

Animal Boarding Establishment Licence Conditions**Report by Derek Oliver, Chief Officer – Place****Report for Decision****1 Recommendations**

Council is recommended to approve the proposed conditions for an animal boarding establishment licence (appendix C) in relation to commercial kennels and catteries.

2 Purpose of Report/Executive Summary

To inform the Council of proposed conditions for animal boarding establishment licences (kennels and catteries) and seek approval for implementation.

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3 Background/Main Body of Report

- 3.1** All animal boarding establishments providing accommodation for other people's dogs or cats require a licence from Midlothian Council under The Animal Boarding Establishments Act 1963. This Act requires a licence to be renewed every year and provides power of entry (Section 2 of The Act) for authorised officers to conduct premises inspection.

The proposed conditions (Appendix C) are considered necessary and incorporate the good practice measures of the Scottish Government Codes of Practice for the welfare of dogs and cats.

They extend the requirements of the licence conditions to further secure the following :

- General conditions (licence display, insurance)
- Accommodation specifications
- Exercise facilities
- Disease control measures
- Management/supervision criteria
- Fire safety & emergency precautions
- Registration records

Adopting the proposed licence conditions will provide authorised inspecting officers with improved scope for ensuring compliant premises operation and sufficient standards of animal welfare.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

No significant impact. The Protective Services Public Health and Environmental Protection team already have appointed authorised officers who conduct animal licensing premises inspection.

4.2 Digital

No specific additional requirements.

4.3 Risk

The recent increased popularity of XL Bully ownership demonstrates the changing risks involved with animal welfare premises. Strengthening licence conditions provides an opportunity for tighter regulation and control.

4.4 Ensuring Equalities (if required a separate IIA must be completed)

Not required.

4.4 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A – Additional Report Implications

Appendix B – Background information/links

Appendix C – Proposed animal boarding licence conditions (kennels and catteries)

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Midlothian will be healthier
Midlothian will be safer

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

There are no cost implications.

A.5 Involving Communities and Other Stakeholders

Other Local Authorities and Scottish Government guidance have been consulted during the preparation of this report.

A.6 Impact on Performance and Outcomes

This will tighten licensing control of animal boarding establishments and drive improved standards of operation.

A.7 Adopting a Preventative Approach

Implementation of the proposed conditions will improve the risk management of licensed premise operation.

A.8 Supporting Sustainable Development

Not applicable

APPENDIX B - Background information / links

Animal Boarding Establishments Act 1963:

<https://www.legislation.gov.uk/ukpga/1963/43>

Code of practice for the welfare of dogs Scotland 2010 - [Welfare of dogs: code of practice - gov.scot](#)

Code of practice for the welfare of cats Scotland 2010 - [Welfare of cats: code of practice - gov.scot](#)

APPENDIX C – Proposed animal boarding licence conditions (kennels and catteries)

Midlothian Council

BOARDING ESTABLISHMENT (KENNELS / CATTERIES) LICENCE CONDITIONS

ANIMAL BOARDING ESTABLISHMENTS ACT 1963
CODE OF PRACTICE FOR THE WELFARE OF DOGS SCOTLAND 2010*
CODE OF PRACTICE FOR THE WELFARE OF CATS SCOTLAND 2010*

(*Although the Code does not have legislative effect, it is intended to promote and give examples of good practice. Failure to comply with a provision of this Code, whilst not an offence in itself, may be relied upon as tending to establish liability where a person has been accused of an offence under Part 2 of the Act.)

GENERAL CONDITIONS

Licence Display

1. A copy of this licence must be suitably displayed to the public in a prominent position in the boarding establishment.

Insurance

2. The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.

Use, Number and Type of Animal

3. The number of dogs accommodated at the establishment at any one time shall not exceed [].

The number of cats accommodated at the establishment at any one time shall not exceed [].

4. No animals other than specified in the licence may be boarded in relation to the licenced activity.

Accommodation

5. Accommodation provided for animals must in all respects, be suitable as regards construction, size of quarters, exercising facilities, temperature, lighting, ventilation and cleanliness.
6. Walls should be built from bricks, mortar or breeze blocks. If wood is used in existing construction it must be smooth and treated to render it impervious. Any exposed wood in animal areas must be sealed, i.e. with a suitable animal-safe paint.
7. Each kennel must contain an adequately sized sleeping area and be suitably accessible for cleaning.
8. Catteries must make allowances for the increased prevalence of respiratory disease and climbing agility.
9. All animals accommodated at the premises must be provided with suitable bedding material and must be given adequate exercise.
10. Exercise facilities shall be provided as follows:
 - Dogs: All small runs must be paved or surfaced in such a way as to allow adequate cleansing and disinfection. Grass runs are only allowable in paddocks large enough to prevent the ground from becoming unduly fouled or trodden and the entrance and inside perimeter should be paved or surfaced with suitable material.
 - Cats: Cat compartments where there is inadequate room for exercise should be serviced by a fully paved and securely enclosed exercise area of adequate size.
11. The sleeping accommodation should be maintained at an adequate temperature and draught and damp should be excluded.
12. The accommodation should be lighted by a source of daylight with adequate supplementary artificial light to allow the proper working and cleaning of the compartments.
13. Ventilation should be adequate to maintain the atmosphere of the sleeping quarters of the animals clean and draught free.

