

The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

Guidance for Dog Breeders

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Section 1: Introduction

This guidance applies in Scotland only. It is issued by the Scottish Ministers under section 38 of the Animal Health and Welfare (Scotland) Act 2006. The purpose of this guidance is to help applicants for or holders of a dog breeders licence understand the requirements of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 (hereinafter referred to as “the Regulations”). You can find the Regulations here: [The Animal Welfare \(Licensing of Activities Involving Animals\) \(Scotland\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk).

This guidance is advisory only. If there are conflicts between the content of this guidance and the provisions of the Regulations or any other legislation, the statutory provisions should take priority. The interpretation of legislation is ultimately a matter for the courts.

The Regulations came into force on 1 September 2021. They replaced previous legislation covering pet sales and dog breeding and introduced new licensing requirements for cat and rabbit breeders, animal welfare establishments (such as animal sanctuaries and rehoming centres) and other pet rehoming activities, subject to operators meeting the licensing criteria for each activity.

Section 2: Summary of criteria and thresholds for licensing

Under the Regulations any person in Scotland breeding 3 or more litters of puppies in any 12 month period must be licensed. The requirement to be licensed applies regardless of whether the breeder sells or otherwise supplies a puppy as a pet to another person.

Section 3: The application process (new and renewal applications)

Under the Regulations local authorities are the licensing authority for dog breeding activities. If you wish to apply for a licence you should contact your local authority licensing team.

The Regulations include a provision that allows the licensing authority to charge a fee for the consideration and granting of a dog breeding licence. Any fee payable will be confirmed by the licensing authority at the time of application.

Upon receipt of a valid application for a licence and payment of any fee the licensing authority will arrange for an inspection of the premises on which the licensable activity is to be undertaken. A key requirement of the inspection is to gather information about whether the applicant is meeting, or can demonstrate that they are ready to meet the conditions for holding a licence. The inspector’s report is required to provide the licensing authority with information on:

- the applicant,
- the suitability of the premises for the proposed activity,
- any relevant records,
- the condition of any animals, and
- any other matter the inspector considers relevant.

The other relevant matters referred to above would normally include:

- the staffing ratio,
- staff experience and, where applicable, staff qualifications,
- the quality of record keeping or the likelihood of the applicant keeping records that meet the record keeping requirements set out in the general and activity specific licence conditions in the Regulations.

In addition, the inspector's report must state whether in the inspector's opinion the general licence conditions (set out in schedule 2 of the Regulations) and the activity specific licence conditions applicable to dog breeding (schedule 6 of the Regulations) are likely to be met.

The licensing authority will consider the inspector's report and use it to make an informed decision on whether or not to grant a licence to an applicant.

An inspector is a person appointed by the licensing authority for the purposes of the Regulations. A person does not need to be employed by the licensing authority in order to be appointed as an inspector.

The licensing authority, having considered the application submitted, and the report submitted by the inspector must either grant a licence or refuse it. Where the decision of the licensing authority is to refuse a licence it must notify the applicant accordingly, stating the reasons why and making clear the applicant's right to appeal the decision. The appeals process is covered in section 4 of this guidance.

Where the licensing authority decides to grant a dog breeding licence it will attach the conditions that are set out in schedule 2 of the Regulations (the general conditions) and those at schedule 6 (dog breeding specific conditions). The conditions of licence that must be complied with are set out in annexes A and B of this guidance. Guidance on each of the licence conditions is also provided to assist you in understanding your obligations as a licence holder. If you have any questions regarding particular conditions or have concerns about compliance with them you should seek further guidance from the relevant licensing authority. Licences will be granted for a period of one, two or three years. Applicants have no say on licence duration.

Regulation 6(5) of the Regulations provides the licensing authority with flexibility to attach further licence conditions to any licence granted or renewed if considered necessary for the purposes of securing the welfare of animals for which any licence holder is or will be responsible. Where a licensing authority considers that the imposition of an additional condition is necessary, it will notify applicants or licence holders of that decision by way of a notice under regulation 7 of the Regulations. Any such notice served will include information on the applicant's right to appeal the decision to impose additional conditions and the licensing authority's reason for the decision.

Note that a person subject to a disqualification order of a type listed in regulation 13 of the Regulations is not permitted to apply for a licence under the Regulations. An application made by such a person will be refused.

The Regulations require the licensing authority to publish and maintain a register of all those holding a licence under the regulations. The rationale for the register and for making it available to the public is to enable prospective owners of pet animals to quickly and easily check whether the person they are dealing with is indeed licenced by the licensing authority. Regulation 28(2) of the Regulations sets out the information to be included in the register.

Section 4: Appeals process

The Regulations allow for licence holders or licence applicants who disagree with the decision of a licensing authority to appeal to the sheriff. Licence holders or applicants can appeal against a decision to:

- refuse to grant or renew a licence,
- attach a further condition or conditions (under regulation 6(5)) to any licence granted or renewed,
- revoke or vary a licence.

Any licence holder or applicant wishing to appeal to the sheriff must do so within 28 days beginning from the day after the notice is served by the licensing authority.

Upon receipt of any appeal made, a sheriff may, until such time as the appeal is determined or withdrawn, decide to:

- permit the licence holder to continue the licenced activity where the local authority has decided not to renew a licence,
- permit the licence holder to continue the licenced activity without having to comply with the additional condition or conditions attached to their licence (under regulation 6(5)) by the local authority, or
- suspend a revocation or variation.

A sheriff may, having considered any appeal made, either confirm or overturn a local authority's decision, with or without modification.

Section 5: Offences and penalties

The Regulations include the following offence provisions:

- The Regulations specify a number of general (welfare and animal husbandry) conditions that, regardless of which of the licensable activities is being carried out, apply to all licences issued by a licensing authority (the "general licence conditions"). The regulations also set out conditions that are specific to dog breeding licences. Subject to the exceptions detailed below, licence holders will commit a criminal offence if they fail to comply with the general or relevant specific licence conditions.
- Licence holders will not commit a criminal offence by reason of breaching the licence conditions provided for in paragraph 3 of schedule 6 (maximum number of breeding female animals). Whilst failing to comply with this licence condition would not be a criminal offence, it would represent a breach of the licence and accordingly might result in suspension, variation or revocation of the licence.

- Licence holders will not commit a criminal offence if they fail to comply with an additional licence condition attached to the licence by the licensing authority under regulation 6(5) of the Regulations. Whilst failing to comply with such a condition would not constitute a criminal offence, it would represent a breach of the licence and accordingly might result in suspension, variation or revocation of the licence.
- It is a criminal offence to undertake a licensable activity without an appropriate licence from the licensing authority.
- It is a criminal offence to provide to an inspector information required by or under the Regulations which the person knows, or ought reasonably to have known, is to a material extent false or misleading.
- It is a criminal offence to fail to comply with any reasonable request from an inspector to facilitate the identification and examination of an animal and the taking of samples (including restraint of any animal where requested by an inspector).
- It is a criminal offence to intentionally obstruct any inspector appointed to enforce the regulations in the exercise of any powers conferred on them.
- It is a criminal offence for the purpose of obtaining or holding a licence—
 - to make a statement required by or under the Regulations to a licensing authority (or someone acting on its behalf) which the person knows, or ought reasonably to have known, is to a material extent false or misleading, or
 - recklessly to make a statement required by or under the Regulations to the licensing authority (or somebody acting on its behalf) which is to a material extent false or misleading.

