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To: Chair & Members of the General
Licensing Committee

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Thursday, 7th May 2026

Dear Councillor,

GENERAL LICENSING COMMITTEE

You are hereby summoned to attend a meeting of the General Licensing Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Tuesday, 19th May, 2026 at 14:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 3 onwards.

Yours faithfully,



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

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- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
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**GENERAL LICENSING COMMITTEE
AGENDA**

***Tuesday, 19th May, 2026 at 14:00 hours taking place in the Council Chamber, The Arc,
Clowne***

Item No.		Page No.(s)
1.	Apologies For Absence	
2.	Urgent Items of Business	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda;	
	b) any urgent additional items to be considered;	
	c) any matters arising out of those items;	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes - 13th February 2025	4 - 5
	To consider the minutes of the meeting held on 13 th February 2025.	
5.	Minutes - 13th March 2025	6 - 8
	To consider the minutes of the meeting held on 13 th March 2025.	
6.	Review of the Council's Animal Welfare Licensing Policy	9 - 72

Agenda Item 4

GENERAL LICENSING COMMITTEE

Minutes of a meeting of the General Licensing Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Thursday, 13th February 2025 at 10:00 hours.

PRESENT:-

Members:-

Councillor Amanda Davis in the Chair

Councillors David Bennett, Mary Dooley, Jeanne Raspin and Rita Turner.

Officers:- Louise Arnold (Legal Team Manager (Deputy Monitoring Officer)) (from minute no. GLC10-24/25), Samantha Crossland (Licensing & Enforcement Officer) (from minute no. GLC10-24/25), Gill Halliwell (Environmental Health Service Manager (Commercial and Environment)) (from minute no. GLC10-24/25) and Matthew Kerry (Governance and Civic Officer).

GLC6-24/25 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Anne Clarke, Will Fletcher and Emma Stevenson.

GLC7-24/25 URGENT ITEMS OF BUSINESS

There were no urgent items of business to be considered.

GLC8-24/25 DECLARATIONS OF INTEREST

There were no declarations of interest made.

GLC9-24/25 MINUTES

Moved by Councillor David Bennett and seconded by Councillor Rita Turner
RESOLVED that the minutes of a General Licensing Committee held on 3rd October 2024 be approved as a correct record.

The meeting was adjourned at 10:02 hours and reconvened at 10:05 hours when the Legal Team Manager, Environmental Health Service Manager and Licensing & Enforcement Officer entered the meeting.

GLC10-24/25 REVIEW OF THE COUNCIL'S TAXI LICENSING FEES UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Environmental Health Service Manager thanked the Chair and Committee for their attendance and presented the report.

GENERAL LICENSING COMMITTEE

Members thanked the Environmental Health Service Manager for the report but expressed concern on the increase of fees.

The Committee deferred making a decision until previously requested information was provided.

Moved by Councillor Amanda Davis and seconded by Councillor Mary Dooley
RESOLVED that the Committee defer a decision for more information to be provided.

To a final question on the minutes of the previous meeting, the Legal Team Manager informed a letter to the Derbyshire Police and Crime Commissioner had been sent with the assistance of the Chair of the Licensing Committee and Environmental Health Team Manager (Licensing). A response had been received stating that the police were providing any / all information requested / excepted in a timely manner.

The meeting concluded at 10:26 hours.

Agenda Item 5

GENERAL LICENSING COMMITTEE

Minutes of a meeting of the General Licensing Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Thursday, 13th March 2025 at 10:00 hours.

PRESENT:-

Members:-

Councillor Emma Stevenson in the Chair

Councillors Amanda Davis (Vice-Chair), David Bennett, Mary Dooley, Jeanne Raspin and Rita Turner.

Officers:- Jim Fieldsend (Director of Governance and Legal Services & Monitoring Officer), Ken Eastwood (Joint Assistant Director of Environmental Health), Charmaine Terry (Environmental Health Team Manager (Licensing)), Angelika Kaufhold (Governance and Civic Manager) and Matthew Kerry (Governance and Civic Officer).

Also in attendance at the meeting, observing, were Councillors Rob Hiney-Saunders, Portfolio Holder for the Environment, and Cathy Jeffery, Junior Portfolio Holder for Partnerships, Health and Wellbeing.

GLC11-24/25 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Anne Clarke, Will Fletcher and Ashley Taylor.

GLC12-24/25 URGENT ITEMS OF BUSINESS

There were no urgent items of business to be considered.

GLC13-24/25 DECLARATIONS OF INTEREST

There were no declarations of interest made.

GLC14-24/25 REVIEW OF THE COUNCIL'S TAXI LICENSING FEES UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

The Committee was adjourned at 10:02 hours for Members to review the supplementary agenda. The Committee was reconvened at 10:08 hours.

The Environmental Health Team Manager presented the report to the Committee.

The following items were discussed:

- the number of drivers licenced by North East Derbyshire District Council (fluctuated regularly – currently 190);

GENERAL LICENSING COMMITTEE

- the number of drivers licenced by the Council (same applied – currently 100);
- the calculation of fees (the employed methodology was complex but widely used – it had been approved by the Council's Section 151 Officer);
- the possibility of the Council's own fees diverging with those of North East Derbyshire District Council's (the cost to the Council's licenced drivers would increase – Officers confirmed the Council's licenced drivers were not subsidising those licenced by North East Derbyshire District Council);
- the number of licenced drivers who had left after the introduction of the CCTV Policy (the number of drivers had reduced, but the impact of COVID-19 on the sector and drivers choosing not to renew licences meant the number of licenced drivers leaving due to the CCTV Policy was not known);
- Licensing would work with other departments to advertise / promote the service (to increase licenced driver numbers);
- the CCTV Policy at North East Derbyshire District Council (both authorities had the same policy);
- the possible 20% VAT on private hire driver following the legislative change in London (an increase outside the capital could take place from summer 2025 – a review of fees may be needed to ensure affordability);
- the option of creating taxi ranks in urban areas (there was no demand from the sector, the rural nature of the District did not suit taxi ranks, it would prevent private hire pickups, and there was free parking across the District);
- the Officer time for handling work (the time it took to handle certain work had been conservatively worked out, resulting in the proposed fees to avoid Council tax payers subsidising licenced drivers);
- the ability of licenced drivers to apply for a licence at another local authority but continue to operate in the District (the Taxi Licensing: Deregulation Act 2015 permitted this, leading to Wolverhampton City Council having 20% of all taxi licensing business);
- the option of advertising a true breakdown of fees in comparison with Wolverhampton City Council (the Council's fees covered multiple services in one payment while Wolverhampton City Council charged extra 'hidden' services, e.g., an extra £125 for a Right to Work check – the Licensing Team would investigate advertising true fee comparisons);
- the current annual deficit of running the service offset by Council tax payers (the average annual deficit was approximately £27,957);
- the support the sector received during the COVID-19 Global Pandemic (the Business Grants provided by the UK National Government);
- the continual efficiency savings made by the Licensing Team;
- the availability of Licensing Officers at The Arc, Clowne (Officers were present at times on site for 1-2 days a week, and while also attending North East Derbyshire District Council, site inspections, operator visits, and / or working from home – it was stressed Officers remained contactable via phone / email during work hours and an introduction session could be provided for Members to meet the Officers);
- the requirement of 6 month vehicle inspections (the last set of inspections resulted in a 10% vehicle failure rate);
- the deficit to the Council with the gradual increase of proposed fees (£4,366.50 for financial year 2025/26, £960.52 for financial year 2026/27);

Members expressed concern on the lack of public transport in the District and the need to maintain and grow the number of licenced drivers, along with keeping fares affordable.

GENERAL LICENSING COMMITTEE

Officers would provide the full methodology used to calculate fees and explain it to Members post meeting.

Moved by Councillor Amanda Davis and seconded by Councillor David Bennett

RESOLVED that the: 1) Committee considers the responses to the consultation and the Officer comments and explanations;

- 2) Committee approves the fees as advertised subject to an incremental implementation for any increased fees (applying a 66.66% (two thirds) reduction to the increase in the financial year 2025/26, and a 33.33% (one third) reduction to the increase in 2026/27, subject to further review).

The Chair thanked all in attendance for their time and for the Licensing Officers in providing answers to Members' questions.

A Member echoed these sentiments and thanked the Chair, Vice Chair and all Officers present for the constructive meeting.

The meeting concluded at 11:44 hours.

Bolsover District Council

General Licensing Committee

18th May 2026

Review of the Council's Animal Welfare Licensing Policy

Report of the Assistant Director of Communities & Environmental Health

Classification	This report is Public
Report By	Charmaine Terry, Environmental Health Team Manager (Licensing)

PURPOSE/SUMMARY OF REPORT

To consider the draft Animal Welfare Licensing Policy.

REPORT DETAILS

1. Background

- 1.1 The Animal Welfare Act 2006 creates an overarching welfare obligation on those who are responsible for animals, to ensure the 'five needs' of animals are met:
- The need for a suitable environment,
 - The need for a suitable diet,
 - The need to be able to exhibit normal behaviour patterns,
 - Any need to be housed with, or apart from, other animals; and
 - The need to be protected from pain, suffering, injury, and disease.
- 1.2 Bolsover District Council ('the Council') is responsible for the licensing and regulation of animal related activities in the district under four separate pieces of legislation. Those include:
- Animal Activity Licences issued under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018,
 - Primate Licences issued under the Animal Welfare (Primate Licences) (England) Regulations 2024,
 - Dangerous Wild Animal Licences issued under the Dangerous Wild Animals Act 1976; and
 - Zoo Licences issued under the Zoo Licensing Act 1981.

Although each piece of legislation establishes its own licensing regime, they all share the same core purpose: safeguarding animal welfare. The frameworks are based on shared principles and processes, with consistent standards and expectations applied across each regime.

- 1.3 Following the introduction of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018; which replaced a previous, fragmented licensing system and introduced a modern licensing framework for commercial activities involving animals; the Council adopted its current Animal Welfare Licensing Policy ('the Policy'). This Policy, in place since 16 September 2019, has remained unchanged since its adoption.
- 1.4 Whilst the Council is not legally required to adopt a Policy, doing so is recognised as good practice. The Council considers it essential for promoting high standards, ensuring consistent decision making, and safeguarding the welfare of both animals and people across the district.
- 1.5 Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 the authority to grant or renew animal licences is excluded from the remit of the Executive. In accordance with the Council's Constitution, the General Licensing Committee is responsible for all licensing matters not covered by the Licensing Act 2003 or the Gambling Act 2005, while the responsibility for the final determination of policies is reserved to Council.