14. The accommodation and ancillary establishment, kitchen, corridors, runs, etc. should be maintained in a state of cleanliness conducive to maintenance of disease control and animal comfort. All excreta and soiled material should be removed at least once daily and more often if necessary from all living compartments and exercise areas. The floors of living compartments must be kept clean and dry.
15. All reasonable precautions shall be taken to prevent illegal access to or escape of the animals.
16. If a collection and delivery service is provided, a suitable vehicle with a dog guard or fixed and secure cage in the rear must be provided.

Guidance: Please follow the advice listed in the Code of Practice for the Welfare of Dogs & Cats

Health and Welfare/Disease Control

17. Suitable food and drink must be provided for all animals. Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
18. All bulk supplies of food must be kept in rat-proof containers.
19. Whilst animals are boarded at the establishment, there must always be someone resident at the premises, and all animals must be visited at suitable intervals.
20. All reasonable precautions must be taken to prevent and control the spread, among the animals and/ or people, of infectious or contagious diseases, pathogens and parasites, including the provision of adequate isolation facilities which must be a minimum of 5 m from the main kennels.

Guidance: Please follow the advice listed in the Code of Practice for the Welfare of Dogs & Cats

Management

21. A fit and proper person should always be present to exercise supervision and deal with emergencies. In case of absence of the responsible resident, the licensee shall appoint a responsible person residing within reasonable distance of the premises to have custody of a duplicate key. The name and address and telephone number of such person shall be displayed in legible characters on the front door, or

windows of the premises and be notified to the local fire brigade and police.

22. A written training policy must be prepared for any staff involved in the care of the boarded dogs/cats. Training records should show that there has been a systematic training of staff.
23. All areas in use by dogs and cats must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
24. Facilities should be provided for the collection of all used bedding and cat litter and other waste material which should be disposed of by a registered waste contractor or other suitable nuisance free arrangement.
25. Feeding utensils should be satisfactorily cleaned or disposed of after each feed. A kitchen must be provided for preparing the animals' food and must be kept clean and vermin-free at all times. Refrigeration facilities must be provided where fresh meat is used. All bulk supplies of food must be kept in rat and mouse proof containers.
26. All excreta and soiled material must be removed from all areas used by dogs and cats at regular intervals and more if necessary and stored in a manner as to avoid nuisance to neighbours.
27. All bedding areas must be kept clean and dry. Cats must be provided at all times with a sanitary tray.
28. Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs/cats with infectious diseases. The final route for all such waste shall comply with current waste regulations.
29. Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

Fire Safety & Other Emergency Precautions

30. Appropriate steps must be taken for the protection of animals in case of fire or other emergency.
31. All heating & electrical appliances must be regularly maintained and of such construction as to constitute no risk of fire.

32. A written fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency – must be drawn up, brought to the attention of those involved in the boarding arrangements and displayed on the premises. The emergency evacuation plan must be practiced periodically and a record kept of the occasions and a review made as to the effectiveness of the procedure. The Licensee must have suitable prior arrangements for the temporary boarding of dogs/cats in the event that the licensed premises is rendered uninhabitable.
33. Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer.

Register of Animals

34. A register must be kept of all dogs boarded. The information kept must include the following:
 - Date of arrival
 - Name of dog, any identification system such as microchip number, tattoo
 - Description, breed, age and gender of dog
 - Name, address and telephone number of owner or keeper
 - Name, address and telephone number of a contact person whilst boarded
 - Name, address and telephone number of dog's veterinary surgeon
 - Anticipated and actual date of departure
 - Proof of current vaccinations, medical history and requirements
 - Health, welfare nutritional and exercise requirements
35. Such register to be available for inspection at all times by an Officer of the local authority, veterinary surgeon or veterinary practitioner authorised under Section 2(1) of the Animal Boarding Establishments Act, 1963.
36. The register must be retained, kept readily available for a period of not less than 2 years and kept in such a manner as to allow an authorised officer easy access to such information.
37. If medication is to be administered, this must be recorded on the register.
38. Where records are computerised, a back-up copy must be kept.
39. A register must be kept containing a description of any animals received into the establishment, date of arrival and departure, and the

name and address of the owner, such register to be available for inspection at all times by an Officer of the local authority, veterinary surgeon or veterinary practitioner authorised under Section 2(1) of the Animal Boarding Establishments Act, 1963.

Inspection of the Premises

40. The Licensee shall permit any Officer of the local authority, veterinary surgeon or veterinary practitioner authorised by them, to enter the premises at all reasonable times and inspect the premises and any animals found thereon or anything found therein.

Staff

41. Washing and lavatory facilities must be available for staff
42. All staff (including volunteers) should be adequately trained in the operation of the boarding establishment and in the work they are expected to carry out.