Penalties:

A person who breaches a licence condition (where this is a criminal offence) is liable, on summary conviction only, to a fine not exceeding £5,000.

A person who commits any other criminal offence under the Regulations is liable to a fine not exceeding £40,000 or to imprisonment for a term not exceeding 12 months (or both).

Guidance on the General Conditions of licence

The general conditions set out in schedule 2 of the Regulations must be attached to any licence granted by a local authority.

1. Licence display

Condition: A copy of the licence must be clearly and prominently displayed on any premises used for the licensable activity.

Guidance: You must ensure that a copy of your dog breeding licence is displayed in a location where it can be easily seen by visitors to your premises.

Condition: The name of the licence holder, the number of the licence and the name of the local authority that issued the licence must be clearly and prominently displayed on any website used in respect of the licensable activity.

Guidance: Any website includes, for the avoidance of doubt, paid for ad sites, social media platforms and any other website linked to or used in connection with your dog breeding activities.

2. Records

Condition: The licence holder must ensure that all the records that the licence holder is required to keep as a condition of the licence are either—

- (a) available for inspection by an inspector in a visible and legible form at any premises specified in the licence at which the licensable activity is carried on, or
- (b) if not kept as such premises, are kept in a manner in which they can be readily made available to an inspector.

Condition: Where any records that the licence holder is required to keep as a condition of the licence are stored in electronic form they must be in a form from which they can readily be produced in a visible and legible form.

Condition: The licence holder must keep all such records for at least 3 years beginning with the date on which the record was created.

Condition: Where records are not kept at any premises specified in the licence at which the licensable activity is carried on, the licence holder must promptly make such records available (whether in electronic format or otherwise) for inspection upon request by an inspector.

Guidance: The records that you must keep are detailed in the specific conditions of licence. All such records must be kept in a manner that complies with the conditions set out in the above box.

3. Number of animals

Condition: The total number of animals kept for the licensable activity at any time must not exceed the maximum that is reasonable taking into account the facilities and numbers of employed staff and volunteers on any premises on which the licensable activity is carried on.

Guidance: For dog breeding activities the maximum number of breeding females permitted to be kept for the licensable activity on the premises will be specified on the licence granted by the local authority. As a licence holder you must seek the agreement of the licensing authority before increasing the number of breeding females used for the licensable activity. This is to ensure that licence holders have sufficient space, adequate staffing numbers and appropriate facilities to safeguard animal welfare.

4. Staffing

Condition: Sufficient numbers of people who are competent for the purpose must be available to provide a level of care that ensures that the welfare needs of all the animals in the licenced premises are met.

Condition: The licence holder or a designated manager and any staff employed to care for the animals must be competent to identify the normal behaviour of the species for which they routinely care and to recognise signs of, and take appropriate measures to mitigate or prevent, suffering, injury, disease or abnormal behaviour.

Condition: Volunteers who assist in relation to the licensable activity must only undertake tasks for which they have been suitably trained.

Condition: The licence holder must provide and ensure the implementation of a written training policy for all staff members and volunteers who care for the animals.

Guidance: Suitable and sufficient training of staff must be demonstrated to have been carried out in the following areas:

- animal welfare, including recognising poor welfare,
- animal handling,
- animal behaviour,
- cleanliness and hygiene,
- feeding and food preparation,
- disease control,
- recognition and first aid action for sick animals,
- new information on disease and inherited disease, legislation and behaviour.

Staff should hold a relevant qualification and/or be able to clearly evidence knowledge through experience, for example through on the job in-house training.

The training policy for staff should be reviewed and updated on an annual basis and may include:

- annual appraisal,

- planned continued professional development,
- recognition of knowledge gaps,
- use of online courses and literature,
- if no staff are employed the licence holder must demonstrate their own knowledge development.

The training policy must be applicable to any members of staff and volunteers and can be evidenced by engagement with courses, written or online learning, keeping up to date with any research or developments for specific species and the documentation of the annual appraisal. Evidence of staff and volunteer attendance or completion of the training should be provided. Training records for individual staff and volunteers should be retained.

5. Suitable Environment

Condition: All areas, equipment and appliances to which the animals have access must present minimal risks of injury, illness and escape and must be constructed in materials that are robust, safe and durable, in a good state of repair and well maintained.

Guidance:

Non-domestic Environment

- Housing should be secure to prevent injuries and reduce risk of disease transmission. Structural integrity must be maintained, and housing designed to ensure dry, easily cleansed surfaces. Materials must be non-toxic and non-porous or be appropriately treated.
- Accommodation should be regularly inspected for damage and potential injury or escape points. Damaged accommodation must be repaired or, where an immediate repair isn't possible, made safe and secure until it can be repaired or replaced.
- Floors should be non-slip, impervious and easily capable of being cleaned and disinfected. Doors should be strong enough to resist impact, scratching and chewing and should be capable of being secured.
- Hazards must be minimised in accommodation. There should be no projections or rough edges liable to cause injury. No electrical cables must be within reach of any animal that could chew or damage them.
- All licence holders should be able to demonstrate that both environmental and biosecurity, including zoonotic disease, risks have been considered in the enclosure selection and use.
- Drainage in enclosures, activity areas, passageways and preparation areas should be adequate to reduce the risk of pathogens associated with standing water. Enclosures should be designed to minimise issues with standing or pooling liquids which may be hazardous to animals.
- Where new accommodation units are built, they should be built in compliance with relevant building regulations and ensure that any animals to be housed therein have sufficient space and are protected from the effects of weather.

Domestic (home) Environment

- The home should be well maintained and in good repair. There should not be any sharp edges, projections, rough edges or other hazards which may present risk of injury to an animal.
- Where pens are used at domestic properties, e.g. pens in the garden, they must meet the standards of the non-domestic dwelling.
- Outdoor fencing should be secure and kept in a good state of repair.

Condition: If the licensable activity is carried on from premises at which animals are kept, such premises must provide an environment suitable to their species and condition (including health status and age) with respect to—

- (a) their behavioural needs,
- (b) its situation, space, air quality, cleanliness and temperature,
- (c) the water quality (where relevant),
- (d) noise levels,
- (e) light levels,
- (f) ventilation.

Guidance:

- Animals must be able to exhibit normal behaviour in their environment.
- Accommodation must provide shelter from adverse environmental conditions and predators.
- Enclosure sizes should be appropriate to the species, and be adjusted to the animal's size as it grows (see Annex C for guidance on the acceptable minimum enclosure/cage sizes (where used) for dogs).
- Where animals are kept communally they should be monitored to ensure none are disadvantaged. Any change in group dynamics may require separation or larger enclosures.

(a) Behavioural needs

- Where appropriate, animals should have separate areas for hiding, sleeping, toileting and exercising. Sleeping areas must be dry, draught-free, well ventilated and clean, as well as large enough to allow individual animals to rest fully outstretched where appropriate and turn around unimpeded. Any substrate used should be appropriate for the animal concerned.

(b) Situation, space, air quality, cleanliness and temperature

- Licence holders must ensure that environmental conditions such as temperature, relative humidity, ventilation and lighting are carefully controlled at all times, are within the appropriate range for the animal/s concerned and monitored as appropriate, with any deviations recorded.
- Staff should be able to outline the remedial action taken when parameters deviate from the acceptable ranges for the animals housed. Over-exposure to direct sunlight and other unintended heat sources must be avoided.
- Animals held or displayed outdoors must always have access to suitable protection from adverse weather conditions.
- Animals should not be exposed to draughts.

