne infections can be a significant risk. Excessive or inadequate humidity can cause other health problems.

#### 2.3 Condition

If animals are displayed outdoors, they must have protection appropriate to their species

#### Guidance

This should include shelter from wind, rain or snow and/or the sun and predators if appropriate.

#### 2.4 Condition

In order to control the spread of disease, and to prevent injury, housing must be constructed of non–porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.

#### Guidance

Appropriate housing will prevent direct transmission of disease and injuries. This will maintain structural integrity and ensure dry, easily cleansed surfaces. In general, untreated wood is not an appropriate material as it cannot be thoroughly cleaned.

#### 2.5 Condition

Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.

# Guidance

An area to hide away, if needed, will help to reduce stress levels for the animals. In addition to signs, other measures maybe required, such as limiting access to some sides of animal enclosures. Care should be taken to avoid sensory contact between prey and predator species.

#### 2.6 Condition

All animals for sale must be readily accessible and easy to inspect by staff.

#### Guidance

This should help to ensure that the cage is kept clean and hygienic and animals can be easily observed for illness or injury

#### 2.7 Condition

Accommodation must be cleaned as often as necessary to maintain good hygiene standards

#### Guidance

To maintain a clean environment, a cleaning Standard Operating Procedure (SOP) should be provided and should detail the routine daily cleaning regime and the procedure for cleaning between periods of occupation. Soiled bedding should be removed frequently to ensure animals do not have to lie in it.

#### 2.8 Condition

Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing

#### Guidance

This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together.

#### 2.9 Condition

All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

#### Guidance

To stimulate the performance of natural behaviours.

# 3. Exercise Facilities

#### 3.1 Condition

Suitable and sufficient facilities must be available where appropriate.

#### Guidance

Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise.

# 4. Register of Animals

#### 4.1 Condition

A purchase register must be maintained for all animals detailing their source and identification where appropriate,

#### Guidance

This can be by cross referenced to an invoice file. The purpose of the register is to ascertain the source of the animals.

#### 4.2 Condition:

A sales register must be maintained for:

#### 4.2.1 Dogs

#### 4.2.2 Cats

#### 4.2.3 Psittacines

# 4.2.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976

#### Guidance

The purpose of the register is for emergency contact of purchasers. The name, address and telephone number of the purchaser should be obtained. This is not required for other species.

#### 4.3 Condition

Animals under veterinary treatment must be identifiable.

# 5. Stocking Numbers and Densities

#### 5.1 Condition

No animals other than those specified in the licence, may be stocked.

The licence conditions should clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details.

Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations.

#### 5.2 Condition

Where appropriate, all animals must be housed in social groups of suitable size.

# Guidance

Details can be found in the relevant schedules.

#### 6. Health Disease and Acclimatisation

#### 6.1 Condition

All animals for sale must be in good health

#### Guidance

Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt.

Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately.

All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary.

A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.

#### 6.2 Condition

Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

#### Guidance

"Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

#### 6.3 Condition

Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably expected to be carrying serious infectious diseases.

#### Guidance

Isolated animals should be kept in a secure, comfortable location where their condition and needs can be kept, also detailing treatment. For ornamental fish, in—line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.

#### 6.4 Condition

Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

#### Guidance

Information on any known conditions should be provided to the new owner.

#### 6.5 Condition

All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

#### Guidance

Precautions should include regular cleaning (see 2.6) and good personal hygiene of staff in addition to effective quarantine of incoming groups of animals except for fish. Staff handling animals should wash or disinfect, and rinse if appropriate, their hands between groups. The shop should be registered with a veterinary practice and there should be veterinary input to SOPs where appropriate. It is important that the supplying breeders should have a policy for inherited and infectious disease control agreed. Staff should be aware of zoonotic transmission.

# 6.6 Condition

All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

#### Guidance

"Rodent" and "Insect" excludes animals for sale or feeding

# 7. Food and Drink

#### 7.1 Condition

Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals, All food must be suitable for the species concerned.

#### Guidance

Water should be available at all times except for those species where it may be harmful. An SOP should be produced for basic nutritional needs for each species or species group, and age group if appropriate. The owner should be advised to continue feeding consistent with the diet given by the pet shop.

#### 7.2 Condition

Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

#### Guidance

Faecal and urine contamination is a risk to health. Maintaining a clean environment may require regular cleaning of receptacles. Receptacles should be thoroughly cleaned before being moved between batches/groups

# 8. Food Storage

#### 8.1 Condition

All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.