2 Details of Proposal or Information

- 2.1 The current Policy was approved on 16 September 2019 and has remained unchanged since its adoption.
- 2.2 The joint Environmental Health Service, has undertaken an extensive review of the Policy, resulting in a complete and substantive rewrite of the Policy.
- 2.3 In summary the draft proposals aim to achieve the following:
 - Modify the format of the Policy to ensure it is comprehensive and cohesive;
 - Ensure the Policy is consistent with legislation and statutory guidance;
 - Ensure the Council's processes are transparent;
 - Ensure the Council promotes the highest animal welfare standards; and
 - Ensure the Policy adequately safeguards the public.
- 2.4 The fundamental principles of the Policy remain the same; however, upon review it was felt that the Policy would benefit from being rewritten to achieve a more transparent and robust service.
- 2.5 The current Policy is attached as **Appendix 1**, and the revised draft Policy is attached as **Appendix 2**.
- 2.6 An equality impact assessment has been carried out, and a draft copy is attached as **Appendix 3**.

Animal Activity in the District

2.7 **Table 1 and Graph 1** below show how animal activity has changed across the district since the introduction of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the Council's current Animal Welfare Licensing Policy.

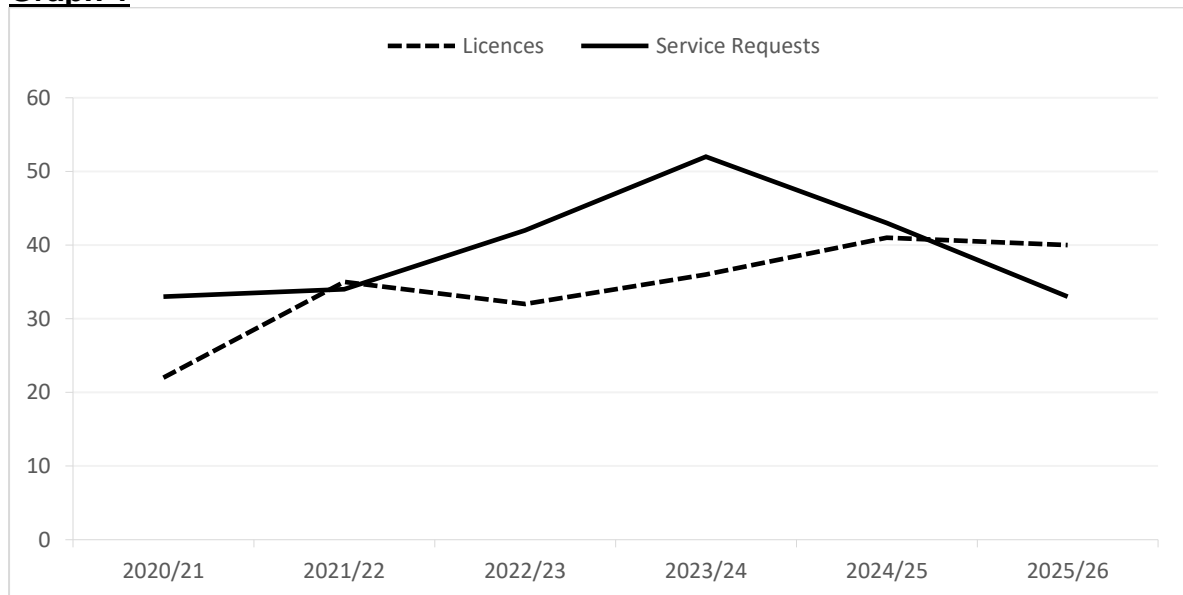
The number of animal licences within the district has almost doubled since 2021, while service requests relating to animal welfare increased between 2023 and 2025 before reducing to earlier levels.

Table 1

Number of animal licences and service requests recorded annually as of **1 April** in each year shown.

	2021	2022	2023	2024	2025	2026
No of Licences	22	35	32	36	41	40
Service Requests	33	34	42	52	43	33

Graph 1



2.8 The increase in animal licences and complaints is likely a consequence of greater awareness of the animal licensing regime among operators and the public. Awareness of the licensing requirements may have increased over time, resulting in more reports of unlicensed activity and more operators obtaining licences. The subsequent reduction in complaints and plateau of licences may indicate a settling of the market as the regime becomes established.

2.9 To understand more about the requests being received by the Council, a more detailed qualitative analysis of the type of requests being received was conducted. This analysis demonstrated the following recurring themes:

- Requests for advice to start or expand a business.
- Requests for advice on what activities need a licence.
- Requests to verify information on current licences/licensing registers.
- Reports of unlicensed activity.
- Concerns about animal welfare.
- Nuisance linked to animal activities.

Legislative Updates

- 2.10 On 06 April 2026 the Animal Welfare (Primate Licences) (England) Regulations 2024 were introduced. These regulations introduce a new regime whereby keepers of primates are required to obtain a licence from the Council. It is currently unknown how many primates are in the district; however, in the [do-you-give-a-monkeys](#) report published by the RSPCA in 2016, it is estimated that the number of primates in the UK is between 4000 and 5000. It is therefore likely that the Council will see some demand for licences, particularly as awareness increases over time.

Conclusions

- 2.11 Overall the Council has seen a growth in animal activity in the district and is likely to see more growth as the new Animal Welfare (Primate Licences) (England) Regulations 2024 are introduced. Whilst no evidence has been found to suggest there are any major areas of concern in the district, data suggests the Council could benefit from enhancing their provision of information to operators and the public through a more detailed and comprehensive Policy.

Next Steps

- 2.12 Following approval at the General Licensing Committee a 12-week public and stakeholder consultation will be carried out. During this time the revised Policy will be presented to the Climate Change and Communities Scrutiny Committee for comment. The results of the consultation will be presented back to the General Licensing Committee for consideration, before a final draft is recommended to Council for adoption.

3. Reasons for Recommendation

- 3.1 Adopting an Animal Welfare Licensing Policy is widely considered to be best practice. A clear and up to date Policy enables the Council to set transparent standards, promote consistency in decision-making, and provide clarity to operators and the public. This in turn supports high standards of animal welfare and instils public confidence in the Council.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can choose not to prepare and publish a new Policy; however, this would leave the authority open to potential legal challenge by way of appeal against decisions, or judicial review.

RECOMMENDATION(S)

1. The Committee approves the revised draft Animal Welfare Licensing Policy for public consultation.
2. The Committee requires the Assistant Director of Communities & Environmental Health to present the draft Animal Welfare Licensing Policy to the Climate Change and Communities Scrutiny Committee for consideration.

3. The Committee requires the Assistant Director of Communities & Environmental Health to conduct a 12 week public and stakeholder consultation in line with best practice guidance and report the findings back to the Committee for consideration at a later date.

Approved by Councillor Jeanne Raspin, Junior Portfolio Holder for Environment

IMPLICATIONS.

Finance and Risk: Yes No

Details:

There will be a minor cost associated with conducting the consultation. This can be accommodated from existing budgets.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

There is no legal requirement to prepare and publish a Policy every three years; however, it is considered best practice. Having a policy which is up to date, compliant with the legislation, fit for purpose and clear to operators could assist in implementing rules while preventing a legal challenge by way of appeal or judicial review.

On behalf of the Solicitor to the Council

Environment:

Details:

N/A

Staffing: Yes No

Details:

It is not anticipated that the introduction of the new regulations or the revised Policy will have any significant staffing implications. However, this will be kept under review.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Please indicate which threshold applies.</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No

District Wards Significantly Affected	All
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/></p>	<p>Details: Chair of General Licensing Committee Junior Portfolio Holder for Environment</p>

Links to Council Ambition: Customers, Economy, and Environment.
All

DOCUMENT INFORMATION	
Appendix No	Title
1	Current Animal Welfare Licensing Policy
2	Draft Animal Welfare Licensing Policy
3	Draft Equality Impact Assessment
Background Papers	
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>	
Statistical information from the Council's systems. RSPCA (no date) <i>Do you give a monkeys?</i> Available at: https://www.rspca.org.uk/documents/d/rspca/do-you-give-a-monkeys	



Animal Welfare and Licensing Policy

September 2019



We speak your language

Polish

Mówimy Twoim językiem

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

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CONTROL SHEET FOR [policy title here]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Animal Welfare and Licensing Policy
Current status – i.e. first draft, version 2 or final version	Final Version
Policy author (post title only)	Senior /Environmental Health Officer
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive
Relevant Cabinet Member (if applicable)	Councillor Deborah Watson
Equality Impact Assessment approval date	15 th August 2019
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Scrutiny Committee, Executive
Date policy approved	16 th September 2019
Date policy due for review (maximum three years)	September 2022
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	16 th September 2019

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ANIMAL WELFARE AND LICENSING POLICY

1. Introduction

1.1 Background

Bolsover District Council (“The Council”) have responsibility for licensing all operators of businesses, also known as licence holders, where the activities of that business, relates to the care, sale, hiring, or exhibition of animals. It also includes the breeding of dogs, the keeping of dangerous wild animals and extends to the licensing of Zoos. These are defined as licensable activities.

When considering the granting of a license relating to a licensable activity, the contents of this policy, the appropriate legislation and guidance notes for conditions applicable to that licensable activity must be considered.

The Council is also the enforcing authority for those activities relating to animal welfare that are subject to the above licence process. Licensing, compliance and enforcement of the legislation will be the responsibility of the Environmental Health Commercial Section.

Legislative changes introduced on the 1st October 2018 will impact on how businesses and the Council’s animal welfare licensing process interact in the future. At the heart of the legislation is a drive to raise the standards relating to animal welfare, but it also aims to reduce the legislative burden, and therefore costs, on those businesses meeting the higher standards of animal welfare care.

1.2 Scope

In setting out its policy the Council seeks to promote the following objectives -

- The protection and promotion of animal welfare standards
- The protection of staff and public safety
- The establishment of a professional and respected animal activities licensing regime.
- Access to a safe and effective service for all activities defined in the legislation involving animals
- The protection of the environment

The licensing of activities involving animals aims to protect the public, to promote animal welfare.

The licensing process includes inspection of establishments. For establishments arranging and / or boarding cat and dogs, selling animals, hiring out of horses, breeding dogs and exhibiting animals, the process also includes allocating a risk-based “Star Rating” to each establishment based on the findings at the inspection visit. This will enable the public to make an informed choice when selecting which establishment to use.

Its purpose therefore, is to ensure the operator is a fit and proper person, that any conditions applicable to the individual activity are being met, that welfare standards and management controls are in place and being maintained, so the animals are protected from harm.

1.3 Role of Animal Welfare Establishments – Operators/Licence Holder

The operators of animal welfare establishments have an important role to play not only in the licensing process, but by maintaining and improving standards at their premises ensuring the highest level of animal welfare protection as possible.

The level of compliance with the relevant licence conditions has a direct effect on the “Star Rating” allocated to the establishment, and therefore, the operator. In turn the “Star Rating” influences the duration of the licence and therefore the overall licensing cost to the operator as fewer licence fees need to be paid for a longer-term licence.

Responsibility for ensuring that the correct licence has been obtained and is kept up to date with the relevant local authority, falls to the licence holder or prospective licence holder.