(d) Noise levels

- Noise and vibration should be managed as far as possible and kept to a minimum, and enclosures must be situated away from sources causing stress or disturbance.

(e) Light levels

- Light should be provided in a suitable natural cycle and where natural light is insufficient, suitable artificial lighting must be used.

(f) Ventilation

- Ventilation should be provided to all interior areas. Ventilation and humidity should be appropriate to the species.

Condition: Animals must be kept clean and comfortable.

Guidance: Where accommodation is on a tiered system, it must be designed such that water, food or waste products must not be allowed to contaminate lower levels. All tiered accommodation should be secure to ensure that no animal can escape or fall out.

Condition: Where appropriate for the species—

- (a) opportunities for toileting must be provided, and
- (b) a toileting area must be provided if the licensable activity is carried on from premises at which animals are kept.

Guidance: A toileting area that is appropriate for the animals or species concerned must be provided. Where a separate area is provided this must be thoroughly cleaned at regular intervals to maintain cleanliness and reduce the risk of illness or disease. For animals kept in pens or cages etc. procedures must be in place to ensure accommodation and any equipment within it is cleaned and disinfected as often as necessary to minimise the risk of disease and protect the health of the animals. Spot cleaning is acceptable if done frequently.

Condition: Procedures must be in place to ensure that—

- (a) accommodation in any premises from which the licensable activity is carried on and in which animals are kept is capable of being thoroughly cleansed and disinfected.
- (b) any equipment within the accommodation is cleaned as often as necessary, and
- (c) good hygiene standards are maintained.

Guidance:

- All units, corridors, common areas, kitchens etc. should be capable of being kept clean and free from accumulations of dirt and dust and must be kept in a condition which will reduce the risk of disease spread and possible accidents.

Moveable items should be removed for cleaning at regular and appropriate intervals.

- Accommodation must be cleaned and disinfected with products effective against likely pathogens. At normal usage levels, disinfectants must be non-toxic to the species housed, used at an appropriate dilution factor and as per the manufacturer's instructions, with appropriate timed separation between disinfection and (re)introduction of animals observed
- Soiled bedding must be removed in a timely fashion and immediately replaced.
- Empty enclosures should be fully cleaned and, where appropriate, disinfected and allowed to dry when vacated and before new animals arrive. Substrate must be replaced as appropriate, and enclosure fixtures and fittings where they exist should be adequately disinfected.
- Enclosures should be cleaned at least daily and as necessary, unless such routine cleaning would cause stress or otherwise impact negatively on the welfare of the animals. Spot cleaning of enclosures is acceptable where appropriate.

Condition: The animals must be transported and handled in a manner (including, for example, in relation to housing, temperature, ventilation and frequency) that protects them from pain, suffering, injury and disease.

Guidance:

- Any vehicles used in connection with the licensable activity must be suitably equipped with appropriate ventilation, temperature control, security etc.
- Any animals received or consigned must be transported in accordance with current legislation.
- Vehicles or relevant carriers / compartments should be cleaned and disinfected after each collection / delivery of animals.
- Animals must be transported in suitable containers and/or be suitably restrained and must not be mixed with different species or unfamiliar animals. Where a number of animals are transported in the same container then it must be of an appropriate size and construction to minimise stress and avoid welfare issues.
- Animals should not be left in vehicles for unreasonable periods and must never be left unattended in a car or other vehicle when the temperature may pose a risk.
- On longer journeys, there must be planned stops to allow for toileting, access to water etc as appropriate, and to allow checks to be made on the welfare of all animals being transported.
- Injured, diseased or ill animals must not be transported unless being taken to a veterinarian, quarantine or isolation facility. In these situations, where applicable, there must be barriers between containers to reduce the transmission of disease or avoid further injury, where applicable, and the vehicle and equipment should be appropriately disinfected following transportation.
- Details of diseased or ill animals being transported should be recorded.

Condition: If the animals are kept in premises from which the licensable activity is carried on, all the animals must be easily accessible to staff and for inspection and there must be sufficient light for the staff to work effectively and observe the animals.

Guidance:

- The premises on which animals are kept, and the enclosures where they are housed should be so designed to allow for at least daily visual inspection, with minimal disturbance to the animal.
- Easy, safe access to animals is required to enable ready access to any animal in distress or is otherwise in need of assistance.
- Unless a particular animal requires to be kept in a low light environment, premises must have lighting that is adequate to allow for thorough inspection.

Condition: All resources must be provided in a way (for example as regards frequency, location and access points) that minimises competitive behaviour or the dominance of individual animals.

Guidance:

- Resources include, but are not limited to: food, water, enrichment items and resting/sleeping/toileting areas.
- There must be sufficient resources for each individual animal in any shared enclosure to minimise monopolisation of resources by dominant animals, and where this is identified, additional resources must be provided, or dominant animals removed where appropriate.
- Staff must be trained to recognise signs of group disruption (e.g. competition and aggression) which could compromise animal welfare.

Condition: The animals must not be left unattended in any situation or for any period likely to cause them distress.

Guidance: Licence holders should have appropriate procedures and sufficient staff in place to ensure that animals kept for the licensable activity are routinely checked and not subjected to situations that would impact negatively on the animal's welfare or lead to unnecessary stress.

6. Suitable Diet

Condition: The animals must be provided with a suitable diet in terms of quality, quantity and frequency and any new feeds must be introduced gradually to allow the animals to adjust to them.

Guidance:

- The quantity, frequency, delivery and type of food must be determined by what is appropriate for the species, its life stage and the individual animal's behavioural and nutritional needs. Staff should have knowledge of the feeding requirements for all the species held for which they are responsible.

- Fresh foods must be kept refrigerated where appropriate. Frozen foods intended for use should be stored in an appropriate deep freeze and defrosted thoroughly to room temperature before use.
- Live food intended for use must be housed in suitable escape proof containers.

Condition: Feed and (where appropriate) water intake must be monitored, and any problems recorded and addressed.

Guidance:

- Licence holders should demonstrate adequate procedures to record abnormalities in animals eating and/or drinking habits and the actions to be taken in such circumstances. Licence holders should know when to seek appropriate veterinary advice if necessary.
- If an animal is housed as part of a social group, the licence holder should have the ability to isolate an individual to ascertain whether it is eating or not.
- Significant weight loss or gain in animals kept for the licensable activity must be assessed by a competent person. Where the underlying reason cannot be identified, and/or remedial measures have been unsuccessful, the animal must be assessed by a veterinarian.

Condition: Feed and drinking water provided to the animals must be unspoilt and free from contamination.

Guidance:

- Animals must have access to fresh, clean drinking water at all times, unless it is being restricted on veterinary advice.
- Any uneaten food should be removed within 24 hours of being supplied to an animal or sooner if spoilt.
- Refrigeration facilities for food storage should be provided. High risk foods (such as cooked or raw meat and fish, or dairy products) and the remains of opened tinned or pouched food must be stored in covered, non-metal, leak proof containers and refrigerated.
- Dried food should be stored in appropriately cool and dry places.
- Food must be protected against dampness, deterioration, mould or from contamination by other animals.

Condition: Feed and drinking receptacles must be capable of being cleaned and disinfected, or disposable.

Guidance:

- Receptacles should be non-porous, or disposable.
- Receptacles must be cleaned daily and disinfected at least once a week. If damaged they must be disposed of.
- Disposable receptacles should only be used once.
- Animals undergoing treatment for illness or disease must have separate food and water containers whilst treatment is ongoing to protect the health of other animals on the premises.