#### Guidance

Such containers prevent spoilage of the food or attraction of rodents or pests to the premises.

#### 8.2 Condition

The containers and equipment used for feeding must be kept in a clean and sound condition.

#### Guidance

There must be suitable facilities for cleaning of receptacles and equipment which should be separate from staff facilities.

# 9. Observation

# 9.1 Condition

All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

#### Guidance

Regular checks and observation records aid in early detection of illness, injury or behavioural problems and should be considered very important for all animals.

A system of recording observation should be maintained.

# 10. Disposal of Waste

#### 10.1 Condition

All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.

#### Guidance

This is important for biosecurity and odour reduction.

Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice. Premises should maintain a contract for removal with an appropriate company and adhere to local authority regulations.

There should be appropriate arrangements in place for removal of dead animals.

# 11. Transportation to the Premises

# 11.1 Condition

When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.

#### 11.2 Condition

Any animals received or consigned shall be transported according to the regulations laid down in current legislation.

#### 11.3 Condition

Animals must be transported or handed to purchasers in suitable containers,

# Guidance

Buyers should be advised how to transport animals home so as to minimise stress.

#### 12. Sale of Animals

#### 12.1 Condition

No mammal shall be sold un—weaned or, if weaned, at an age at which it should not have been weaned.

#### Guidance

Young mammals require nutritional and behavioural support from their mothers.

#### 12.2 Condition

In the case of non–mammals, they must be capable of feeding themselves.

# 13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

#### 13.1 Condition

When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.

#### Guidance

Safety of staff and the general public should be of utmost importance and safety barriers may aid in this, as well as prevention of escape.

#### 13.2 Condition

The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

#### Guidance

The primary requirements of the Act are to protect the public but there are also welfare implications.

Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation and care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from Defra/Scottish Government

# 14. Pet care advice, staff training and knowledge

# Condition

New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.

#### Guidance

Qualifications should be City & Guilds or Level 3 equivalent and appropriate to the species kept.

#### 14.1 Condition

The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.

#### Guidance

Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets. In formation can be in the form of Codes of Practice issued by governments. In addition, information may also be made available electronically.

#### 14.2 Condition

Appropriate reference materials on the care of each species must always be available for use by staff.

#### Guidance

Further advice can be obtained from the organisations listed in the 'Useful Contacts' section at the back of this document.

#### 14.3 Condition

Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.

No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/ training.

# 14.4 Condition

The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

#### Guidance

Further advice, guidance and training can be obtained from the organisations listed in the Useful Contacts section.

# 15. Fire and other emergency precautions

# 15.1 Condition

Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.

#### Guidance

Staff should be aware of these procedures and a copy should be displayed for staff to refer to as and when needed. Evacuation should be regularly practised and practices recorded. All staff should undergo regular training and records should be kept of such training.

#### 15.2 Condition

Entrances and exits must be clear of obstructions at all times.

#### Guidance

To facilitate risk free evacuation if needed, when designing accommodation, consideration should be given to using systems which would allow timely removal of the animals in the case of emergency. This provision would not usually apply to aquaria and ponds.

#### 15.3 Condition

Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.

#### Guidance

This will ensure that, if needed, the equipment will function correctly. Staff should be properly trained on the use of equipment provided.

#### 15.4 Condition

The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.

#### Guidance

A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

#### 15.5 Condition

A list of key holders must be logged with the local police and local authority.

#### Guidance

For contact in cases of emergency.

#### 15.6 Condition

In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".

#### Guidance

For information of the public in cases of emergency, when a staff member is not on site.

#### 15.7 Condition

When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.

#### Guidance

This is vital for access to the animals at all times to ensure correct care is provided

#### 15.8 Condition:

All electrical installations and appliances must be maintained in a safe condition.

#### Guidance

For health and safety of staff and animals.

# 15.9 Condition

There must be an effective contingency plan for essential heating, ventilation and aeration/ filtration systems, as appropriate.

#### Guidance

Some species are very sensitive to temperature fluctuation.

# Schedule B – Dogs

#### 1. Condition

Puppies must be weaned before leaving the mother.

#### Guidance

To ensure puppies can eat the food provided. Puppies must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations prohibits the transport of puppies without their mother before this age.