In addition to the licence application and fee, the applicant is required to provide supporting documents to the Council. Failure to supply such documents may delay the process or may result in the application being refused.

The licence holder must apply to renew their licence at least 10 weeks before their current licence expires if they wish to continue to operate the licensable activity without a break.

1.4 Criminal Record Checks & Safeguarding

Before an application for a licence will be considered, the applicant (or the controlling mind and/or manager in the case of a business) must provide a current (less than 3 months old) Disclosure & Barring Scheme basic criminal disclosure.

Where the applicant is a company, any person with day to day control of that company or partnership (where appropriate) will be required to submit the information above.

If at any time the Council considers it appropriate to require a further DBS disclosure be provided the relevant individual must provide one, at their own expense, as soon as reasonably practical.

1.5 Best Practice Guidance

A number of guidance documents have been produced by DEFRA, aimed at assisting local authority officers and business operators interpret the legislation and what is needed in applying the relevant conditions to their particular licensable activities. They can be used by those who currently have a licence or wish to apply for one.

All guidance documents should be read in conjunction with the relevant legislation such as:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
<https://www.legislation.gov.uk/ukdsi/2018/9780111165485>
- The Dangerous Wild Animals Act 1976 (as amended)
<http://www.legislation.gov.uk/ukpga/1976/38>
- Zoo Licensing Act 1981
<http://www.legislation.gov.uk/ukpga/1981/37>
- The Animal Welfare Act 2006
<http://www.legislation.gov.uk/ukpga/2006/45/contents>

1.6 **Departure from policy**

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy.

Notwithstanding the existence of the policy and any other relevant Council policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from its policy, it will give the reasons for so doing and retain a record of the decision.

1.7 **Organisational arrangements**

The process for the licensing of animal welfare establishments includes not only the administrative process of the licence application and collection of the appropriate fee but also includes a physical inspection of the premises to verify compliance with welfare standards and management controls.

The inspecting officer will complete a relevant inspection pro forma and report.

For licence activities coming under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, the inspection also informs the risk score and star rating allocated to the business and therefore the duration of the licence period.

All administration processes will be the responsibility of the Environmental Health Technical Support Section.

All inspections and enforcement will be the responsibility of the Environmental Health Commercial Section.

1.8 **Enforcement**

All enforcement activities will have due regard to the Animal Welfare legislative framework, any relevant guidance documents issued by central government (e.g. DEFRA) and the Councils Corporate Enforcement Policy.

https://www.bolsover.gov.uk/images/LIVE/C/CEP_Policy_Sep_2018.pdf

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 not only introduce new enforcement powers and measures that officers may use to secure compliance of some licensable activities, such as variations and suspensions of licences, but also provide safeguards to applicants and operators if they feel aggrieved by the process or decisions of the Council.

Wherever possible, the Council will adopt a graduated, education approach to enforcement however, where necessary it will take appropriate and proportionate action against non-compliant businesses.

Special Vet Requirements

Where ever the legislation specifies that a veterinary inspection must be carried out then the charge for this will be the responsibility of the applicant/operator. In certain situations and at the discretion of the Council a veterinary inspector will be used and this will be charged to the licence operator/applicant where applicable. The veterinary inspector used will be at the discretion of the Council who may use an appointed Veterinary or enlist the help of a specialist in certain situations.

1.9 Delegated Powers and Authorisations

Those Officers of the Council, duly authorised under the Council's Scheme of Delegations, are responsible for the day to day operation of the Council's Animal Welfare Policy, and the enforcement of the legislation and conditions relating to the licensable activities.

In order for the Council to function and to inspect specified licensable activities, a "listed veterinarian" will be duly appointed to undertake such inspections and provide any necessary report as required by the legislation.

1.10 Fees

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations requires to set any fees and charges on a full cost recovery basis. Regulation 13 explains the criteria that should be considered. The Council has used this guidance in setting the fees and charges for animal licensing but has also ensured that they are consistent with other enforcement activities where we charge for a service.

This reflects current government policy whereby none compliant businesses are required to contribute more towards enforcement cost.

The structure of the new licensing systems allows those businesses who are fully compliant to have a 3-year licence and therefore benefit from a saving over the period.

The setting of fees and charges in relation to animal welfare activities is the subject of delegated authority (see DD/046/18PC) giving powers to duly authorised officers to determine the fees and charges in respect of that function.

The fees and charges are published on the Animal Welfare pages of the Council's website.

1.11 Register of Animal Welfare Establishments

The Council holds a register of premises licensed under animal welfare legislation which is available on the Council's website.

The register will be amended to include the Star Rating allocated to premises licenced under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

2. Licensable Activities and Legislative Framework

2.1 The Animal Welfare (Licensing of Activities involving Animals) Regulations 2018

The Animal Welfare (Licensing of Activities Involving Animals) Regulations provides the legal framework for the following licensable activities:

- Dog Breeding
- Boarding of Dogs in Kennels
- Home Boarding of Dogs
- Dog Day Care
- Boarding of Cats
- Selling Animals as Pets
- Hiring of Horses
- Keeping or Training of Animals for Exhibition

Along with the regulations, guidance documents for each licensable activity have been published. All of which are available on the Council's website.

2.2 Dangerous Wild Animals Act 1976

The Dangerous Wild Animals Act 1976 defines all the species that require the owner to have a licence to keep such animals. The controls required to keep individual species will vary dependant on that species.

The licensing process will include veterinary inspection of the animals. The contents of the veterinary officer's report will inform the decision-making process when considering such applications.

2.3 Zoo Licensing Act 1981

The Zoo Licensing Act 1981 specifically sets out the licensing process for Zoos. The licensing process will include extensive contributions by veterinary officers including veterinary inspection of the animals. The contents of the veterinary officer's report will inform the decision-making process when considering such applications.

2.4 **Licensing Process**

All licence applications include the following:

- Administration of licence and payment of fee
- Processing of licence application and an initial inspection of the premises
- Placing appropriate conditions on licence
- Issue of licence

The duration of the licence may be legislative specific, however, The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 requires inspecting officers to produce a risk rating score and a star rating to every licensable activity. The star rating allocated will have a direct impact on the duration of the licence and therefore the costs to the operator and the enforcement burden placed on the licence holder. *See 2.5 below.*

The enforcement of Animal Welfare licences will generally include a secondary inspection of the business during the life of the licence, which may include a visit by the veterinary officer. Officers may also visit where the Council receives information or a complaint raising concern about animal welfare issues.

2.5 **Risk Scoring, Star Rating and Duration of Licences**

The officer must access the standards on animal welfare and the management controls in place, including previous compliance. The process includes ascertaining whether the business is meeting the minimum or higher standards and whether some minor failing exists. The officer completes a risk score matrix and the star rating will be determined from those findings. Where a veterinary inspection is required, the contents of the report will have a direct influence on the star rating allocated to that activity.

The star rating allocated will have a direct impact on the business, therefore it is in the interest of the operator to have and maintain the highest possible welfare standards and management controls in place.

Further information is available in the DEFRA document - Procedural guidance notes for local authorities, which is available on the Council's website.

2.6 **Competent Officers**

The Council must appoint suitably qualified and competent officers to undertake any inspections and enforcement activities in relation to animal welfare. This duty extends to the Council in respect of the appointment of suitable qualified and "listed" veterinary officers to undertake inspections of specified licensable activities.

3. Grievance Safeguarding Processes

The Council has in place a customer complaints and comments procedure which allows all users of the Council's services to raise concern about the way they have been treated by the Council.

The business operator has recourse to the complaints procedure (including taking the matter to the Local Government Ombudsman where appropriate) if they consider that a council service has not been properly delivered and in accordance with its policy.

In addition, the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 contain a number of safeguarding measures where a business operator who is aggrieved by the process can appeal a rating or ask for a re-score, and to ensure business operators are treated appropriately.

3.1 Right to Appeal Star Rating

The business operator has the right to appeal the star rating allocated to their business through the licencing process.

The procedures on the right to appeal the star rating are available on the Bolsover District Council website, along with the appeal form.

3.2 Requesting a Star Rating Re-Score Visit

The business operator can request a re-score visit, where they have completed the work outlined in their inspection report.

There are no limits on the number of re-score visits a business operator can request.

The procedures on the requesting of a re-score visit are available on the Bolsover District Council website, along with the request form.

3.3. Right to Appeal – Suspensions and Variations

Where the business operator is aggrieved by the decision of the Council to vary or suspend an animal welfare licence, they have the right to appeal that decision, in the first instance to the Council and secondly to a first-tier tribunal.

The procedures for varying or suspending a licence are available on the Council's website.

3.4 Right to Appeal, First-tier Tribunal – Refusal, Suspensions, Variations and Revocations

Where the business operator is aggrieved by the decision of the Council to refuse, revoke, suspend or vary an animal welfare licence, they have the right to appeal that decision to a First-tier tribunal.

The procedures for refusing, revoking, varying or suspending a licence are available on the Council's website.

3.5 Transfer of Licence in the case of the Death of the Licence Holder

If a licence holder dies, the procedure in regulation 12 of the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 applies. It allows the personal representative of the deceased to take on the licence provided that they inform the Council, within twenty-eight days of the death, that they are now the operators of the licensable activity. The licence will then remain in place for three months from the death of the former holder, or for the rest of the time it was due to remain in force, if that time period is shorter. The new licence holder should then apply for a new licence one month before the expiry of this new period.

Additionally, the Council can extend the three-month period by up to another three months, if requested by the representative and if they believe this time is needed to wind up the estate of the former licence holder.

If the personal representative does not notify the Council within 28 days of the death of the licence holder the licence will cease to have effect after those 28 days.

3.6 Transitional Arrangements

Any unexpired licences granted under the Pet Animals Act 1951, Animal Boarding Establishments Act 1963, Riding Establishments Act 1964 and Riding Establishments Act 1970 will continue in force for the rest of their terms under the relevant Act.

An unexpired licence granted under the Breeding of Dogs Act 1973 will continue in force for the rest of its term subject to the provisions of that Act, the Breeding of Dogs (Licensing Records) Regulations 1999, the Breeding and Sale of Dogs (Welfare) Act 1999 and the Breeding and Sale of Dogs (Welfare) Act 1999.

Any registration of a person under the Performing Animals (Regulation) Act 1925 will continue in force, for six months from the date on which the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 came into force, i.e. 1 October 2018, so the previous registration will expire on 1 April 2019.