Condition: If the animals are kept in premises from which the licensable activity is carried on, constant access to fresh, clean drinking water must be provided in a suitable receptacle for species that require it.

Guidance:

- Fresh clean water must be available at all times, except when withdrawn on veterinary advice, and during the transitional period when water supplies are being changed e.g. when water bottles are removed for filling, cleaning etc.
- Water should be located away from the sleeping area to help prevent this becoming damp or waterlogged.
- There should be sufficient water receptacles for the number of animals kept on site.

Condition: Where feed is prepared on any premises from which the licensable activity is carried on, there must be hygienic facilities for its preparation, including a working surface, hot and cold running water and storage.

Guidance:

- Staff should conform to good hygiene practice in the preparation of food, having due regard to the risk of cross contamination between equipment, utensils and surfaces. There should be appropriate disinfectants available to clean the food preparation area immediately following its use.
- The food preparation area must be kept clean and vermin free.
- Human and animal food preparation should not take place in shared preparation areas at the same time or using shared utensils.
- In establishments where staff are employed, appropriate hand washing facilities with an adequate supply of hot and cold water must be provided for them to wash their hands.

7. Enrichment and training of animals

Condition: If the animals are kept in premises from which the licensable activity is carried on, active and effective environmental enrichment must be provided to the animals in inside and any outside environments.

Guidance:

- Where appropriate, you should provide enrichment both inside and outside, including activities such as training, grooming, socialisation and play.
- Environmental enrichment accessories which stimulate natural behaviour must be provided as appropriate to the species maintained. Such accessories could include ramps, tunnels, hides and toys etc. These must not have the potential to cause injury, must be checked daily and replaced if damaged.
- As appropriate to the species, enrichment devices should be changed on a regular basis to introduce novelty and maintain interest. When adding new enrichment devices, staff should ensure that the animal is closely monitored for signs of distress.

- Accessories should be disposable or be disinfected between animals where there is an identified risk of disease spread if enrichment toys or other forms of enrichment are allowed to be shared.
- Where training is undertaken it must not involve methods that may cause pain, injury or suffering. Training should be reward based, i.e. it should reward desired behaviour and ignore unwanted behaviour.

8. Animal Handling and interactions

Condition: All people responsible for the care of the animals must be competent in the appropriate handling of each animal to protect it from suffering, injury or disease.

Guidance:

- All staff must be trained and competent in the handling of the animals for which they are responsible and be able to demonstrate that they understand the signs of an animal that is stressed or uncomfortable with being handled.
- Where a customer, visitor or potential adopter is handling an animal, a competent member of staff should be present to demonstrate how the animal should be handled and ensure the interaction is appropriate and is stopped if the animal shows sign of fear, suffering or fatigue.
- Visitors, especially children, handling animals must be supervised and offered facilities (and encouraged) to clean their hands before and afterwards (e.g. hand sanitisers). Hand washing facilities should be available.
- Appropriate handling equipment should be available and used when necessary. All equipment used should be safe and appropriate for the intended use.

Condition: If the animals are kept in premises from which the licensable activity is carried on, the animals must be kept separately or in suitable compatible social groups appropriate to the species and individual animals. No animals from a social species may be isolated or separated from others of their species for any longer than is necessary.

Guidance:

- Where appropriate, animals should be housed in social groups of suitable size. Group-housed animals must be monitored for any signs of domination or wider group disruption and remedial action taken, and documented if necessary.
- Acceptable reasons for isolation/separation of social species if remedial action has not been successful include demonstrable risk of disease, injury, stress or behavioural issues such as persistent domination/aggression.
- Where practical and appropriate for the species, to help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups unless this would compromise welfare.
- Species that are not social or of limited sociability, e.g. cats, should be housed individually or in small groups with animals that they are sociable with. Individual animals must be monitored and separated if necessary, even if in small groups as some individuals that tolerated one another in a household may not be so tolerant in the confines of a pen or enclosure.

9. Protection from Pain, Suffering, Injury and Disease

Condition: Written procedures must—

(a) be in place and implemented covering—

- (i) feeding regimes,
- (ii) cleaning regimes,
- (iii) transportation,
- (iv) the prevention of, and control of the spread of, disease,
- (v) monitoring and ensuring the health and welfare of all the animals,
- (vi) the death or escape of an animal (including the storage of deceased animals);

(b) be in place covering the care of the animals—

- (i) following the suspension or revocation of the licence,
- (ii) during an emergency, and
- (iii) following an emergency.

Condition: All people responsible for the care of the animals must be made fully aware of these procedures before they attend to any animal in the course of the licensable activity.

Guidance:

- Written procedures should be proportional to the size and complexity of the licenced activity. Written procedures must be made available to inspectors when requested. The licence holder and any staff (including volunteers) must be fully aware of these procedures and be confident in their application.
- Procedures should demonstrate how the conditions outlined in this guidance are met.

Condition: If animals are kept in premises from which the licensable activity is carried on, appropriate isolation, in separate self-contained facilities, must be available for the care of sick, injured or potentially infectious animals.

Guidance:

- Provision must be made for the isolation of sick/injured/infectious animals and those that are potentially infected or otherwise a risk, e.g. a rescued animal that is clearly in a poor state of health.
- Adequate isolation facilities may be on site or at another location, such as a local veterinary practice or introduced through specific changes in management practices demonstrated by written procedures. If the isolation facility is at another location, such as a local veterinary practice, a letter must be provided by the practice stating that they are prepared to provide such facilities and that letter should be made available to an inspector upon request. Isolation facilities must be available 24 hours per day.
- Documented procedures must be in place, and understood by all staff, to prevent the spread of infectious disease, parasites etc between isolated animals and the other animals on the premises.
- Where infectious disease is present in premises, appropriate procedures to mitigate against further spread must be implemented. This includes use of protective clothing and footwear (where applicable) changed between

enclosures; separate storage and use of equipment, thorough cleaning of utensils, and segregation of waste.

- Isolated animals must be kept in a secure, comfortable location where their condition and needs can be monitored and a record kept of their treatment.
- Sick, injured or infectious animals must not be handled by members of the public.

Condition: All reasonable precautions must be taken to prevent and control the spread among the animals and people of infectious diseases, pathogens and parasites.

Guidance:

- Procedures should be in place so that signage, care information and/or staff inform visitors about the risks of infectious disease transmission.
- Any animal which is suffering from, or is reasonably suspected of having come into contact with any other animal suffering from, any infectious or contagious disease or which is clinically infested with parasites, must be quarantined from healthy animals.
- Where appropriate, any animals brought on to a facility that is suspected of having disease or parasitic infestation must be kept isolated until cleared by a veterinarian.

Condition: All excreta and soiled bedding for disposal must be stored and disposed of in a hygienic manner and in accordance with any relevant legislation.

Guidance:

- Licenced premises must have facilities for the appropriate storage, treatment and disposal of all classifications of waste produced as part of the licensable activity.
- Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice.
- All excreta and soiled bedding must be stored away from where food and animals are kept.

Condition: Sick or injured animals must receive prompt attention from a veterinary surgeon or, in the case of any sick or injured fish, an appropriately trained person and the advice of that veterinary surgeon or that trained person must be followed.