# 2. Condition

The minimum kennel size must be:

- **2.1** For a batch of small breed puppies  $\max 6$  pups 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
- **2.2** For a batch of medium breed puppies max 4 pups  $2m^2$  for sleeping, plus  $2m^2$  for exercise
- **2.3** For a batch of large breed puppies max 2 pups  $2m^2$  for sleeping, plus  $2m^2$  for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

#### Guidance

The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each puppy to be able to walk, turn around and wag its tail without touching the sides of the kennel. The puppies should have sufficient room to play, stand on their hind limbs and to lie down without touching another individual. The kennel size required will increase in relation to the size and number of puppies housed at any one time. The length and the width should be sufficient to allow all the puppies to lie outstretched without their noses or tails touching the walls or other individuals. In certain circumstances it is permissible to have separate exercise areas to sleeping areas but in such cases puppies must be given access to the exercise area at

least four times a day. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of puppies.

#### 3. Condition

Suitable and sufficient exercise facilities must be available and accessible where appropriate..

# 4. Condition

Extreme temperatures must be avoided.

#### Guidance

Puppies are relatively sensitive to high/ low temperatures. Temperatures should not normally go below 12°C or exceed 26°C

#### 5. Condition

General bedding must include an adequate amount of absorbent material.

# Guidance

The use of enough absorbent material allows urine and faeces to be contained and reduce contamination of the puppies.

# 6. Condition

Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.

#### Guidance

Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided

#### 7. Condition

A specific lying place must be provided lined with soft material,

#### Guidance

The use of soft material will prevent skin lesions being caused by soiling or pressure sores.

#### 8. Condition

Puppies must be fed at least four times daily, at appropriate intervals.

#### Guidance

The diet should be appropriate for puppies.

# 9. Condition

Puppies must have frequent, quality contact time with staff.

#### Guidance

"Suitable intervals" for puppies to be visited are frequent, as they require to be socialised. It is recommended that this should be a minimum of 4 times per day with 20 minutes of interaction per batch. There should be an SOP.

# 10. Condition

Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.

#### Guidance

Puppies are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the puppy with a vet.

# 11. Condition

Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.

# Guidance

Isolating healthy puppies does not allow them to exhibit natural behaviour patterns.

#### 12. Condition

There must be environmental enrichment in all kennels.

#### Guidance

To allow puppies to exhibit normal behaviour patterns. Toys should only be given under supervision and should be easily cleaned or replaced between batches.

\*\* Please see 'Schedule A – General Conditions' for food, water and isolation conditions

# Schedule C - Cats

#### 1. Condition

Kittens must be weaned before leaving the mother.

#### Guidance

To ensure kittens can eat the food provided. Kittens must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related legislation prohibits the transport of kittens without their mother before this age.

# 2. Condition

The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1  $\text{m}^2$ , with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have  $0.25\text{m}^2$  additional floor space.

#### Guidance

Kittens require adequate space to play together and to have space for a litter tray and bed. Varying heights to enable climbing should each also be provided. There should be adequate space for feeding, drinking, sleeping and litter tray to be kept separate.

# 3. Condition

Extreme temperatures must be avoided.

# Guidance

Kittens are relatively sensitive to low temperatures owing to their small body weight. Temperatures should not normally go below 15°C or exceed 26°C.

#### 4. Condition

Disposable or washable bedding must be provided and kept clean.

#### Guidance

Kittens need a warm sleeping, soft area, away from the litter tray and food.

# 5. Condition

A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.

### 6. Condition

Kittens must be fed at least four times daily, at appropriate intervals.

#### Guidance

The diet should be appropriate for kittens.

#### 7. Condition

Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.

#### Guidance

Diseases spread very easily between litters, both by direct contact or by sneezing. Kittens are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the kitten with a vet.

# 8. Condition

Kittens must have frequent, quality contact time with staff.

#### Guidance

It is recommended that this should be a minimum of 4 times per day with 20 minutes of specific interaction per batch. Kittens should be protected from over-handling by staff or the public as they require time to rest.

#### 9. Condition

There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

# Guidance

To allow kittens to exhibit normal behaviours, particularly climbing. Toys should be easily cleaned or replaced between batches.

# Schedule D - Rabbits

#### 1. Condition

Rabbits must be correctly sexed and housed in same sex groups.

#### Guidance

Rabbits are easier to sex at 8 weeks than any earlier, which will help prevent mis-sexing and unwanted litters.

#### 2. Condition

The minimum enclosure size must be:

0.4m² for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m² for up to 2 giant breed juvenile rabbits and a height of 0.5m.