4. References and Access to Information

The Animal Welfare list of fees and charges, licence application forms, legislation and guidance documents referred to within this Policy can be found on the Animal Welfare page of the Council's website at;

<https://www.bolsover.gov.uk/index.php/49-business/licensing-permits/207-business-animal>

DEFRA Website

The Animal Welfare legislation and guidance documents referred to within this Policy can be found at;

<http://www.cfsg.org.uk/layouts/15/start.aspx#/The%20Animal%20Welfare%20Licensing%20of%20Activities%20Involvi>

5. **Glossary of terms**

Within the application of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (the “Regulations”) - A “**licensable activity**” means one of five activities involving animals: selling animals as pets, providing for or arranging for the provision of boarding for cats or dogs (includes boarding in kennels or catteries, home boarding for dogs and day care for dogs), hiring out horses, dog breeding and keeping or training animals for exhibition.

For the purposes of this Policy a “**licensable activity**” will also include activities involving animals where such activities are licensable under the Dangerous Wild Animals Act 1976 (as amended) and the Zoo Licensing Act 1981

An “**operator**” means an individual who—

(a) carries on, attempts to carry on or knowingly allows to be carried on a licensable activity, or

(b) where a licence has been granted or renewed, is the licence holder;

“**working day**” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under section 1 of the Banking and Financial Dealings Act 1971(c).

A “**listed veterinarian**” means a veterinarian who for the time being is listed as being authorised to carry out an inspection on the list of veterinarians drawn up by the Royal College of Veterinary Surgeons.

‘**puppy**’ means a dog aged less than 6 months

6. **Appeals and Complaints**

Any appeals in relation to enforcement action should be taken in accordance with the statutory appeals process as outlined in the relevant legislation. Where there is a right of appeal, we will ensure individuals/business are made so aware.

The Council has its own Compliments, Comments and Complaints procedure.

We want you to complain if you feel you've been poorly or unfairly treated by any of our services and we will do our best to put things right when things have gone wrong. Please be aware if you are unhappy with a decision, you should follow the appropriate appeal procedure, further information can be found from the appropriate service area. If you are unhappy with the *process* then you can make a complaint about us or any of our services by completing the on-line Compliments, Comments and Complaints form.

You can write to us at The Arc, High Street, Clowne, Derbyshire S43 4JY, call into any one of our Contact Centres and asking one of our employees to put your complaint in writing for you ,or call the Contact Centre on 01246 242424.



DRAFT

Animal Welfare

Licensing Policy

2026

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need Wi-Fi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

CONTROL SHEET FOR ANIMAL WELFARE LICENSING POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Animal Welfare Licensing Policy
Current status – i.e. first draft, version 2 or final version	First Draft
Policy author (post title only)	Licensing Team Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive
Relevant Cabinet Member (if applicable)	Cllr Jeanne Raspin
Equality Impact Assessment approval date	TBC
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Licensing Committee Scrutiny Committee Council
Date policy approved	TBC
Date policy due for review (maximum three years)	TBC
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	TBC

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PART 1: OVERARCHING PRINCIPLES AND GENERAL FRAMEWORK

1. Introduction

1.1 Background

Bolsover District Council ('The Council') is responsible for the licensing and regulation of animal activities under the Animal Welfare Act 2006, the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, The Animal Welfare (Primate Licences) (England) Regulations 2024, the Dangerous Wild Animals Act 1976 and the Zoo Licensing Act 1981.

The legislation is aimed at protecting the welfare of animals and sets clear, modern expectations for the care and treatment of animals kept or used for certain activities in the district.

There is no legislative requirement for a policy, but it is considered good practice to have a Policy in place.

1.2 Scope

This Animal Welfare Licensing Policy ('the Policy') sets out how the Council will exercise its functions under the legislation. It provides a clear framework to assist the Council, operators and the public in understanding how the animal licensing regime is administered within the district.

The Policy deals with licences that are categorised into the following:

- Animal Activity Licences issued under The Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018,
- Primate Licences issued under the Animal Welfare (Primate Licences) (England) Regulations 2024,
- Dangerous Wild Animal Licences issued under the Dangerous Wild Animals Act 1976; and
- Zoo Licences issued under the Zoo Licensing Act 1981.

The Policy does not cover other animal related activities such as; dog walking, dog training classes, pet sitting (in the pets' home), grooming, rescue centres and animal sanctuaries, charities, livery yards, and circuses. This list is not exhaustive.

In carrying out these regulatory functions, the Council will have regard to the Policy, the legislation and any statutory guidance. Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart from this Policy, clear and compelling reasons will be given for doing so.

1.3 Glossary of Terms

In this Policy:

‘*The Act*’ means the Animal Welfare Act 2006.

‘*DBS*’ means Disclosure and Barring Service.

‘*The Council*’ means Bolsover District Council.

‘DEFRA’ means the Department for Environment, Food and Rural Affairs or the government department responsible for animal welfare Policy and statutory guidance.

‘Inspector’ means a Council appointed Animal Licensing Inspector.

‘Interim inspection’ means any inspection carried out during the term of the licence other than a renewal inspection.

‘Licensable activity’ means any animal related activity which would require a licence under the legislation outlined in this Policy.

‘Operator’ means any applicant, licence holder, or person who carries on, attempts to carry on, or proposes to carry on a licensable activity which would require a licence under the legislation specified in this Policy.

‘Relevant offence’ means any offence detailed in Appendix 1 of the Policy.

‘Veterinary Inspector’ means any veterinarian appointed by the Council under the relevant legislation.

‘The 1976 Act’ means the Dangerous Wild Animals Act 1976 and any consequential amendments.

‘The 1981 Act’ means the Zoo Licensing Act 1981 and any consequential amendments.

‘The 2018 Regulations’ means the Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 and any consequential amendments.

‘the 2018 Guidance’ means the [Animal activity licensing process: statutory guidance for local authorities](#) and any subsequent activity specific guidance details of which can be found in [Paragraph 14.2](#) of the Policy.

‘The 2024 Regulations’ means the Animal Welfare (Primate Licences) (England) Regulations 2024 and any consequential amendments.

‘the 2024 Guidance’ means the [Licence conditions for primate keepers \(Schedule 1\) - GOV.UK](#).

1.4 Contacts

The Council’s Licensing Team is joint with North East Derbyshire District Council. The points of contact for any animal welfare licensing issues or enquiries are:

Licensing Team
Joint Environmental Health Service

Bolsover District Council
District Council Offices
2013 Mill Lane
Wingerworth
Chesterfield
S42 6NG

Telephone: 01246 242424
Email: licensing@bolsover.gov.uk
Website: <https://www.bolsover.gov.uk/>

A copy of this Policy is available on the Council's website.

2. Policy Objectives and Welfare Principles

2.1 Policy Objectives

In setting out this Policy the Council seeks to:

- Protect and promote animal welfare standards,
- Protect the environment,
- Safeguard public health and safety,
- Provide a clear and consistent regulatory framework; and
- Provide a reliable, fair, transparent, and accessible service.

2.2 The Animal Welfare Act 2006 and the Five Animal Welfare Needs

The [Animal Welfare Act 2006](#) ('the Act') was introduced to modernise and consolidate outdated animal protection laws and to provide a clear, consistent framework for safeguarding animal welfare. The Act established a statutory duty of care, requiring anyone responsible for an animal to meet its welfare needs.

The Act introduced five overarching principles of animal welfare, commonly known as the 'five needs' of all animals:

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

The Act strengthened enforcement powers for local authorities and other agencies and enabled early intervention where standards fall short.

The Act bestowed an overarching welfare obligation on those who hold licences under the Dangerous Wild Animals Act 1976 and the Zoo Licensing Act 1981; and provides the legal basis for subsequent regulations, including the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the Animal Welfare (Primate Licences) (England) Regulations 2024, which set the licensing requirements for animal related activities. Each of these pieces of legislation are explored more in the Legislation Specific Provisions in Part 2 of this Policy.

3. General Administrative Principles

3.1 Pre-Application Advice

Detailed guidance is available to operators on the Council's website. Where an operator is not sure of the requirements for their animal activity, they are encouraged to seek advice at an early stage to avoid delays or unnecessary costs. Contact details for the Council's Licensing Team can be found at [Paragraph 1.4](#) of the Policy.

3.2 Disclosure and Barring Service Checks

All operators are required to submit a Basic Disclosure and Barring Service ('DBS') certificate with their application. The certificate must be no more than 3 months old when a full and valid application is submitted to the Council.

Where an operator is renewing their licence, they should provide an updated certificate with their renewal application.

Where the Council receives notification that an operator has been convicted of a Relevant Offence in line with the Convictions Policy set out in Appendix A, the operator will be required to provide an updated DBS at their own cost.

Any convictions listed on a certificate will be assessed in line with this Policy and the relevant legislation and/or guidance.

You can [Request a basic DBS check - GOV.UK](#) online.

3.3 Animal Licensing Inspectors and Veterinary Inspectors

The Council will appoint a suitably qualified and competent Animal Licensing Inspector ('the Inspector') to carry out assessments under the relevant animal licensing legislation and guidance. Inspectors will be selected based on their qualifications, professional expertise, experience, and ability to assess compliance with welfare standards.

Where a veterinary inspection is required by law, or where the Council determines that specialist veterinary knowledge is necessary to properly evaluate an application or site, a Veterinary Inspector with appropriate species-specific competence will be appointed to undertake the inspection.

Upon completion of an inspection a report will be prepared detailing the findings. Copies of any report will be provided to the operator.

Where a veterinary inspection is required, the operator will be responsible for reimbursing the Council for any costs incurred.

3.4 Timescales

The Council will aim to deal with all applications within 10 weeks of receipt of a full and valid application.

Where the application process is likely to take longer than 10 weeks, the operator will be notified of the reason for delay.

4. Application Processes

All applications should be submitted to the Licensing Team using the forms and templates available on the Council's website.

Applications will be determined by the Inspector acting under delegated powers. The Inspector will consider each application on its own merits and will have regard to this Policy, the relevant legislation and any relevant guidance when determining applications. Where it is necessary for the Council to depart from this Policy, clear and compelling reasons will be given for doing so.

If an operator is dissatisfied with the outcome of their application, they may appeal the decision in line with the appeal procedures outlined in the Legislation Specific Provisions in Part 2 of this Policy.

Application processes are outlined in more detail on the Council website and in the Legislation Specific Provisions in Part 2 of this Policy.

5. Welfare Standards and Conditions

All operators must adhere to a specific set of standards set out in legislation and guidance. These standards form the basis of the conditions which are attached to a licence.

Each type of licence has its own specific set of standards, further details of which can be found in the Legislation-Specific Provisions in Part 2 of this Policy.

Where the legislation allows it, the Council may also require operators to meet additional standards, where they have been recommended by an expert Veterinary Inspector and/or other recognised experts in the relevant field.

6. Safeguarding

Animal licensing legislation has the primary aim of maintaining and improving animal welfare standards. However, there are other safeguarding considerations arising from licensable activities, in particular the protection of children and vulnerable persons.

The Council is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons (e.g. the tuition of a young person provided at a riding school or entertaining at a children's party with an exhibition of animals).

The Council expects operators whose activities involve contact with children or vulnerable persons to:

- have a written safeguarding policy and provide training for staff; and
- have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons.