Guidance:

- Licence holders should demonstrate that they have procedures in place to ensure that any sick or injured animal receives appropriate care and treatment without delay. Animals must only be treated by appropriately competent and trained staff or veterinarians. "Care and treatment" may include euthanasia. Where euthanasia is to be carried out it must only be done by a suitably qualified and trained person.

- Any animal showing any sign of disease, injury or illness must be kept separate from other animals and veterinary advice must be promptly sought. Any instructions for the treatment of an animal must be strictly followed, with appropriate records kept (see relevant specific guidance).

Condition: Where necessary, animals must receive preventative treatment by an appropriately competent person in consultation with a veterinary surgeon.

Guidance: See guidance notes directly above.

Condition: The licence holder must register with a veterinary surgeon and the contact details of that veterinarian must be readily available to all staff on any premises on which animals are kept and where the licensable activity is carried on.

Guidance:

- Licence holders should be able to provide the licensing authority with evidence of registration with a veterinary practice where requested to do so.
- The name, address and telephone contact number, including out of hours provision, of the veterinary practice used by the licenced premises must be easily available to all staff and included as part of overall emergency planning.

Condition: Prescribed medicines must be stored safely and securely to safeguard against unauthorised access, at the correct temperature, and used in accordance with the instructions of the veterinary surgeon.

Guidance:

- Licence holders must ensure safe and secure storage for prescribed medicines and appropriate procedures should be in place to ensure that only staff with sufficient knowledge or training have access to medicines on site.
- Appropriate procedures should be in place to record any use of prescribed medicines.

Condition: Medicines other than prescribed medicines must be stored, used and disposed of in accordance with the instructions of the manufacturer or veterinary surgeon.

Guidance: Licence holders must have appropriate storage, usage and disposal procedures in place which meet this condition of licence.

Condition: Cleaning products must be suitable, safe and effective against pathogens that pose a risk to the animals and must be used, stored and disposed of in accordance with the manufacturer's instructions and used in a way which prevents distress or suffering of the animals.

Guidance:

- Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection procedures must be followed.

- Any equipment that has been used on an infectious or suspected infectious animal must be cleaned and disinfected after use, or disposed of.
- Staff using cleaning products must be competent in the safe use of those cleaning products and understand the compatibility or otherwise of different bactericides, fungicides and virucides.

Condition: No person may euthanase an animal except a veterinary surgeon, a person acting under supervision of a veterinary surgeon, a person who has been authorised by a veterinary surgeon as competent for such purpose or—

(a) in the case of fish, a person who is competent for such purpose,

(b) in the case of equines, and species generally regarded as farmed livestock, a person who is competent, and who holds a licence or certificate which is relevant to the species, for such purpose,

except where the purpose of the euthanasia is to end suffering that has arisen suddenly and unexpectedly and to arrange for such a person to euthanase the animal would prolong the suffering.

Guidance:

- Euthanasia must be carried out using a humane and effective method in a manner compliant with current legislation, including, but not limited to, the Animal Health and Welfare (Scotland) Act 2006.
- Under no circumstances may an animal be euthanized other than in a humane and effective manner. In case of doubt as to humane and effective methods of euthanasia, veterinary advice must be sought.

Condition: All animals must be checked at least once daily and more regularly as necessary for any signs of suffering, injury, disease or abnormal behaviour and vulnerable animals must be checked more frequently.

Condition: Any signs of suffering, injury, disease or abnormal behaviour must be recorded and if necessary the advice of a veterinary surgeon (or in the case of fish, of an appropriately competent person) must be sought and followed.

Guidance:

- Checks should not cause unnecessary stress or disturbance. Visual checks are acceptable.
- A system of recording abnormalities must be maintained and demonstrated to the satisfaction of the local authority.
- Where necessary for specific species, vulnerable animals, such as young, pregnant, sick or injured animals, must be checked more frequently than the minimum of once daily.
- Licence holders or any staff responsible for the care of animals should be competent in identifying signs of suffering or abnormal behaviour and know whom to contact for advice.

10. Emergencies

Condition: If animals are kept in premises, other than domestic premises, from which the licensable activity is carried on—

- (a) a written emergency plan, acceptable to the licensing authority, must be in place, known and available to all the staff on the premises, and
- (b) such a plan must be followed where necessary to ensure appropriate steps are taken to protect all animals on the premises (without risking human life) in case of fire, breakdowns of essential heating, ventilation and aeration or filtration systems or other emergencies.

Guidance:

- Licence holders must have an emergency plan in place that is appropriate for the size and complexity of the premises and facilities on which animals are kept.
- A copy of the emergency plan must be permanently available and displayed to allow staff to access it as and when required.
- Both the licence holder and, where applicable, all staff on site must be able to demonstrate that they are both aware of and conversant with the requirements of the emergency plan.
- Suitable emergency response plans must cover arrangements for emergency evacuation, housing, husbandry and loss of power/water. Emergency evacuation must detail how and by what means animals, staff and the public must evacuate the establishment, identify designated fire assembly points, designated holding areas for animals and which animals can and cannot be evacuated (such as aquaria and ponds).
- Consideration must be given to using systems which would allow timely removal of the animals in the case of emergency. Where emergencies are potentially life threatening, humans must not be put at risk attempting to remove animals.
- Emergency drills should be regularly practised and practices recorded with any failings noted and addressed in the procedures. Drills should be undertaken at least annually, or as determined by fire risk assessments.
- All staff and volunteers should undergo regular training and records must be kept of such training. Sufficient nominated staff must be properly trained on the use of any emergency equipment provided.
- All emergency equipment must be maintained in a good state of repair and serviced according to manufacturer's guidelines.
- Entrances and fire exits must be clear of obstructions at all times.
- Suitable firefighting, prevention and detection equipment must be provided and maintained in good working order. Any buildings must have at least one working smoke detector (or other suitable fire detection system) installed in a suitable location on each separate level / floor of the property and there must be at least one carbon monoxide detector.

Condition: Any such emergency plan must include details of the emergency measures to be taken for the extrication of the animals should the premises become uninhabitable and an emergency telephone list that includes the fire service and police.

Guidance:

- There must be a plan for the relocation and accommodation of animals kept for the licensable activity should the premises become uninhabitable.
- There must be a documented policy in place for dealing with emergencies, including extremes of temperature and weather conditions (both hot and cold).

Condition: External doors and gates must be lockable.

Guidance: Licence holders should ensure that any areas where animals are kept for the purposes of the licensable activity have secure and lockable external doors and gates. This is to ensure that only authorised persons can access areas where animals are kept and keep animals on the premises from escaping.

Condition: If animals are kept in premises from which the licensable activity is undertaken, a designated key holder with access to all animal areas must at all times be within reasonable travel distance of the premises and available to attend in an emergency.

Guidance:

- A reasonable distance would, in normal conditions, be no more than 30 minutes travelling time.
- On non-domestic premises an emergency contact name / number should be displayed on the outside of the premises.
- The designated key holder must be fully conversant with the emergency plan and know exactly what animals are on the premises and where they are located. They should be familiar with the layout of the licensed premises.
- Ideally, an on-call rota system should be in place.

Guidance on specific conditions – breeding dogs

1. Definitions

In this guidance “dogs” includes breeding bitches and male dogs.

“exercise area” means a secure area where dogs may exercise and play.

“puppy” means a dog aged less than 6 months.

“prospective purchaser” means a person who seeks to purchase a puppy.

“sleeping area” means a fully-enclosed indoor area in which a dog can rest and sleep.

“breeding” when used in the context of “breeding dog” means any adult dog intended to be used, being used or that has been used for the purposes of producing offspring.