These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.

#### Guidance

Dwarf Lops/Dutch rabbits are the most commonly available in pet shops and weigh up to 4kgs. The height should allow the rabbit to rear up to perform natural behaviour. Rabbits should be kept in store in groups. Rabbits need to be able to move freely and to be able to perform vital behaviours such as caecotrophy and rearing.

#### 3. Condition

There must be environmental enrichment in all enclosures. A hiding place must be provided.

#### Guidance

To allow rabbits to exhibit normal behaviours, indestructible toys; cardboard boxes; chewing substrates should be provided. Toys should be easily cleaned or replaced between batches. Rabbits are prey animals and should have the opportunity to hide if scared or stressed.

#### 4. Condition

Extreme temperatures must be avoided.

#### Guidance

Ambient temperature should not normally go lower than 12°C or exceed 20°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.

#### 5. Condition

Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.

#### Guidance

Rabbits need a warm, softly-bedded sleeping area away from the litter and food/water.

#### 6. Condition

Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.

#### Guidance

The disinfectant should be effective against both viral, bacterial and parasitic infection and safe for use on rabbits. Check with a vet or manufacturer if unsure. Diseases such as E-cuniculi can be spread via urine, so thorough cleaning is required between new occupants. Rabbits often choose to toilet in the sleeping area of a hutch and a litter tray could be placed here.

#### 7. Condition

If batches are mixed you must ensure all animals are free from obvious parasitic infection.

#### Guidance

Diseases spread very easily between litters. Rabbits should be housed with batch mates where possible.

# 8. Condition

Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.

#### Guidance

Rabbits teeth are open rooted and therefore constant access to good quality hay is essential, for dental health, gastrointestinal health (without a constant supply of fibrous food, rabbit GI tracts slow down) and behavioural reasons (to relieve boredom). It is vital that hay is available throughout the day and sufficient provided for them at closing time to last them until the next business day. Dry food should be provided for youngsters to assist growth, see manufacturers instructions, but should not be fed ad-lib.

#### 9 Condition

Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

#### Guidance

Due to the delicate digestive system, particularly under stress, if diets are to be changed then a slow transition between diets is advisable.

# Schedule E – Other small mammals

#### 1. Condition

All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair),

#### Guidance

To help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups. Animals from different sources should not be mixed.

#### 2. Condition

Animals must at all times be kept in suitably sized accommodation.

#### Guidance

Animals should be able to freely move around the accommodation and be able to perform natural behaviours. See attached table for species relevant sizing.

#### 3. Condition

Animals must be provided with a suitable substrate in sufficient amounts.

#### Guidance

Providing sufficient and appropriate substrate keeps the accommodation clean and dry and allows digging where appropriate. There are a number of substrates available and the type used will depend on the animal kept.

#### 4. Condition

Animals must be provided with a suitable bedding material in sufficient amounts.

#### Guidance

Bedding provides a place to sleep and rest, the type used will depend on the animal kept. It should be provided in sufficient quantities to enable the animal to feel secure and warm.

# 5. Condition

Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.

# Guidance

Animals must be given the opportunity to hide as a natural instinct and be given suitable accessories to allow for stimulation and to

reduce stress. Chinchillas and Degus should be given the opportunity to use a sand bath by offering one on a regular basis, e.g. 10 minutes daily. Rodents need to express natural behaviour such as running and chewing/gnawing. Toys such as hides, tunnels, paper bags filled with hay and fruit twigs are ideal for expressing natural foraging behaviour. Animals should be able to move away from direct lighting. Cool hides should be provided to prevent over heating.

#### 6. Condition

Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.

#### Guidance

Water for small animals is usually provided in clean gravity fill drinking bottles, (which should be of a suitable size for the species) or automatic or semi — automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species; some desert-dwelling species such as jerboas [family Dipodidae] should not be given water ad-lib. Bottles should be kept clean and free from algae.

#### 7. Condition

All rodents must be fed a suitable diet, ad lib and have free access to hay where required.

#### Guidance

The diet should be appropriate for the breed, life stage and species. Food should be refreshed regularly. Guinea pigs should have sufficient vitamin C in their diet. Guinea pigs are unable to synthesise Vitamin C.

# 8. Condition

All rodents must be fully weaned on admission.