7. Planning

It is the operator's responsibility to ensure that appropriate planning consent is in place for their proposed activity and site.

Planning control and animal activity licensing operate as two separate regulatory regimes, and meeting the requirements of one does not automatically satisfy the other. A licence issued for any animal activity does not grant, imply, or replace planning permission, nor does it authorise any use of land or buildings that would otherwise require planning approval. Likewise, obtaining planning permission does not guarantee that a licence will be granted.

Applicants must comply with both regimes independently, and the Council may take planning status into account when deciding whether the animal activity can be carried out appropriately and in accordance with any legislation or guidance.

8. Commercial Waste

All operators must ensure that any commercial waste arising from their animal related activities is managed and disposed of in accordance with the Environmental Protection Act 1990.

Any person who operates a business must ensure they have measures in place to safely contain and legally dispose of any waste produced by their business. Commercial waste must not be placed in household bins, to do so is an offence.

For more information on commercial waste visit our [website](#).

9. Fees and Charges

Any fees or charges payable can be found on the Council's website. Operators will also be required to pay any third-party fees for veterinary/specialist inspections as required.

Fees are calculated on a cost recovery basis and consist of a primary fee and a secondary fee:

- The primary fee is due on application and covers the costs of processing the application. This fee is non-refundable.
- The secondary fee is payable once a licence has been approved but before it is issued, and covers the costs associated with the regulation and compliance during the term of the licence.

A licence will not be issued until all outstanding fees are paid.

10. Licensing Registers

The Council maintains and publishes a register of operators licensed to carry out animal activities, which is available on the Council's website.

Information relating to private operators or businesses operating from a domestic address will not be published, to protect personal data and ensure compliance with the General Data Protection Regulation.

11. Enforcement

The main enforcement and compliance role for the Council in terms of animal licensing will be to ensure the welfare of animals. This is done by ensuring compliance with the conditions placed upon any licence and taking action when standards are not met. The Council also investigate and take appropriate action against unlicensed activities.

All enforcement activity will be carried out in line with any relevant legislation, guidance and the Council's own Corporate Enforcement Policy, which is available on the website.

Wherever possible, the Council will adopt a graduated, education approach to enforcement. However, where necessary it will take appropriate and proportionate action against non-compliant operators.

Actions available to the Council include:

- Warnings,
- Informal requests to make improvements,
- Issuing a rectification notice,
- Issuing an improvement notice,
- Varying a licence,
- Suspending a licence,
- Revoking a licence,
- Seizing any affected animals,
- Issuing a formal caution; and
- Prosecution.

12. Delegations

Those Officers of the Council, authorised under the Council's Scheme of Delegations, are responsible for the day-to-day operation of the Council's Animal Welfare Policy, and the enforcement of the legislation and conditions relating to licensable activities.

The Council will appoint a suitable Veterinary Inspector to undertake such inspections and provide any necessary report as required by the legislation. The Council will aim to accompany any Veterinary Inspector appointed by them, to the inspection. Where this is not possible the Veterinary Inspector will be provided with confirmation of their authorisation in writing.

13. Policy Reviews

This Policy will be reviewed every five years; and will be kept under review and amended as and when necessary to reflect changes in legislation and guidance.

Minor changes to this Policy may be made by officers acting under delegated powers, except where not appropriate to do so.

PART 2: LEGISLATION SPECIFIC PROVISIONS

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

14.1 Legislation and Guidance

The [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) ('the 2018 Regulations') create a single, modern licensing framework for commercial activities involving animals. The 2018 Regulations cover the following licensable activities:

- Dog Breeding,
- Kennel Boarding for Dogs,
- Home Boarding for Dogs,
- Day Care for Dogs,
- Boarding for Cats,
- Selling Animals as Pets,
- Hiring out Horses; and
- Keeping or Training of Animals for Exhibition.

A licence is required where any of the above activities are being carried on in the course of a business. When establishing if the activity is being carried out in the course of a business, the Council will decide each case on its own merits and consider a range of factors including:

- Whether the activity is being conducted as a commercial business
- Whether the operator makes any sales or carries out the activity to make a profit
- Whether the operator earns any commission or fee from the activity
- [HMRC's 9 Badges of Trade](#)
- HMRC's income threshold (currently £1000), and
- Any other relevant factors specific to the case.

To accompany the 2018 Regulations the Department for Environment, Food and Rural Affairs ('DEFRA') publish the [Animal activity licensing process: statutory guidance for local authorities](#). ('the 2018 Guidance').

The 2018 Regulations and Guidance set out the mandatory welfare standards, inspection requirements, and procedures that the Council must follow when licensing and regulating animal activities.

14.2 Standards and Conditions

All operators are assessed against a set of standards. These standards form the basis for a set of mandatory conditions which are attached to the licence. The current standards are set out in the 2018 Regulations and Guidance.

The conditions are divided into two categories, General Conditions applicable to all licences and Specific Conditions relevant to the activity being licensed.

For all licensable activities except ‘keeping or training animals for exhibition’, a number of higher standards are laid down in the specific guidance for each activity. These higher standards are optional but an operator who can demonstrate that they can suitably meet these higher standards will gain a higher star rating.(an explanation of star ratings can be found at [Paragraph 14.5](#) of this Policy).

The higher standards are split into two categories, required and optional. These are clearly marked and differentiated in the 2018 Guidance. To qualify as meeting the higher standards the operator must achieve all of the required standards as well as a minimum of 50% of the optional higher standards.

A licence will not be granted where an operator fails to meet minimum standards. A licence may be renewed where an operator has minor failings of the minimum standards, provided animal welfare is not compromised. Any minor failings must be addressed immediately.

Links to the 2018 Guidance which contains the relevant conditions can be found in Table 1:

Licence Activity	Link to Guidance/Conditions
Selling Animals as Pets	Selling animals as pets licensing: statutory guidance for local authorities - GOV.UK
Providing Boarding for Cats	Cat boarding licensing: statutory guidance for local authorities - GOV.UK
Providing Boarding for Dogs (Kennels)	Dog kennel boarding licensing: statutory guidance for local authorities - GOV.UK
Home Boarding for Dogs	Home boarding for dogs licensing: statutory guidance for local authorities - GOV.UK
Dog Day Care	Dog day care licensing: statutory guidance for local authorities - GOV.UK
Hiring Out Horses (Riding Establishments)	Hiring out horses licensing: statutory guidance for local authorities - GOV.UK
Dog Breeding	Dog breeding licensing: statutory guidance for local authorities - GOV.UK
Keeping or Training Animals for Exhibition	Keeping or training animals for exhibition licensing: statutory guidance for local authorities - GOV.UK

14.3 Application Process

14.3.1 New

An application for a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should include a Basic Disclosure and Barring Service certificate no more than 3 months old, any supporting information listed on the application form and pay the appropriate fee.

On receipt of a full and valid application, the Inspector and/or Veterinary Inspector (where appropriate) will attend the site to conduct an inspection and produce a report. Prior to the inspection the operator will be sent a pre-inspection checklist to assist them in preparing for their inspection. Copies of these pre-inspection checklists are available on the Council website.

Following the inspection the Council will determine the application. In reaching a decision the Council will consider:

- The application form and any supporting documentation,
- The Inspectors report,
- The Veterinary Inspectors report (where appropriate),
- The relevant legislation and guidance, and
- This Policy

The Council will notify the operator of the decision in writing and outline any rights of appeal.

14.3.2 Variations

Where an operator wants to make changes to their business, they must submit an application to the Council to vary their licence. Situations which may require a variation to a licence include, but are not limited to:

- Altering the premises (e.g. altering enclosures, moving facilities)
- Changing the number or type of animals
- Updating operating procedures

Operators should contact the Licensing Team for advice prior to submitting an application to vary their licence.

An application for a variation to a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should provide any supporting information requested by the Inspector and pay the relevant fee.

On receipt of a full and valid application, the Inspector will assess the application and where necessary, attend the site to conduct an inspection and produce a report. Depending on the nature of the variation a Veterinary Inspector may need to conduct an inspection. A fee may be payable.

14.3.3 Transfers

A licence cannot be transferred from one operator to another. Where a business is to change hands, the new operator must ensure they have applied for, and been granted, a new licence prior to the old operator relinquishing responsibility for the day-to-day operation of the business.

14.3.4 Renewals

The Council will aim to provide operators with four months' notice of when their licence is due to expire. Operators must then apply at least 10 weeks before their licence expires and follow the process for a new application at [Paragraph 14.3.1](#).

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

14.3.5 Surrender

Where an operator wants to surrender their licence, they must notify the Council. Any notification of surrender should be sent to the Council's Licensing Team in writing. Operators will be expected to return their licence and provide an explanation of why they no longer require it.

14.4 Determination of Applications

Under the 2018 Regulations, any individual over the age of 18 who carries on a licensable activity can apply for a licence, provided they are not barred from applying under regulation 11 and Schedule 8. Any application from a person who is barred from making an application will be refused.

To grant an application under the 2018 Regulations the Council must be satisfied that:

- the relevant licence conditions will be met;
- the operator is a 'fit and proper' person to carry out the activity; and
- the appropriate fee has been paid.

Licence Conditions

Each licensable activity has a unique set of licensing conditions which operators are expected to meet. Detailed information about the standards and conditions operators are expected to meet can be found in [Paragraph 14.2](#) of this Policy.

Fit and proper Test

Although the term 'fit and proper' is not explicitly defined in the legislation or guidance, for the purposes of this Policy, the Council will consider the application together with the conduct displayed by the operator, and will consider them to be 'fit and proper' if they can demonstrate, that they have:

- the right to work in the UK.

- not been convicted of a Relevant Offence in line with the Convictions Policy set out in Appendix A of this Policy.
- not been disqualified from holding a licence
- the knowledge, experience, compliance history, and capability to adhere to the licence conditions and ensure the welfare of the animals in their care.
- adequate management and training arrangements in place to safeguard staff and/or members of the public affected by the licensed activity.

This Policy does not limit the scope of the ‘fit and proper’ assessment, and the Council may consider any other reasonable factors relevant to the application.

When considering renewal applications, the Council will also consider information received during the previous licence term. The Council expects operators to act with honesty and integrity and demonstrate appropriate professional conduct at all times.

14.5 Star Ratings and Licence Duration

Licences issued under the 2018 Regulations are given a star rating and issued for a period of one, two or three years depending on the operator’s risk rating and their standards of compliance with the licence conditions.

Licences for the keeping or training of animals for exhibition are issued for three years and do not receive a star rating.

When determining the star rating and duration of the licence an operator will receive a:

1. Risk Rating:

Operators will be rated as either low or high risk. This is determined in line with the 2018 Guidance. New operators will always be considered high, unless they can show compliance history with another local authority or are UKAS accredited. Any compliance history with another local authority will only be considered if that history is for the same activity being applied for.