2. Advertisements and sales

Condition: A dog must not be advertised or offered for sale—

- a) which was not bred by the licence holder,
 - b) from any place other than the premises where it was born and reared under the licence,
- unless the dog is over the age of 12 months and was procured by the licence holder for breeding purposes.

Guidance:

The steps from birth to sale must be clear. To demonstrate that you are the breeder, your involvement in the complete reproductive process from conception and gestation to birth must be evident. Where requested, local authority inspectors must be shown details of the mating(s) and both parents (where known).

Licence holders may provide other supporting evidence such as photographs, microchip and veterinary records to show that they housed and cared for the pups and their mother for the first 8 weeks of its life.

Condition: Any advertisement for the sale of a dog must—

- a) include the number of the licence holder’s licence,
- b) specify the local authority that issued the licence,
- c) include a recognisable photograph of the dog being advertised, and
- d) display the age of the dog being advertised.

Guidance:

For the avoidance of doubt “any advertisement” includes ads placed on social media platforms, ad sites like Gumtree, Pets4Homes etc, and any other web site on which the licence holder advertises animals for sale to the public.

The ad must include a recognisable photograph of the animal for sale and state its age. Local authorities will, where practical, take steps to verify that ads posted by the

licence holder meet these requirements and will take steps to ensure compliance where it becomes clear that this condition of licence is not being met.

Condition: Any equipment and accessories being sold with a dog must be suitable for it.

Guidance:

As the holder of a dog breeding licence you should only supply equipment and accessories that are designed for and are suitable for the puppies (or dogs) being sold.

Condition: The purchaser must be informed of the age, sex and veterinary record of the dog being sold.

Guidance:

You must ensure that the information set out above is provided to the purchaser of any puppy sold. Ideally, breeders should also be providing new owners with information on how to properly care for their new dog. Such guidance could be in the form of care leaflets or through the provision of links to appropriate websites.

Condition: No puppy aged under 8 weeks may be—

- (a) sold, or
- (b) permanently separated from its biological mother.

Condition: A puppy may only be shown to a prospective purchaser if it is together with its biological mother.

Condition: The conditions regarding permanent separation from the biological mother (para. 2(5)(b) of schedule 6) and only showing a puppy to a prospective purchaser if together with its biological mother (para. 2(6) of schedule 6) do not apply in relation to a puppy if such separation is necessary for the health or welfare of the puppy, the other puppies in the litter or its biological mother or if the puppy's biological mother is deceased.

Guidance:

Puppies must remain with their mother for the first eight weeks of life unless the mother dies or there is a health risk to the puppy or its littermates or the mother from remaining with her. Where necessary, a veterinarian may certify that it is in the best interests of the animal to be removed earlier, but it must not be sold.

In circumstances where you have to separate a puppy from its mother in the first 8 weeks of life you should document the reasons for doing so as the licensing authority may seek evidence as to why such action was taken.

When puppies are being viewed by a prospective purchaser licence holders should ensure that such viewings are supervised to protect the welfare of the pups and their mother.

Condition: A dog may only be sold if the name, and an address, of the licence holder are disclosed to the purchaser.

Guidance:

As the holder of a dog breeding licence you must ensure that you provide your name and address to any person purchasing a dog from you.

3. Number of breeding bitches and litters produced

Condition: The number of breeding bitches kept in relation to the licensable activity of breeding dogs at any time on the premises specified in the licence and on which the licensable activity is carried on must not exceed the maximum number specified by the local authority in the licence.

Guidance:

Regulation 6(6)(b) of the Regulations requires the licensing authority to specify in any breeding licence granted the maximum number of breeding bitches that can be kept on the premises for the licensable activity. This is to ensure that the number of breeding females kept by the licence holder does not exceed what is appropriate for the premises and staffing ratio. If a licence holder fails to comply with this condition of licence then they risk having their licence varied, suspended or revoked. As a licence holder you must seek the agreement of the licensing authority before increasing the number of breeding females used for the licensable activity.

Condition: The number of litters produced on the premises during each consecutive 12 month period commencing with the date on which the licence was granted or, as the case may be, renewed must not exceed the maximum number of breeding bitches specified in the licence.

Guidance:

Under the Regulations and to protect the welfare of breeding bitches each bitch is restricted to a maximum of 1 litter in any 12-month period. As a licence holder you must ensure that any records of breeding activity and litters born are sufficiently detailed to demonstrate compliance with this licence condition to the licensing authority.

4. Suitable environment

Condition: Each dog must have access to—
(a) a clean, dry and warm sleeping area with comfortable bedding and which is free from draughts, and
(b) an exercise area.

Guidance:

Dogs kept in domestic premises for the licensable activity should have access to more than one room, a separate sleeping location, outdoor access for toileting as needed and be exercised at least twice daily.

Dogs kept by the licence holder in a kennel environment must have an adjoining run or be given access to an outside secure area where they can exercise. Kennels must be secure, protect the dogs from weather and provide a comfortable and warm sleeping area. Each dog must have sufficient space within its enclosure to lie down fully stretched out without coming into contact with another dog. Ideally, the design and layout of accommodation should be such that dogs can control visual contact with their surroundings and animals in other enclosures. Annex C sets out the minimum acceptable enclosure size for dogs.

Condition: Each dog must be provided with sufficient space to—

- a) stand upright on its hind legs,
 - b) lie down fully stretched out,
 - c) wag its tail,
 - d) walk, and
 - e) turn around,
- without touching another dog or the walls of the sleeping area.

Guidance:

The minimum acceptable kennel/enclosure sizes for breeding dogs are as set out in Annex C. Bitches with a litter of pups should have an enclosure size double that stated for its normal weight range. In circumstances where licence holders breed dogs from their place of residence the licensing authority will need to be satisfied that any dogs kept for breeding have sufficient space and freedom to perform the above behaviours in a safe and secure environment.

Condition: The exercise area must not be used as a sleeping area unless the dog chooses to do so.

Guidance:

As a licence holder you should provide both a separate sleeping area and exercise area for each breeding dog.

Condition: There must be a separate whelping area for each breeding bitch to whelp in which contains a suitable bed for whelping.

Guidance:

There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of any mess resulting from whelping.

The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.

Bitches must be moved to their whelping accommodation 60 days after mating or sooner if signs of imminent whelping are shown.

There should be access to the whelping area without disturbing other dogs.

Where a bitch is whelped in a domestic environment it is acceptable for a temporary disposable covering to be used.

Condition: Each whelping area must be maintained at an appropriate temperature and include an area which allows the breeding bitch to move away from heat spots and from her young if she chooses to do so.

Guidance:

Licence holders should ensure that the whelping area is capable of being maintained within a temperature range of 18°C – 24°C, with provision for higher temperatures in a whelping box for the first two weeks after puppies are born if appropriate. Monitoring of the temperature in the whelping area must be in place. The whelping area must be designed to allow the bitch and growing pups to move away from areas that are either too warm or too cold.

Condition: Each dog must be provided with constant access to a sleeping area.

Guidance:

Each dog kept for the licensable activity must have access to a safe and comfortable sleeping area where it can rest protected from the weather. The sleeping area must also protect the dog from temperature extremes.

Condition: A separate bed or area with bedding must be provided for each adult dog.

Guidance:

Clean and dry beds or bedding material must be provided for each dog. Any bedding material used must clearly be non-toxic, be absorbent, non-allergenic and padded so not to cause injury.