# Minimum accommodation requirements small rodents

# Area in square metres

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

# Schedule F – Ferrets

#### 1. Condition

Ferrets must be at least eight weeks old

#### Guidance

Ferret kits can find separation from their mother very stressful and the stress response in a ferret often results in diarrhoea which can prove fatal.

#### 2. Condition

Ferrets must be housed with batch companions

#### Guidance

Ferrets are naturally social animals that depend on the companionship of their own kind. Lone ferrets often suffer depression including poor appetite and lack of enthusiasm to move or play.

#### 3. Condition

Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.

#### Guidance

Ferret kits can be easily be sexed at 8 weeks of age. Adult, un-neutered hobs (males) may exhibit dominant behaviour and fight, so requiring individual accommodation. House the Jill (female) kits at a reasonable distance to prevent aggression between the hobs as they mature at around 20 weeks. Adult jills (females) should be prevented from having repeated seasons. Jills (females) left in season are prone to estrogen induced anaemia, a factor in shortening their normal lifespan. Veterinary advice should be sought.

#### 4. Condition

Batches of ferrets must not be mixed.

#### Guidance

Not mixing will reduce the risk of disease spreading. Mixing can be stressful for ferrets.

#### 5. Condition

The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be  $1\,\mathrm{m}^2$ , with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have  $0.25\,\mathrm{m}^2$  additional floor space.

#### Guidance

Enclosures should be placed on a hard surface and anchored to the ground. Ferrets require space for their toilet area removed from their sleeping or eating areas. Ferrets require space to exhibit their normal active behaviour — running backwards, forwards and sideways and to climb, explore and play. Ferrets are naturally clean and will usually select one corner as their toilet

# 6. Condition

Sleeping quarters must be draught free and dark.

#### Guidance

Ideally sleeping quarters should be raised. Ferrets seek dark areas for sleeping and sleep for long hours, up to twenty a day in the winter. Their natural instinct is to hide whilst sleeping.

# 7. Condition

Ferrets must have suitable bedding.

#### Guidance

Suggested bedding includes fabric items that can be laundered, straw and dust extracted wood shavings.

# 8. Condition

Extreme temperatures must be avoided.

#### Guidance

Temperatures should not normally go below 12°C or exceed 26°C. Ferrets tolerate cold better than heat. Provide plenty of warm bedding for when it is cold. Be aware heat prostration is likely at 32°C.

#### 9. **Condition**

Ferret kibble must be provided at appropriate intervals.

#### Guidance

Feed a recognised and branded ferret kibble / biscuit. Small, frequent meals or ad lib feeding are recommended as ferrets have a rapid rate of digestion

### 10. Condition

Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

#### Guidance

Ferrets are renowned for tipping bowls

## Schedule G – Birds

#### 1. **Condition**

There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.

#### Guidance

Stocking densities will depend on the type of bird as well as cage dimensions and number of perches. Access to rain can be beneficial for plumage Some species will need adequate space to fly. Chickens require an appropriate area and substrate to perch.

#### Condition

Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species

#### Condition

Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.

#### Guidance

Birds are more sensitive to high temperatures.

#### Condition

There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water

#### Guidance

Birds should not have to compete for drinkers/ feeders and risk exclusion. Passerines should have food available at all times. Enrichment and feeding devices need to be provided for larger psittacids. For parrots, it is preferable to use swinging systems such that the keeper does not need to enter the cage in order to change food/ water. Bowls should not be able to be removed from holders by the parrot.

#### Condition

Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.

#### Guidance

Enclosures should be placed on a hard surface Some species require more robust materials. Materials such as loose zinc coating can be toxic to birds.

#### 6. Condition

Windproof nest boxes must be provided in all outside housing and inside where appropriate.

#### Guidance

Many birds find sleeping or sheltering in nest boxes an essential form of security or for sheltering from inclement weather but it is recognised that some species, such as canaries, will rarely if ever voluntarily enter nest boxes.

#### Condition

Flooring must be drop-through or easily washed/hosed.

#### Guidance

If ground living birds are kept with perching birds then attention should be paid to flooring such that bumblefoot issues are addressed - i.e. no concrete/rough stone. Where natural turf flooring is used, parasite status of the birds should be checked on a regular basis every few weeks.