2. Compliance Level:

Operators will be assessed as meeting either the minimum or high standards. Or in the case of renewals, minor failings. This assessment is determined by an operator’s ability to meet the licence conditions and standards discussed at [Paragraph 14.2](#) of this Policy.

The star rating and length of licence are determined using the matrix table below:

	Minor failings	Minimum standards	Higher standards
Low risk	1 star rating, 1 year licence, at least 1 *unannounced visit within 12 months	3-star rating, 2-year licence, at least 1 *unannounced visit within 24 months	5-star rating, 3-year licence, at least 1 *unannounced visit within 36 months
Higher risk	1 star rating, 1 year licence, at least 1	2-star rating, 1 year licence, at least 1	4-star rating, 2-year licence, at least 1

	*unannounced visit within 12 months	*unannounced visit within 12 months	*unannounced visit within 24 months
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*Subject to the exemptions outlined in [Paragraph 14.7](#) of this Policy.

14.6 Appeals and Re-Inspections

14.6.1 Star Rating Appeals

To ensure fairness, the Council has an appeals procedure in place to allow an operator to dispute the star rating given.

The operator is encouraged to discuss the matter initially with the inspecting officer prior to submitting their appeal.

An operator may appeal a star rating if they consider it to be wrong i.e. it does not reflect the standards found at the time of the inspection. Any appeal to the rating must be made in writing to the Council within **21 days of the date the licence was issued**. Any appeal will consider the standards observed at the time of inspection. If an operator has made improvements since their inspection, the operator will need to apply and pay for a re-rating.

Appeals will be determined by the Team Manager for Licensing in consultation with another suitably qualified Inspector who was not involved with the original decision.

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

14.6.2 Re-rating

An operator can request a re-rating at any time during the term of their licence.

There are no limits on the number of re-ratings an operator can request. Any request for a re-rating must be made in writing to the Council and be accompanied by the relevant fee.

Depending on the nature of the re-rating a Veterinary Inspector may need to conduct an inspection. A fee may be payable.

14.6.3 Refusal and Revocation Appeals

Where a decision is taken to refuse or revoke a licence, the operator will be issued with a written decision notice outlining their right to appeal.

The operator has the right to appeal to a First-tier Tribunal within 28 days of the decision.

Guidance on how an operator can appeal can be found at [Welfare of animals: appeal to a tribunal - GOV.UK](#).

14.7 Interim Inspections

The Council is required to undertake an interim inspection at least once during the term of the licence. These visits will be unannounced, except where the business is run from a private dwelling, in which case 24 hours' notice will be given.

Where an operator is failing to comply with the conditions on their licence, appropriate enforcement action may be taken and/or the star rating may be adjusted.

14.8 Death of a Licence Holder

Upon the death of a licence holder, the licence will continue for 28 days as if it had been granted to their personal representative.

Provided the personal representative informs the Council of the death within 28 days of the date of death, the licence will remain in place for three months from the date of death, or for the remainder of the licence period, whichever is shorter. The personal representatives should then apply for a new licence at least one month before the expiry of this new period.

The Council may extend the three-month period by up to a further three months if requested by the personal representative and where they believe this time is required to enable the winding up of the former licence holder's estate.

Where the personal representative does not notify the Council within 28 days of the death of the licence holder, the licence will cease to have effect after the 28-day period.

15. The Animal Welfare (Primate Licences) (England) Regulations 2024

15.1 Legislation and Guidance

The [Animal Welfare \(Primate Licences\) \(England\) Regulations 2024](#) ('the 2024 Regulations') requires individuals who keep primates to obtain a licence from the Council. A primate is defined as any species, other than homo sapiens, which belong to the order Primates.

To accompany the 2024 Regulations, DEFRA publish [Guidance on Licence conditions for primate keepers](#). ('the 2024 Guidance').

The 2024 Regulations and Guidance set out the mandatory welfare standards, inspection requirements and procedures that the Council must follow when licensing and regulating primate keepers.

Any person who keeps or trains primates for exhibition will also be required to hold a licence under the **Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018**.

Any person who keeps a primate considered a dangerous wild animal will also be required to hold a licence under the **Dangerous Wild Animals Act 1976**.

Any primate kept at a licensed zoo or at an authorised research facility is not required to hold a Primate Licence.

15.2 Standards and Conditions

All operators are assessed against a set of standards. These standards form the basis for a set of mandatory conditions which are attached to the licence. The current standards are set out in the 2024 Regulations and Guidance.

The 2024 Guidance which contains the relevant conditions can be found at [Licence conditions for primate keepers \(Schedule 1\) - GOV.UK](#).

15.3 Application Process

15.3.1 New

An application for a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should include a Basic Disclosure and Barring Service certificate no more than 3 months old, any supporting information listed on the application form and pay the appropriate fee.

On receipt of a full and valid application, the Inspector and/or Veterinary Inspector (where appropriate) will attend the site to conduct an inspection and produce a report. Prior to the inspection the operator will be sent a pre-inspection checklist to assist them in preparing for their inspection. Copies of these pre-inspection checklists are available on the Council website.

Following the inspection the Council will determine the application. In reaching a decision the Council will consider:

- The application form and any supporting documentation,
- The Inspectors report,
- The Veterinary Inspectors report (where appropriate),
- The relevant legislation and guidance, and
- This Policy.

The Council will notify the operator of the decision in writing and outline any rights of appeal.

15.3.2 Variation

Where an operator wants to make changes to the way they care for their primates, they must submit an application to the Council to vary their licence. Situations which may require a variation to a licence include, but are not limited to:

- Altering the premises (e.g. altering enclosures, moving facilities)
- Changing the number or type of primates
- Updating operating procedures

Operators should contact the Licensing Team for advice prior to submitting an application to vary their licence.

An application for a variation to a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operators should provide any supporting information requested by the Inspector and pay the relevant fee.

On receipt of a full and valid application, the Inspector will assess the application and where necessary, attend the site to conduct an inspection and produce a report. Depending on the nature of the variation a Veterinary Inspector may need to attend the site to conduct an inspection. A fee may be payable.

15.3.3 Transfers

A licence cannot be transferred from one operator to another. Where the care of a primate is to be transferred to another person, the new operator must ensure they have applied for, and been granted, a new licence prior to the old operator relinquishing responsibility for the care of the primate.

15.3.4 Renewals

The Council will aim to provide operators with four months' notice of when their licence is due to expire. Operators must then apply at least 10 weeks before their licence expires and follow the process for a new application.

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

15.3.5 Surrender

Where an operator wants to surrender their licence, they must notify the Council.

Any notification of surrender should be sent to the Council's Licensing Team in writing. Operators will be expected to return their licence and provide evidence of what will happen or has happened to the primates in their care. If the primate is to be transferred to another person, the operator must ensure that the new operator is appropriately licensed.

The Council reserves the right to refuse a surrender if the operator fails to provide sufficient evidence of the proper transfer or disposal of the primate.

15.4 Determination of Applications

Under the 2024 Regulations any individual over the age of 18 who keeps a primate, may apply for a licence, provided they are not barred from applying under regulation 6. Any application from a person who is barred from making an application will be refused.

To grant an application under the 2024 Regulations the Council must be satisfied that:

- the licence conditions will be met;
- the operator is a 'fit and proper' person to keep a primate; and
- the appropriate fee has been paid.

Licence Conditions

To keep primates there are a specific set of conditions which operators are expected to meet. Detailed information about the standards and conditions keepers are expected to meet can be found in [Paragraph 15.2](#) of this Policy.

Fit and proper Test

Although the term 'fit and proper' is not explicitly defined in the legislation or guidance, for the purposes of this Policy, the Council will consider the application together with the conduct displayed by the operator, and will consider them to be 'fit and proper' if they can demonstrate, that they have:

- not been convicted of a Relevant Offence in line with the Convictions Policy set out in Appendix A
- not been disqualified from holding a licence
- the knowledge, experience, compliance history, and capability to adhere to the licence conditions and ensure the welfare of the animals in their care.
- adequate arrangements in place to safeguard staff and/or members of the public affected by the licensed activity.

This Policy does not limit the scope of the 'fit and proper' assessment, and the Council may consider any other reasonable factors relevant to the application.

When considering renewal applications, the Council will also consider information received during the previous licence term. The Council expects operators to act with honesty and integrity and demonstrate appropriate professional conduct at all times.

15.5 Star Ratings and Licence Duration

Licences issued under the Animal Welfare (Primate Licences) (England) Regulations 2024 are not risk rated and are issued for a period of three years, or upon request, for a shorter period.

15.6 Appeals

Where a decision is taken to refuse or revoke a licence, the operator will be issued with a written decision notice outlining their right to appeal.

The operator has the right to appeal to a First-tier Tribunal within 28 days of the decision.

Guidance on how an operator can appeal can be found at [Welfare of animals: appeal to a tribunal - GOV.UK](#).

15.7 Interim Inspections

The Council is required to undertake an interim inspection at least once during the term of the licence. These visits will be unannounced, except where the business is run from a private dwelling, in which case 24 hours' notice will be given.

Where an operator is failing to comply with the conditions on their licence, appropriate enforcement action may be taken.

15.8 Death of a Licence Holder

Upon the death of a licence holder, the licence will continue for 28 days as if it had been granted to their personal representative.

Provided the personal representative informs the Council of the death within 28 days of the date of death, the licence will remain in place for three months from the date of death, or for the remainder of the licence period, whichever is shorter. The personal representatives should then apply for a new licence at least one month before the expiry of this new period.

The Council may extend the three-month period by up to a further three months if requested by the personal representative and where they believe this time is required to enable the winding up of the former licence holder's estate.

Where the personal representative does not notify the Council within 28 days of the death of the licence holder, the licence will cease to have effect after the 28-day period.

16. Dangerous Wild Animals Act 1976

16.1 Legislation and Guidance

The [Dangerous Wild Animals Act 1976](#) ('the 1976 Act') requires individuals who keep species of animals, considered hazardous, to obtain a licence from the Council. Animals considered to be hazardous are listed in the Schedule of the 1976 Act.

The legislation requires operators to ensure their hazardous animals are housed securely, cared for appropriately and kept without risk to the public. The requirements vary depending on the species.

A Dangerous Wild Animal licence is not required if a dangerous wild animal is being kept at a zoo.

16.2 Standards and Conditions

All licences granted under the [1976 Act](#) are subject to the conditions set out in the legislation. The Council may also impose conditions suggested by DEFRA and/or the Inspector/Veterinary Inspector.

Where the Council places conditions on a licence they will be based, wherever practicable, on existing codes of best practice and industry standards produced by, but not limited to, organisations such as, DEFRA, the British Veterinary Association and National Trade Associations.

16.3 Application Process

16.3.1 New

An application for a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should include a Basic Disclosure and Barring Service certificate no more than 3 months old, any supporting information listed on the application form and pay the appropriate fee.