Bedding material must be cleaned or disposed of in accordance with the documented cleaning and disinfection procedure.

The bed must be easy to clean and disinfect, sited away from draughts and free from hazards. Bedding material must be non-irritant and dry and used in sufficient amounts to provide the necessary comfort and warmth required.

Condition: No puppy aged under 8 weeks may be transported without its biological mother except—

- (a) if a veterinary surgeon agrees for health or welfare reasons that it may be so transported, or
- (b) in an emergency.

Guidance:

Licence holders should record the detail of any instance where it is necessary to transport a puppy under 8 weeks old without its mother, including any agreement from a veterinary surgeon that such transportation should take place.

Condition: No pregnant breeding bitch may be transported later than 54 days after the date of successful mating or breeding procedure except to a veterinary surgeon.

Guidance:

Licence holders should make all reasonable efforts to ensure that where veterinary advice is needed the veterinary surgeon visits the premises on which the pregnant bitch is kept rather than transporting the bitch to the vet.

Condition: No breeding bitch may be transported earlier than 48 hours after whelping except to a veterinary surgeon where it is not otherwise practicable or appropriate for that person to attend to the bitch.

Guidance:

All efforts should be made to have the veterinary surgeon attend the premises where the bitch is located rather than transporting the dog to the veterinary surgery, unless the circumstances require urgent transportation to a veterinarian.

5. Suitable diet

Condition: Each puppy must be provided with the opportunity to start weaning as soon as it is capable of ingesting feed on its own.

Condition: Each adult dog must be provided with feed appropriate to its needs.

Guidance:

Licence holders should have appropriate feeding plans in place for both breeding bitches and any pups produced. Where advised by a veterinary surgeon, dietary supplements should be given. A supply of clean, fresh drinking water must always be made available as this is vital for milk production.

Condition: Each puppy must be provided with feed appropriate for its stage of development.

Condition: Reasonable efforts must be made so that each puppy ingests the correct share of the feed provided.

Guidance:

Licence holders must have a feeding plan in place that ensures puppies are being fed a diet appropriate for their age. All reasonable efforts should be made by the licence holder to supervise feeding to ensure that less dominant or smaller pups get their allocated share of the food. Where it is evident that a pup is not eating as expected or is struggling to compete for its share, the licence holder must take steps to address this.

6. Monitoring of behaviour, exercise and training

Condition: The licence holder must implement and be able to demonstrate use of a documented socialisation and habituation programme for the puppies.

Guidance:

Licence holders must have in place an adequate programme to socialise puppies and prepare them for life in the environment in which they are going to live. Procedures must be available so that all staff know how to appropriately socialise puppies.

Where bitches are anxious or aggressive when puppies are approached, this process should be gradual.

Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.

Toilet training of puppies should be started before sale.

Condition: All puppies must be given suitable and adequate opportunities to—
(a) learn how to interact with people, dogs and other animals where such interaction benefits their welfare, and
(b) become habituated to noises, objects and activities associated with a domestic environment.

Guidance:

See guidance directly above regarding a socialisation and habituation programme for puppies.

Condition: Each dog must be provided with toys or feeding enrichment (or both) unless advised otherwise by a veterinary surgeon.

Guidance:

Food provision can be used to enhance enrichment, for example through the use of devices increasing the time and effort taken to access food (e.g. puzzle feeders, activity balls, stuffed rubber toys etc).

Where dogs are kept in pairs or larger groups, more devices must be available than the number of dogs and use should ideally be supervised carefully to identify where adverse behaviour occurs.

Dogs which show adverse behaviour associated with feeding, or when provided with food based enrichment, must be separated from other dogs prior to feeding.

Condition: All adult dogs must be exercised at least twice daily away from their sleeping area unless advised otherwise by a veterinary surgeon.

Guidance:

There are various options for exercise – a secure exercise space, on-lead walks etc. Regardless of the approach taken to exercise, licence holders must ensure that dogs receive adequate exercise time.

Pregnant and lactating bitches will require frequent opportunity to toilet with short gentle exercise. Consideration must be given to bitches within 48 hours of birth to access short toilet breaks.

Condition: Where a veterinary surgeon has advised against exercising a dog, the dog must be provided with alternative forms of mental stimulation or environmental enrichment.

Guidance:

Walks must be replaced with two extra periods of human interaction during the day which may include grooming and/or toys/play. Ideally any toys used during this period should be rotated to prevent boredom, provide stimulation and minimise stress. Toys should be appropriate for the breed and size of dog and damaged toys must be replaced to protect the welfare of the animal.

Condition: All adult dogs must have at least daily opportunities to interact with people where such interaction benefits their welfare.

Guidance:

Licence holders must exercise, or provide dogs with opportunities for exercise, at least twice daily. These periods of exercise should also be used to interact with the dogs where such interaction is welcomed by the dog and benefits its overall welfare. Where possible, dogs should have the opportunity for interaction with more than one person where such opportunities arise. Ideally, further interaction will occur periodically throughout the day.

7. Housing with or apart from other dogs

Condition: Each adult dog must be provided with opportunities for social contact with other dogs where such contact benefits the dog's welfare.

Guidance:

Dogs must not routinely be kept separate from other dogs where possible. Clearly where a particular dog is the target of more dominant dogs, steps must be taken to address the situation. Mothers and puppies, must be kept together in a kennel area of acceptable size (see Annex C) for their sole occupancy.

Suitable facilities must be available to securely separate male dogs from bitches in season to avoid frustration.

Condition: Each adult dog must be given suitable and adequate opportunities to become habituated to handling by people.

Guidance:

See guidance notes above on socialisation and habituation.

Condition: There must be an area within each sleeping area in which dogs can avoid seeing people and other dogs outside the sleeping area if they so choose.

Guidance:

The design and layout of kennels must allow dogs to be able to control their visual access to surroundings and dogs in other kennels. Ideally, the layout should also minimise the number of dogs that staff disturb when removing any individual dog and ensure the safety of staff when passing other dogs.

There must be facility for a dog to be able to hide to avoid visual contact with other dogs.

8. Protection from suffering, injury and disease

Condition: All dogs for sale must be in good health.

Guidance:

Licence holders must not knowingly sell any animal that is not fit, healthy or, where applicable, socialised. Where it is clear that an animal that is for sale is not in good physical or mental health it must be removed from sale and provided with appropriate care, including veterinary care where necessary, until it is considered fit for sale. In order to meet this licence obligation the licence holder and any staff employed must be adequately trained and experienced enough to identify when a puppy is unsuitable for sale due to ill-health, injury or another form of suffering. Appropriate procedures should be in place to deal with ill and injured animals.

Condition: Any dog with a condition which materially affects, or is likely to materially affect, its quality of life must not be—

- a) transferred in ownership,
 - b) offered for sale, or
 - c) moved from the premises specified in the licence and on which the licensable activity is carried on, other than to an isolation facility or veterinary care facility where the animal is in need of isolation or treatment,
- until it has recovered, ceased to require isolation or, where there is no need for the animal to be isolated, been certified by a veterinary surgeon as being in a condition that is suitable for such transfer, sale or movement.

Guidance:

Licence holders must have provision on the licenced premises or at another nearby suitable facility to isolate any animal with a condition that is likely to be affecting its quality of life, either short-term or long-term. If the animal is to remain on the licenced premises it should be located in a suitably quiet and safe part of the premises which is readily accessible to allow for regular monitoring of its condition. Veterinary opinion should be sought where necessary, and must be sought, where it is clear that the animals condition is long-term or unlikely to improve. If the animal requires to be transported to a veterinary facility then it should be done in a manner that minimises the stress on the animal.