# **Stocking Densities for Birds in Cages**

Туре	Length of Bird (cm)	Floor Area (m²) housing up to 4 birds	Linear cms per additional bird on either cage length or depth*3
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	more than 17.5	0.225	7.5
Parakeets and Lovebirds *1	less than 25	0.42	7.5
	25-30*1	0.48	7.5
	more than 30*1	0.675	7.5
Parrots	less than 30	0.225	10
	30 – 35*2	0.4050	15
	more than 35*2	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		16	

<sup>\*1.</sup> It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.

It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.

The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

# **Stocking Densities for Birds** in Aviaries and Flights

Туре	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	more than 17.5	12
Parakeets and Lovebirds *1	less than 25	10
	25-35	6
	more than 35	4
Parrots	less than 30	10
	30 – 35	6
	more than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

# Schedule H - Reptiles and Amphibians

#### 1. Condition

Stocking and density must be appropriate to the species.

#### Guidance

Most reptiles and amphibians are not social and may, therefore, be kept individually. Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.

Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made.

**Snakes:** may be housed individually or in small groups, of the same species. Snakes known to be cannibalistic, e.g. king snakes (Lampropeltis sp), should be housed individually.

**Lizards:** only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g. Gambelia sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

**Tortoises and Terrapins:** only terrapins of similar size and habit and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

Frogs and Toads: only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog & toad) is not generally recommended. Cannibalistic species, such as horned frogs (Ceratophrys sp.) and African bull frogs (Pyxicephalus sp.) should be housed individually.

**Newts and Salamanders:** only species of similar size and from similar geographical areas should be kept together.

Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria

which combine fish with small reptiles and/ or amphibians of appropriate species are acceptable.

#### 2. Condition

The enclosure size must be appropriate to the species and adjusted according to its size.

#### Guidance

**Snakes:** the length of the enclosure should be no less than two-thirds the overall length of the snake..

**Lizards:** the length of the enclosure should be three times the full length of the lizard, or larger.

**Tortoises and Terrapins:** the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species [turtles, terrapins] the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. Cuora sp., Terrapene sp. and Glyptemys sp.) do not require such deep water. Terrapins must also have an adequate land basking area.

Frogs and Toads: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (Ceratophrys sp.) and African bull frogs (Pyxicephalus sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

**Newts and Salamanders:** the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

**Height and Width:** of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

#### 3. **Condition**

Temperature, humidity, lighting and ventilation must be appropriate to the species.

#### Guidance

Ambient and basking temperatures should be appropriate to the species concerned, with the following guidance for commonly kept species.

These are guidelines only and individual species should be researched as requirements for some species will fall outside of these recommendations. Vendors and staff must have access to relevant reference material (books, internet etc.). Basking spots may be provided by convection or radiant heat sources (e.g. light bulb, or heat mat), as appropriate to the species. Ventilation should be appropriate to the species and should allow sufficient change of air without jeopardising the temperature or humidity in the enclosure.

#### Condition

Lighting must be appropriate to the species.

#### Guidance

An appropriate light period should be observed. Species requiring UVB lighting, e.g. diurnal lizards and tortoises, should have appropriate UVB emitting lamps. These should be replaced according to manufacturer's recommendations. Mercury Vapour or Metal Halide UVB emitting lamps may also be used to provide a daytime heat source. UV light sources must not be screened by non UV transmitting glass or plastic. Animals should have areas of shade so that they can escape from the light if desired.

#### Condition

Substrate appropriate to the species must be present.

#### Guidance

Substrate should be appropriate to the species concerned and may include, but not be limited to: newspaper, paper towel, bark chip, wood chip, terrarium humus, moss, aravel, calcium carbonate, terrarium sand etc. Measures should be taken to ensure that substrate is not ingested.

#### 6. Condition

Enrichment must be provided appropriate to the species.

#### Guidance

Décor should be appropriate to the species and should not be harmful, e.g. sharp rocks, toxic or injurious plants. Décor should be secure and not able to fall and cause injury. Enclosure should be furnished in such a fashion as to allow inhabitants to exhibit natural behaviour, e.g. climb or hide where appropriate.

#### Condition

Food and water must be provided in the appropriate manner for the species.

#### Guidance

Feeding habits vary between species and between individuals. Staff should have knowledge of the requirements for all the species held. Food should be presented in a form or pattern that is acceptable to the species concerned. Food supplements [vitamin and minerals] should be provided as appropriate to the species concerned. Live food intended for use should be housed in suitable escape proof containers, and fed appropriately. Fresh foods [salads] should be kept refrigerated where appropriate. Frozen foods intended for use must be stored in an appropriate deep freeze and defrosted thoroughly before use. Feeding records for hatchling snakes should be kept and made available to purchasers. Fresh water should be available at all times. with the exception of certain desert species, such as Uromastyx sp. which should be offered water periodically. Certain species, such as chameleons, do not drink from standing water and should be offered water appropriately, e.g. by a dripper system or sprayer.

