

FINANCE AND CORPORATE SERVICES

REPORT OF THE HEAD OF LEGAL SERVICES – D. MICHAEL

15th June 2015

SECTION A - MATTER FOR DECISION

WARDS AFFECTED: All

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 – Welsh Local Authority Licence Conditions

1.0 Purpose of Report

To inform members about new regulations in respect of dog breeding and to consider adoption of new dog breeding conditions, with a view to carrying out a consultation exercise

2.0 Background

On the 30th April 2015 The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 came into force.

These regulations provide for the licensing of persons involved in the breeding of dogs. The consequence of this specification is that subject to qualifying criteria, any person wishing to breed dogs in Wales must obtain a licence from their local authority under these regulations. This requirement replaces the requirement to obtain a licence under the Breeding of Dogs Act 1973 in Wales.

The main changes introduced by the regulations are

1. Require the licensing of breeders who keep three or more breeding bitches and either breed, sell, supply, or advertise breeding or puppies for sale from their premises
2. Introduce stricter welfare standards for breeding establishments
3. Require breeders to adopt socialisation, enhancement and enrichment programmes for their animals
4. Create a minimum staff to adult dog ratio

3.0 Conditions

The regulations contain nine mandatory conditions that must be attached to all dog breeding licences. These are: -

1. A condition specifying the maximum number of adult dogs and puppies to be kept under the terms of the licence.
2. A condition specifying a staff to adult dog ratio which must ensure as a minimum staff requirements:-
 - i. 1 full-time attendant per 20 adult dogs kept; or
 - ii. 1 part-time attendant per 10 dogs kept
3. The licence holder must implement an enhancement and enrichment programme that has been approved by the local authority
4. The licence holder must implement a socialisation programme that has been approved by the local authority
5. The licence holder must take all reasonable steps to protect dogs from pain, suffering, injury and disease.
6. The licence holder must ensure a breeding bitch –
 - i. Is not mated until she is 12 months old;
 - ii. Does not give birth to more than 1 litter of puppies in a 12 month period; and
 - iii. Does not give birth to more than 6 litters in total
7. The licence holder must retain ownership and possession of puppy on the premises occupied by the licence until it is at least 56 days old
8. (1) The licence holder must maintain a written record in relation to each breeding bitch kept setting out her
 - i. Name;
 - ii. Date of birth;
 - iii. Breed;
 - iv. Physical description including colour and identifying features;
 - v. Health status
 - vi. Mating details including;

1. In relation to the sire, the information required in sub-paragraph 1(a) to (e);
 2. In relation to each puppy born-
 - a. Date of birth;
 - b. When ownership is transferred, the new owners name and address
- (2) When ownership of a breeding bitch is transferred the name, address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and copy retained by the licence holder
- (3) The record referred to in sub-paragraph (1) must be available for inspection and retained by the licence holder for the lifetime of the breeding bitch.
9. (1) The licence holder must maintain a written record confirming the following details in relation to each puppy which is on the premises occupied by the licence holder:
- i. Sex;
 - ii. Date of birth;
 - iii. Breed;
 - iv. Physical description including colour and identifying features;
 - v. Health status
 - vi. In relation to the dam, the information required by condition 6(1)(a) to (e); and
 - vii. In relation to the sire, the information required by condition 6(1)(a) to (e).
- (2) When ownership of a puppy is transferred, the name address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and copy of the record must be provided to the new owner and a copy retained by the licence holder.
- (3) The record referred to in sub-paragraph (1) must be available for inspection by the local authority at any time and retained by the licence holder for 3 years from the date of birth of the puppy.

4.0 Additional Conditions

The Welsh Animal Health and Welfare Technical Panel agreed that an all Wales set of licensing conditions would give clarity and consistency across Wales. A further 10 conditions have been agreed to be added to all dog breeding licences, these are shown numbered 10-19 in appendix 1.

The Chartered Institute of Environmental Health model conditions for the licensing of dog breeding establishments which have already been adopted will be replaced by the new conditions.

5.0 Consultation

It is proposed to carry out a consultation exercise with interested parties, prior to these additional conditions being adopted.

6.0 Recommendation

That the Welsh Local Authority Licence Conditions be issued for consultation with interested parties and a further report be presented to members.

7.0 Background papers

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

Dog Breeding Establishments Welsh Ministers Guidance to Local Authorities.

8.0 Officer Contact

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9.0 Wards Affected

All

Regulation 8 (3) - Welsh Local Authority Licensing Conditions

Condition 10 – Size of Quarters

The following are the minimum size requirements for :

Small Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	2.5 sq m	4.5 sq m
3	4.5 sq m	6.5 sq m
4	6.0 sq m	8.5 sq m

Medium Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	4.5 sq m	6.5 sq m
3	6.0 sq m	8.5 sq m

Large Size Dogs

No. dogs	Free access to exercise	Limited access to exercise
1	4.5 sq m	6.5 sq m
2	6.0 sq m	8.5 sq m

Guidance:

*Size of dogs: Small – Pugs, Bichon Frise, Terriers
 Medium – Spaniels, Bearded Collie, Beagle
 Large – Labrador, Boxer*

- *Free access to exercise means the dogs have unrestricted daily access to exercise area.*
- *Limited access to exercise means the dogs have restricted access to an exercise area.*
- *The kennel should be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual.*
- *When the animal/s is in the kennel there should be sufficient space for the door to open fully.*
- *Bitches with litters should be provided with double this space allowance.*

Condition 11 – Whelping Facilities

- (a) All bitches must be provided with a designated area or kennel prior to whelping, with a suitable whelping box/bed.
- (b) Heating facilities must be adequate, secure and safe and capable of providing the range of temperatures, suitable for both pups and bitch.
- (c) An area must be provided where a bitch can rest away from her pups.