On receipt of a full and valid application, the Inspector and Veterinary Inspector will attend the site to conduct an inspection and produce a report. Prior to the inspection the operator will be sent a pre-inspection checklist to assist them in preparing for their inspection. Copies of these pre-inspection checklists are available on the Council website.

Following the inspection the Council will determine the application. In reaching a decision the Council will consider:

- The application form and any supporting documentation,
- The Inspectors report,
- The Veterinary Inspectors report,
- The relevant legislation and guidance, and
- This Policy.

The Council will notify the operator of the decision in writing and outline any rights of appeal.

16.3.2 Variation

Where an operator wants to make changes to the way they care for their dangerous wild animal, they must submit an application to the Council to vary their licence. Situations which may require a variation to a licence include, but are not limited to:

- Altering the premises (e.g. altering enclosures, moving facilities)
- Changing the number or type of animals
- Updating operating procedures

Operators should contact the Licensing Team for advice prior to submitting an application to vary their licence.

An application for a variation to a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operators should provide any supporting information requested by the Inspector and pay the relevant fee.

On receipt of a full and valid application, the Inspector will assess the application and where necessary, attend the site to conduct an inspection and produce a report.

Depending on the nature of the variation a Veterinary Inspector may need to attend the site to conduct an inspection. A fee may be payable.

16.3.3 Transfers

A licence cannot be transferred from one operator to another. Where the care of an animal is to be transferred to another person, the new operator must ensure they have applied for, and been granted, a new licence prior to the old operator relinquishing responsibility for the care of the animal.

16.3.4 Renewals

The Council will aim to provide operators with four months' notice of when their licence is due to expire. Operators must then apply at least 10 weeks before their licence expires and follow the process for a new application.

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

16.3.5 Surrender

Where an operator wants to surrender their licence, they must notify the Council.

Any notification of surrender should be sent to the Council's Licensing Team in writing. Operators will be expected to return their licence and provide evidence of what will happen or has happened to the animals in their care. If the animal is to be transferred

to another person, the operator must ensure that the new operator is appropriately licensed.

16.4 Determination of Applications

Under the 1976 Act any individual over the age of 18 who keeps a dangerous wild animal, as specified in the legislation, may apply for a licence, provided they are not disqualified from keeping a dangerous wild animal. Any application from a person who is disqualified from keeping dangerous wild animals will be refused.

To grant an application under the 1976 Act the Council must be satisfied that:

- the operator owns and possesses or proposes to own or possess the animals,
- the granting of the licence will not adversely affect the public due to safety, nuisance or other concerns,
- the animals will be held in accommodation that is suitable for them and adequate to prevent escape,
- the animals are provided with suitable care and are supervised,
- adequate procedures are in place to ensure the safety of the animals in the event of an emergency (e.g. fire),
- adequate controls are in place to prevent and control the spread of infectious diseases,
- adequate insurances are in place,
- adequate provisions are in place for the provision of antivenom (where applicable),
- the operator is registered with a vet capable of providing veterinary care for the animals,
- the operator is a 'fit and proper' person to keep a dangerous wild animal; and
- the appropriate fee has been paid.

Fit and proper Test

Although the term 'fit and proper' is not explicitly defined in the legislation or guidance, for the purposes of this Policy, the Council will consider the application together with the conduct displayed by the operator, and will consider them to be 'fit and proper' if they can demonstrate, that they have:

- not been convicted of a Relevant Offence in line with the Convictions Policy set out in Appendix A,
- not been disqualified from keeping dangerous wild animals,
- the knowledge, experience, compliance history, and capability to ensure the welfare of the animals in their care; and
- adequate arrangements in place to safeguard staff and/or members of the public affected by the licensed activity.

This Policy does not limit the scope of the 'fit and proper' assessment, and the Council may consider any other reasonable factors relevant to the application.

When considering renewal applications, the Council will also consider information received during the previous licence term. The Council expects operators to act with honesty and integrity and demonstrate appropriate professional conduct at all times.

16.5 Star Ratings and Licence Duration

Licences issued under the 1976 Act are not risk rated and are issued for a period of two years.

16.6 Appeals

Where a decision is taken to refuse or revoke a licence, or to add conditions to a licence, the operator will be issued with a written decision notice outlining their right to appeal.

The operator has the right to appeal to the Magistrates Court within 21 days of the decision.

16.7 Death of a Licence Holder

Upon the death of a licence holder, the licence will continue for 28 days as if it had been granted to their personal representative. If an application is made for a new licence within this period, the licence will remain in force pending the grant or refusal of the new application.

17. Zoo Licensing Act 1981

17.1 Legislation and Guidance

The [Zoo Licensing Act 1981](#) ('the 1981 Act') establishes a legal framework for the licensing and regulation of zoos in Great Britain. It requires any establishment exhibiting wild animals to the public on seven or more days a year to be licensed by the Council, unless exempt.

The 1981 Act sets mandatory standards for animal welfare, conservation, public safety, and management practices, and requires regular inspections by local authorities with specialist veterinary input. It also provides enforcement powers, including the ability to issue directions, vary conditions, or revoke a licence where standards are not met.

To accompany the 1981 Act the [Standards of Modern Zoo Practice](#) are issued by the Secretary of State for Environment, Food and Rural Affairs, and are published and maintained by DEFRA. The current standards are in operation until 23 May 2027. From 24 May 2027 the current standards will be superseded by the [Standards of modern zoo practice for Great Britain](#). Any zoos in the district are encouraged to start working towards these standards as soon as possible.

17.2 Standards and Conditions

All licences granted under the [1981 Act](#) are subject to the conditions set out in the legislation. The Council may also impose conditions and/or directions suggested by DEFRA or required by the Secretary of State's Inspector/Veterinary Inspector.

All zoos are expected to adhere to the [Standards of modern zoo practice for Great Britain](#).

Where the Council places conditions on a licence they will be based, wherever practicable, on existing codes of best practice and industry standards produced by, but not limited to, organisations such as, DEFRA, the British Veterinary Association and National Trade Associations.

17.3 Application Process

17.3.1 New

At least two months prior to submitting an application for a Zoo Licence the operator must give notice of their application. The operator must give notice to the Council using the relevant template on the Council's website. The notice should be published in a local and national newspaper and on the proposed site of the zoo. The Council will also publish a copy of the notice at the Council offices and on our website.

At the expiry of the two months' notice period, an application for a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should include a Basic DBS certificate no more than 3 months old, any supporting information listed on the application form and pay the appropriate fee.

On receipt of a full and valid application a 28-day consultation period will begin. During this time the Council will consult with any statutory consultees and consider representations from any other interested party. The Inspector and an inspector appointed by the Secretary of State will attend the site to conduct an inspection and produce a report. Prior to the inspection the operator will be given 28 days' notice of the inspection date and sent a pre-inspection checklist to assist them in preparing for their inspection.

Following the inspection the Council will determine the application. In reaching a decision the Council will consider:

- The application form and any supporting documentation,
- The Inspectors inspection report,
- The Secretary of States inspection report,
- The relevant legislation and guidance, and
- This Policy

If the Council proposes to add any conditions to a licence the operator will be consulted prior to reaching a final decision.

The Council will notify the operator of the decision in writing and outline any rights of appeal.

17.3.2 Variation

Where an operator wants to make changes to their zoo, they must submit an application to the Council to vary their licence. Situations which require a variation to a licence include, but are not limited to:

- Altering the premises (e.g. altering enclosures, moving facilities)
- Changing the number or type of animals
- Updating operating procedures

Operators should contact the Licensing Team for advice prior to submitting an application to vary their licence.

An application for a variation to a licence should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operators should provide any supporting information requested by the Inspector and pay the relevant fee.

On receipt of a full and valid application, the Inspector will assess the application and where necessary, attend the site to conduct an inspection and produce a report. Depending on the nature of the variation a Veterinary Inspector may be required to attend the site to conduct an inspection. A fee may be payable.

17.3.3 Transfers

A licence may be transferred from one operator to another.

Where the responsibility for running the zoo is to be transferred to another person, an application for a transfer should be submitted to the Council's Licensing Team using

the relevant application form available on the Council's website. The operator should include a Basic Disclosure and Barring Service certificate no more than 3 months old, any supporting information listed on the application form and pay the appropriate fee.

The new operator must ensure their transfer application has been granted, prior to the old operator relinquishing responsibility for the operation of the zoo.

17.3.4 Renewal

The Council will aim to provide operators with nine months' notice of when their licence is due to expire.

It is the operator's responsibility to ensure that any renewal application is made at least 6 months before their licence is due to expire, and the Council cannot be held responsible for any delays or lapses of a licence caused by an incomplete or late application.

An application for a renewal should be submitted to the Council's Licensing Team using the relevant application form available on the Council's website. The operator should include a Basic DBS certificate no more than 3 months old should, provide any supporting information requested by the Inspector and pay the relevant fee.

On receipt of a full and valid application, the Inspector and an inspector appointed by the Secretary of State will attend the site to conduct an inspection and produce a report. The Council will notify the operator of the decision in writing and outline any rights of appeal.

Where there has been a substantial change to the zoo, an applicant will need to apply for a new licence in line with [Paragraph 17.3.1](#).

17.3.5 Surrender

Where an operator wants to surrender their licence, they must notify the Council.

Any notification of surrender should be sent to the Council's Licensing Team in writing. Operators will be expected to return their licence and provide evidence of what will happen or has happened to the animals in their care. If the animal is to be transferred to another person or zoo, the operator must ensure that the new operator is appropriately licensed.

17.4 Determination of Applications

Under the Zoo Licensing Act 1981 any individual or organisation over the age of 18 may apply for a Zoo licence,

To grant an application under the 1981 Act the Council must be satisfied that:

- the zoo will not have a harmful effect on the health or safety of people living in the neighbourhood or seriously threaten the preservation of law and order.
- the zoo meets the required [conservation requirements](#).

- The accommodation, staffing and management are adequate for the animal's welfare and running of the zoo.
- The operator has not been convicted of a Relevant Offence in line with the Convictions Policy set out in Appendix A
- the appropriate fee has been paid.

When considering renewal applications, the Council will also consider information received during the previous licence term. The Council expects operators to act with honesty and integrity and demonstrate appropriate professional conduct at all times.

17.5 Star Ratings and Licence Duration

Licences issued under the Zoo Licensing Act 1981 are not risk rated and are issued for a period of four years. On renewal, licences are valid for a period of six years.

17.6 Appeals

Where the Council makes a decision in relation to any licence application, the operator will be issued with a written decision notice outlining their right to appeal.

The operator has the right to appeal to the Magistrates Court within 28 days of the decision.

17.7 Death of a Licence Holder

Upon the death of a licence holder, the licence will continue for three months as if it had been granted to their personal representative.

During this period the personal representatives should make an application to transfer the licence into their name.