#### 8. Condition

Hygiene: enclosures must be cleaned appropriately.

#### Guidance

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be

appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

#### 9. Condition

Handling must be kept to a minimum at all times.

#### Guidance

Handling must be kept to a minimum at all times. Staff should receive training on how to handle animals and animals which may be aggressive should only be handled by competent staff. Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected.. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards.

## Schedule I – Fish

#### 1. Condition

Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

#### **Cold Water Species**

Free Ammonia max 0.02mg/l
Nitrite max 0.2mg/l
Dissolved Oxygen min 6mg/l

Nitrate max 50mg/l above

ambient tap water

#### **Tropical Freshwater Species**

Free Ammonia max 0.02mg/l
Nitrite max 0.2mg/l
Dissolved Oxygen min 6mg/l

Nitrate max 50mg/l above

ambient tap water

### **Tropical Marine Species**

Free Ammonia max 0.01mg/l
Nitrite max 0.125mg/l
Nitrate max 100mg/l
pH min 8.1
Dissolved Oxygen min 4.0 mg/l

#### Guidance

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment,

acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

#### 2. Condition

Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

#### Guidance

One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.

### 3. Condition

Holding systems must be cleaned and checked regularly.

#### Guidance

Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.

#### 4. Condition

No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

#### Guidance

No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought.

## Information

# Register of Wild Animals and Endangered Species

Some species are listed on the Annexes of EU Wildlife Trade Regulations which implement CITES [Convention on International Trade in Endangered Species]. Species listed on Annex A of EU Wildlife Trade Regulations [Council Regulation (EC) No. 338/97] must have a valid Article 10 Certificate and may require microchipping or closed ring. Species listed on Annex B do not require Certificates but the vendor should be able to provide proof the animal was acquired legally.

Further information is available from Animal Health, Wildlife Licensing and Registration Service: 1-15 Temple Quay House, 2 The Square, Bristol, BS1 6EB

Wild-caught specimens listed on Annex IV of the EU Habitats Directive [Council Directive 92/43 EEC] collected within the EU require the appropriate Certification. Captive-bred specimens are exempted from such requirements.

#### Breeding and Sale of Dogs Act

Puppies/dogs should be identifiable whilst at the shop. Under this legislation, the record should show:

- The identification of the animal
- The date of birth, breed, sex and any distinguishing features
- Details of any veterinary care provided while under care of the shop In addition, it is also good practice to record:
  - Details of any feedback provided to the breeder on health issues such as disease or inherited defects
  - Details of any health screening tests performed on the parents

Microchip is the preferred method of identification.

## **Useful Contacts**

All pet shop licences are issued by your local authority who should be your first point of contact

#### General

#### **British Veterinary Zoological Society**

Email: secretary@bvzs.org

#### Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London SE1 8DJ Telephone: 020 7928 6006

www.cieh.org

#### Department for Environment, Food and Rural Affairs

Animal Welfare Unit, Nobel House, 17 Smith Square London SW1P 3JR Telephone: 08459 33 55 77 Email: helpline@defra.gsi.gov.uk https://www.gov.uk/government/topics/wildlife-and-animal-welfare

#### Local Government Association,

c/o LGconnect, Local Government Group, Local Government House, Smith Square, London SW1P 3HZ Telephone: 020 7664 3000 Email: info@local.gov.uk www.lga.gov.uk

#### **Veterinary Contacts**

#### British Small Animal Veterinary Association

Woodrow House, 1 Telford Way, Waterwells Business Park, Quedgeley, Gloucester GL2 2AB Telephone: 01452 726700 www.bsava.com

#### **British Veterinary Association**

7 Mansfield Street, London W1G 9NQ Telephone: 020 7636 6541 Email: bvahq@bva.co.uk www.bva.co.uk

#### Royal College of Veterinary Surgeons

Belgravia House, 62-64 Horseferry Road, London SW1P 2AF www.rcvs.org.uk

### **All Species**

#### The Blue Cross

Shilton Road, Burford, Oxon OX18 4PF Tel: 01993 822651 Email: info@bluecross.org.uk www.bluecross.org.uk