Guidance:

- *Bitches should generally be housed with other dogs in a pair or group, but should be individually housed for a few days prior to whelping. However, they should continue to have sight, sound and smell of other familiar bitches and daily contact with humans.*
- *The whelping area/kennel should cater for the maximum number of puppies taking account of breed size and litter size. To avoid crushing puppies, crush bars can be useful.*
- *From approximately 3 days after parturition, bitches should be given short periods of exercise away from their litter.*
- *Bitches due to whelp should be inspected regularly.*
- *When in labour, bitches should be closely monitored and if any signs of difficulty are shown, a vet should be contacted as a matter of urgency. Contact details for veterinary support should be readily available.*

Condition 12 – Supervision

- (a) Where the Licensee is absent for some time then supervision of the premises must be by a suitable and competent person of least 16 years of age.
- (b) Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times.
- (c) The Licensee must live in close proximity to the licensed premises, so as to be able to attend promptly at all times.
- (d) Dogs must be visited at regular intervals, as necessary to ensure their health, safety and welfare and prevent any unnecessary suffering.
- (e) Regular intervals must be a minimum of 3 times per day.

Guidance:

- *Anyone supervising the dogs, need to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act appropriately.*
- *All breeders and staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.*
- *They should have a sound working knowledge of dog breeding and be aware of good practice and trait(s) of the breed(s) in their establishment.*

Condition 13 – Health Status of dogs

- (a) There must be a daily physical inspection of every animal to check for any signs of illness, injury or distress.
- (b) Stud dogs and breeding bitches must be physically and behaviourally sound.
- (c) Any breeding stock which appears to the licensing inspector to exhibit unsound hereditary or behavioural characteristics may be required to be verified as sound by the Licensee's veterinary surgeon.
Advice from a veterinary surgeon must be sought without delay where a dog shows signs of disease, injury, illness or behavioural disorder and recorded in the dog's logbook and be available to potential purchasers.

Guidance;

- *Any breeding stock that show signs of fear or anxiety do not normally make a good parents.*
- *Puppies should be the product of healthy, sociable and environmentally competent parents.*

Condition 14 - Dog Identification

- (a) Breeding bitches and stud dogs must be micro chipped by a suitably competent person and registered on a recognised national database.
- (b) The Licensee must complete a Breeding Bitch Record and a Puppy Log Book in the format detailed in the Welsh Minister's Guidance or in another format that replicates this information.
- (c) After the dogs have left the licensed premises, records must be kept for a minimum of 24 months and must be available on demand to authorised officers.

Guidance;

- *Please refer to the Welsh Ministers Guidance Schedule 1 for an example of a Breeding Bitch Record.*
- *Please refer to the Welsh Ministers Guidance Schedule 2 for an example of a Puppy Log Book.*

Condition 15 - Responsible Breeding

- (a) Any breeding stock which proves to exhibit unsound hereditary or behavioural characteristics must not be bred from.
- (b) When intentionally breeding crossbreeds, breeders must have due regard to the breeds' compatibility for ease of whelping and to produce healthy puppies.

Guidance;

- Licensees should be familiar with the health screening tests available to their chosen breeds, in consultation with their own Veterinary Surgeon.
- Cross breeds are defined as offspring of any two or more recognised breeds of dogs.
- Breeding closely related animals should be carefully considered.
- Close breeding examples include mating between brother and sister, father and daughter, mother and son, grandparent and grandchild or half brother or sisters.

Condition 16 - Strategy for the retirement of breeding bitches and stud dogs.

- (a) All retired breeding bitches and stud dogs being kept within the licensed premises will still be included on the licence.
- (b) Breeders must have a plan for dealing with retired dogs.

Guidance;

Breeders should plan for the retirement of their breeding dogs. Should retirement involve re-homing to a domestic environment dogs must be exposed, during their working lives, to a programme of stimulation designed to maintain their socialisation with humans and their competency with the domestic environment.

Condition 17 - Material change to / at the Licensed premises

The Licensee must inform the licensing authority before making any material change to / at the licensed premises.

Guidance;

A "material change" may include such things as building new kennels; significantly increasing the number of dogs, reduction in staff at the kennels etc

Condition 18 - Health Annual Check

- (a) The licensing authority requires the Licensee to have all stud dogs and breeding bitches checked by a veterinary surgeon each year. The veterinary surgeon will compile a written Health and Welfare Report which details the dogs he inspected.
- (b) The Report will detail the health and welfare of the dogs and will state whether the dogs are fit to be used in the breeding establishment. This Report will be supplied to the Licence authority at the time of the Licence application.

- (c) The licensing authority will not accept an assessment of the dogs made by a veterinary surgeon for the Health and Welfare Report if the assessment has taken place more than 3 months prior to the date of the commencement of the Licence.
- (d) Where the veterinary surgeon has made recommendations in the report these will be considered as being mandatory requirements where they may affect the dogs health, welfare or safety.

Condition 19 - Plan for a Licensed premises and displaying Licence

- (a) The Licensee must submit a suitable plan showing the outline of the buildings, kennel layout, exercise yard and any other construction relevant to the Licensed premises.
- (b) The current Licence must be displayed on the premises.

Guidance;

This outlined plan may be hand drawn but must be in a rough scale to other buildings. All outlines must be identified on the plan. The plan must have the name of the premises written on it, the date and the name of the person who has drawn it.