The Council may extend the three-month period if requested by the personal representative and there are justifiable reasons to do so.

Where the licence is not transferred within the agreed licence period, the licence will lapse.

Appendix A - Convictions Policy

This section provides guidance on how the Council will assess cautions and convictions when determining if an operator is a 'fit and proper' person. The Council consider the safety and welfare of animals and the public as its primary consideration.

In assessing whether the operator is a 'fit and proper' person to hold a licence, the Council will have regard to the provisions set out in the relevant legislation and will only take into consideration those matters it is legally entitled to, and only in so far as they are relevant to the application.

The Council will have regard to the individual circumstances of the offence, the seriousness and age of the offence, the operators age at the time of the offence, the sentence imposed by the court and whether the offence is isolated and/or shows any patterns of behaviour. Each case will be considered on its own merits.

Offences Involving Animal Welfare/Cruelty

The primary purpose of animal licensing legislation is to ensure the welfare of animals. A licence will not normally be granted where the operator has a conviction for an offence or offences similar to those involving animal cruelty or suffering.

Licensing Offences

The licencing process requires operators to adhere to legislation, processes and conditions. Offences relating to licensing can indicate a reluctance to be regulated and/or work within a regulatory framework. A licence will not normally be granted where the operator has a conviction for an offence relating to licensing.

Other Offences

The Council has broader responsibilities to prevent crime and disorder and to safeguard children and vulnerable adults, as mandated by the Crime and Disorder Act 1998, the Children Act 2004, and the Care Act 2014.

A licence will not normally be granted where the operator has a conviction for an offence that falls in the following categories:

- Offences involving violence.
- Possession of a weapon.
- Sexual and indecency offences.
- Offences involving dishonesty.
- Offences involving drugs.

Any offences or behaviours not specifically addressed by this Policy may still be considered.

Equality Impact Assessment Form - DRAFT



Responsibility and Ownership

Name of policy, practice, service or function: Animal Welfare Licensing Policy

Responsible department: Joint Environmental Health Service

Service area: Environmental Health /Licensing

Lead Officer: Charmaine Terry

Date of assessment: 22/04/2026

Other members of assessment team

Name	Position	Area of expertise
Charmaine Terry	Environmental Health Team Manager (Licensing)	Licensing
Samantha Crossland	Licensing and Enforcement Officer	Licensing
Lindsey Delamore	Licensing and Enforcement Officer	Licensing

Assessment Background

Scope

1	What are the main aims/objectives or purpose of the policy, strategy, practice, service or function?	The Council is responsible for the licensing and regulation of animal activities in the district. It is considered good practice for the Council to prepare and publish an Animal Welfare Licensing Policy which sets out how the regime will be
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		<p>administered. In setting out the policy the Council seeks to do the following:</p> <ul style="list-style-type: none"> • Protect and promote animal welfare standards, • Protect the environment, • Safeguard public health and safety, • Provide a clear and consistent regulatory framework; and • Provide a reliable, fair, transparent, and accessible service. <p>This licensing regime is largely governed by legislation, and this Policy is intended to set out how the Council will put that legislation into practice.</p>
2	Are there any external factors we need to consider such as new legislation or legislation changes?	<p>Guidance issued by DEFRA</p> <p>All relevant legislation and statutory guidance outlined in the Policy</p>
3	Who is responsible for implementing the policy, strategy, practice, service or function?	The Joint Environmental Health Service
4	Who is affected by the policy, strategy, practice, service or function? E.g. businesses, customers, voluntary sector?	Licence holders, business owners, regulatory partners, and members of the public
5	What outcomes are we looking to achieve, why and for whom?	<p>To encourage high standards of animal welfare and encourage responsible business practices.</p> <p>To encourage operators to provide the highest level of care for animals under their care and safeguard residents and business owners within Bolsover.</p>
6	What existing information do you have on the impact of the policy, strategy, practice, service or function? E.g. consultation or satisfaction results?	<p>No information relating to the people affected by this Policy is available. At this stage, no formal consultation or engagement activity has been carried out. A full public consultation is planned, which will provide more insight across all protected characteristics.</p> <p>Current information is based primarily on the professional knowledge and experience of animal licensing inspectors,</p>

		who work directly with operators and members of the public affected by animal licensing processes. This provides some operational understanding of how the proposal may impact different groups, but it is not comprehensive.
7	How is existing information about the policy, practice, service or function publicised?	On the Council's website and directly to operators directly affected.

Identifying Potential Equality Impacts

Consider any impacts on each of the protected characteristics set out below. Be mindful that some impacts may affect more than one characteristic e.g. disability/age. Indicate where the policy, practice, service or function could have a positive/negative impact for different groups and your reasons. Specify which data sources have informed your assessment. **The Council has an Equality Plan which provides a profile for the district which may be helpful.**

Race

8	Identify any impacts of the policy or procedure on people who may be affected because of their race/ethnicity		
	White	English / Welsh / Scottish / Northern Irish / British / Irish / Any other White background	Operators for whom English is not their first language may have difficulty in understanding the policy or complying with the requirements set in legislation and statutory guidance. The Council has interpretation and translation services where necessary.
	Asian/Asian British	Indian	As above.
		Pakistani	
		Bangladeshi	
		Chinese	
		Any other Asian background	

8	Identify any impacts of the policy or procedure on people who may be affected because of their race/ethnicity		
	Black	African	As above.
		Caribbean	
		Any other Black / African / Caribbean / Black British background	
	Any other ethnicity	Arab	As above.
		Any other ethnic group	

Sex/Gender

9	Identify any impacts of the policy, practice, service/function on people who may be affected because of their gender		
	Female	No significant impact.	
	Male	No significant impact.	
	Transgender	No significant impact.	

Age

10	Identify any impacts of the policy, practice, service/function on people who may be affected because of their age		
	0-18 years	Animal Licensing in general may have a more significant adverse impact on children and young people who are more likely to use some of the services provided without adult supervision. E.g. horse-riding tuition. Whilst the Council is limited in their influence over the requirements set out in legislation and guidance, appropriate statutory guidance has been included in the Policy to encourage responsible safeguarding practices, particularly where businesses are likely to offer	

10	Identify any impacts of the policy, practice, service/function on people who may be affected because of their age	
		services to children and young people. involving the tuition of young people. Additional guidance for businesses to have safeguarding measures in place are factored into the policy to mitigate the increased risk to young people.
	19-64 years	No significant impact.
	65 years and over	No significant impact.

Disability

11 67	Identify any impacts of the policy, practice, service/function on people who may be affected because of their disability/long-term ill health	
	Physical/mobility impairment	Animal Licensing requirements and processes in general are likely to be more difficult for those operators who have some disabilities. Operators may find it difficult to comply fully with the legislation and statutory guidance. Reasonable adjustments will be considered in so far as is practicable whilst still maintaining animal welfare standards.
	Sensory: hearing/visual or speech	As above.
	Mental health	As above.
	Learning disabilities	As above.
	Non-visible conditions, e.g. epilepsy/diabetes	As above.

Religion or Belief

12	Identify any impacts of the policy, practice, service or function on people who may be affected because of their religion or belief, including non-belief
No significant impact.	

Sexual Orientation

13	Identify any impacts of the policy, practice, service or function on people who may be affected because of their sexual orientation	
	Heterosexual	No significant impact.
	Lesbian	No significant impact.
	Gay	No significant impact.
	Bisexual	No significant impact.

Other categories

14	Identify any impacts of the policy, practice, service or function on people who may be affected because of other factors	
	Rural / urban	No significant impact.
	Carers	No significant impact.

14	Identify any impacts of the policy, practice, service or function on people who may be affected because of other factors	
	Travellers	No significant impact.
	Other	<p>Pregnancy and Maternity: Animal Licensing requirements and processes in general are likely to be more difficult for those operators who are pregnant or on maternity leave. Operators may find it difficult to comply fully with the legislation and statutory guidance. Reasonable adjustments will be considered in so far as is practicable whilst still maintaining animal welfare standards.</p> <p>General Impact: Animal Licensing in general may have an impact on some people with protected characteristics, who could be considered vulnerable under safeguarding principles. In certain situations, individuals may be left alone with operators without direct supervision, which could increase the risk of harm or reduce their ability to report concerns. Whilst the Council is limited in their influence over the requirements set out in legislation and statutory guidance, appropriate guidance has been included in the Policy to encourage responsible safeguarding practices, particularly where businesses are likely to offer services to people who could be considered vulnerable.</p>

Document the assessment evidence (where information is held)

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information / Comments
Customer feedback and complaints	N/A			
Consultation and community involvement	A full public consultation is planned	Public, stakeholders and partner organisations.		
Performance information	N/A			
Take up and usage data	N/A			
Comparative information or data where no local	Policies from neighbouring authorities and those	Other local authorities	Other local authorities take similar approaches	

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information / Comments
information available (benchmarking)	known to regulate large scale operators			
Census, regional or national statistics	N/A			
Access audits or other disability assessments	N/A			
Workforce profile	N/A			
Where service delivered under procurement arrangements	N/A			

Findings: Are any groups affected? If so, how?

Key points	Any groups affected?	Positive Impact/Negative Impact/No impact/Negative impact mitigated?
Licensable activities in general may have an adverse effect on people.	Age: 0 – 18 year olds Disability: All Race/ethnicity: All Pregnancy and maternity	The Council is limited in their influence over the requirements which are largely set out in legislation and statutory guidance. The following measures will be put in place: Additional guidance advising that businesses have safeguarding measures in place to protect children and young people is factored into the policy to mitigate the increased risk. Where possible the Council will make reasonable adjustments in so far as is possible whilst still maintaining the primary objective of the Policy, to

Key points	Any groups affected?	Positive Impact/Negative Impact/No impact/Negative impact mitigated?
		protect animal welfare.

Recommendations and Decisions

Action by: Assistant Director of Communities & Environmental Health

Amending the policy, strategy, practice, service or function	N/A
Find alternative means for achieving objectives	N/A
Develop equality objectives and targets for inclusion in the service plan	N/A
Initiate further research	The Council will monitor any impact on characteristics by reviewing the policy and conducting any necessary consultation every three years.
Undertaking actions identified in the EIA	N/A
Any other method (please state)	N/A

Equality Impact Assessment Improvement Plan Summary

Please list all actions, recommendations and/or decisions you plan to take as a result of the equality impact assessment:

Action Required	Responsible Officer	Target Date	Resources	Progress	Actual Outcome
Review the policy every three years	Assistant Director of Communities &				

Action Required	Responsible Officer	Target Date	Resources	Progress	Actual Outcome
	Environmental Health				

Approval Process

Job role	Date	Comments
Improvement Officer Comments		
Information, Engagement & Performance Manager Comments (EIA Reviewer)		
Senior Manager (EIA Sign-off) Job title: Assistant Director of Communities & Environmental Health		