#### Pet Care Trade Association,

Bedford Business Centre, 170 Mile Road, Bedford MK42 9TW Telephone: 01234 273 933 www.petcare.org.uk

#### People's Dispensary for Sick Animals (PDSA)

Head Office, Whitechapel Way, Priorslee, Telford, Shropshire TF2 9PQ Telephone: 01952 290999 www.pdsa.org.uk

# Royal Society for the Prevention of Cruelty to Animals

RSPCA Enquiries Service, Wilberforce Way, Southwater, Horsham, West Sussex RH13 9RS Telephone: 0300 1234 555 www.rspca.org.uk

#### Wood Green Animal Shelters

Kings Bush Farm, London Road, Godmanchester, Cambs PE29 2NH Telephone: 0844 248 8181 Email: info@woodgreen.org.uk www.woodgreen.org.uk

#### Cats

#### Cats Protection

National Cat Centre, Chelwood Gate, Haywards Heath, Sussex RH17 7TT Telephone: 03000 12 12 12 Email: helpline@cats.org.uk www.cats.org.uk

#### International Cat Care

Taeselbury, High Street, Tisbury, Wiltshire SP3 6LD Telephone: 01747 871872 Email: info@icatcare.org. www.icatcare.org

#### Governing Council of the Cat Fancy

5 King's Castle Business Park, The Drove, Bridgwater, Somerset TA6 4AG Telephone: 01278 427575 Email: info@accfcats.org www.gccfcats.org

#### Dogs

#### **Dogs Trust**

17 Wakley Street, London EC1V 7RQ Telephone: 0207 833 7685 Email: info@dogstrust.org.uk www.dogstrust.org.uk

#### The Kennel Club

1-5 Clarges Street, Piccadilly, London W1J 8AB Telephone: 08444 633 980 Email: info@thekennelclub.org.uk www.thekennelclub.org.uk

#### Fish

#### **Ornamental Aquatic Trade Association**

1st Floor Office Suite, Wessex House, 40 Station Road, Westbury, Wiltshire BA13 3JN Tel: 01373 301353 www.ornamentalfish.org

### Permanent identification databases Microchipping Advisory Group

www.bsava.com/Advice/MicrochipAdvice/ tabid/154/Default.aspx

#### National Dog Tattoo Register

Telephone: 01255 552455 www.dog-register.co.uk

#### Animalcare

Telephone: 01904 487 687 Email: office@animalcare.co.uk www.animalcare.co.uk

#### **AVID Plc**

PO Box 190, Lewes, East Sussex BN7 9GD Telephone: 0800 652 7 977 Email: pettrac@avidplc.com www.avidplc.com

#### Petlog

The Kennel Club, 4A Alton House, Gatehouse Way, Aylesbury, Bucks HP19 8XU Telephone: 0844 463 3999 Email: petlogadmin@thekennelclub.org.uk www.petlog.org.uk

#### **Pet Protect**

Furness House, 53 Brighton Road, Redhill, Surrey RH1 6RD Telephone: 0800 587 0660 www.petprotect.co.uk

### Rabbits and small mammals,

#### **British Rabbit Council**

Purefoy House, 7 Kirkgate, Newark, Notts NG24 1AD Telephone: 01636 676042 www.thebrc.org

#### Rabbit Welfare Association and Fund

PO Box 603. Horsham. West Sussex RH13 5WL Telephone: 0844 324 6090 Email: hq@rabbitwelfare.co.uk www.rabbitwelfare.co.uk

#### Reptiles

#### REPTA (Reptile & Exotic Pet Trade Association)

Telephone: 02380 440999 Email: info@repta.org www.repta.org

#### **Qualifications and Training**

Contact your trade association, local technical or agricultural college for information on current training and qualifications

#### Animal Medicines Training Regulatory Authority

Unit 1c, Woolpit Business Park, Windmill Avenue, Woolpit, Bury St. Edmunds IP30 9UP Telephone: 01359 245801 Email: info@amtra.org.uk www.amtra.org.uk

#### City & Guilds

1 Giltspur Street, London EC1A 9DD Telehone: 0844 543 0000 www.cityandguilds.com

#### **LANTRA**

Lantra House, Stoneleigh Park, Coventry, Warwickshire CV8 2LG Telephone: 0845 707 8007 Email: connect@lantra.co.uk www.lantra.co.uk

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Agenda Item 8

Document is Restricted