Condition: The licence holder must ensure that no bitch—

- a) is mated or undergoes a breeding procedure if aged less than 12 months,
- b) gives birth to more than one litter of puppies in a 12-month period,
- c) gives birth to more than 6 litters of puppies in her lifetime,
- d) is mated or undergoes a breeding procedure if she has had
 - two litters delivered by caesarean section, or
 - one litter delivered by caesarean section if the need for the caesarean section was due to the conformation of the bitch or her offspring.
- e) is mated or undergoes a breeding procedure if aged 8 or more years.

Guidance:

The conditions set out above are particularly significant in terms of protecting the welfare of breeding bitches and licence holders must take all steps to ensure that they are compliant with these conditions. Any records kept to demonstrate compliance should be provided to the licensing authority upon request.

Condition: Each puppy must be microchipped and registered to the licence holder before it is sold.

Guidance:

It is the responsibility of the breeder to get the dog microchipped by a suitably qualified person, as it must be done no later than eight weeks after birth and it is not possible to rehome before eight weeks. Any health exemptions from microchipping must be supported by a veterinary certificate. The microchip details must be recorded on a compliant database.

The breeder must be registered as the first keeper.

Condition: No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, conformation, behaviour or state of health, that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.

Guidance:

Licence holders should take all reasonable steps to ensure that dogs to be used for breeding are of good physical and genetic health, of acceptable temperament and fit for function (e.g. be able to see, breathe normally, and be physically fit and able to exercise freely). Appropriate health screening of breeding dogs, for example in accordance with Kennel Club recommendations, should be in place and be relevant to the breed.

The Kennel Club operate a scheme called “Breed Watch”, which serves as an 'early warning system' to identify points of concern for individual breeds. Breed Watch provides information about specific health concerns to anyone involved in the world of dogs. The Breed Watch guidance can be found here, at the kennel club website.

All the breeds of dog recognised by the Kennel Club are placed into either category 1, 2 or 3. Breeds in category 3 are deemed to be of highest potential concern. The

Kennel Club has highlighted a number of breeds as category 3 breeds on Breed Watch, as these breeds have been considered to be more susceptible to developing specific health conditions associated with exaggerated conformation: in particular problems that involve the eyes, skin, dentition, movement and respiratory function (breathing).

If you are a breeder breeding, or are seeking to breed, a category 3 breed then you will need to demonstrate to the licensing authority that you have sufficient knowledge and experience of the breed concerned. The licensing authority will also seek to confirm that you implement robust selection and health screening procedures and that these are sufficient to minimise the risk of extreme conformations in any offspring produced.

Currently, the category 3 listed breeds are:

- Bloodhound
- Bulldog
- Dogue de Bordeaux
- German Shepherd Dog
- Mastiff
- Neapolitan Mastiff
- Pekingese
- Pug
- St. Bernard

Outside of Kennel Club recognised breeds, breeding of so called “Teacup” dogs is likely to amount to a breach of the above licence condition. The fact that an applicant is specifically seeking to breed such dogs may lead to the conclusion that the application should be refused on the basis that the above licence condition is unlikely to be met.

The Kennel Club oppose the breeding of such dogs as the pups produced have an increased risk of suffering serious health problems as they are generally bred from the runts of litters to produce a dog that is as small as possible. Breeders who genuinely care for the welfare and health of the dogs they breed would be very unlikely to engage in such breeding practices and any application received from a breeder wishing to breed such dogs is unlikely to be approved for the reasons given above.

Licence holders must be aware of any health risks that may be specific to the breed of dog they wish to breed. Where appropriate veterinary advice on the suitability of an animal for breeding must be sought. Licence holders must not breed from animals that show fear or aggression.

Dogs that have required surgery to rectify a conformation that has caused adverse welfare, or requires lifelong medication, must not be bred from.

Prospective purchasers of a puppy from a category 3 breed should ideally be provided with written guidance on any relevant conformation issues for the breed and how to manage them in the relevant literature handed over with each sale.

Condition: Each dog must be checked in person at least two times per day.

Guidance:

This may be undertaken by the licence holder when the dogs are being walked. However, the checks should be thorough and include checking ears, eyes and paws and the dogs overall condition and temperament.

Condition: Breeding bitches must be adequately supervised during whelping and the licence holder must keep a record of—

- (a) the date of birth of each puppy,
- (b) each puppy's sex and colour,
- (c) the number of puppies in the litter, and
- (d) any other significant events.

Guidance:

Significant events could include whether any pups were stillborn, under-developed or human assistance being required during the birth due to the position of a puppy or the puppy's size. Any veterinary input required, be it advice or hands-on assistance, should be recorded.

Condition: The licence holder must keep a record of each puppy sale including—

- (a) the microchip number of the puppy,
- (b) the date of the sale, and
- (c) the age of the puppy on that date.

Guidance:

During any inspection you will need to demonstrate to the licensing authority that you are accurately recording and retaining this information. Licence holders are also encouraged to also record any other information of significance for any puppies sold.

Condition: The licence holder must keep a record of the following in relation to each breeding dog—

- (a) its name,
- (b) its sex,
- (c) its microchip and database details,
- (d) its date of birth,
- (e) the postal address where it normally resides,
- (f) its breed or type,
- (g) the date or dates of any matings and breeding procedures (whether or not any such mating or procedure is successful),
- (h) details of its biological parents,
- (i) details of any veterinary treatment it has received, and
- (j) the date and cause of its death (where applicable).

Guidance:

As a licence holder you must record the information set out above. You should keep a backup of all records where possible. Records will be checked during any inspection and must be made available to an inspector upon request.

Condition: The licence holder must also keep a record of the following in relation to each breeding bitch—

- (a) the number of matings and breeding procedures,
- (b) its age at the time of each mating and breeding procedure,
- (c) the total number of its litters,
- (d) the date or dates on which it has given birth, and
- (e) the caesarean sections it has had, if any, and their cause.

Guidance:

As a licence holder you must record the information set out above. You should keep a backup of all records where possible. Records will be checked during any inspection and must be made available to an inspector upon request.

Condition: Any preventative healthcare plan agreed with the veterinary surgeon with whom the licence holder has registered under the condition specified in paragraph 9(8) of the general conditions must be implemented.

Guidance:

As a licence holder you must ensure that any preventative healthcare plan in place and that was agreed with your veterinary surgeon is being implemented. More generally, breeders should, as a minimum, be expected to have a healthcare plan that covers vaccinations, parasite control (internal and external) and body weight/conditioning monitoring.

Condition: The licence holder must keep a record of any preventative or curative healthcare (or both) given to each dog.

Guidance:

As a licence holder you must record the information set out above. You should keep a backup of all records where possible. Records will be checked during any inspection and must be made available to an inspector upon request.

Condition: Where any other activity involving animals is undertaken on the premises on which the licensable activity of breeding dogs is carried on, it must be kept entirely separate from the area where that licensable activity is carried on.

Guidance:

Licence holders should ensure that other animal related activities are kept separate from dog breeding activities. Clear separation of activities, where applicable, will need to be demonstrated to the licensing authority. If any other activity undertaken is an activity that may require a licence under the Regulations you should discuss that activity with the licensing authority who will be able to advise on whether any licence is required.

Dogs - minimum enclosure/kennel size:

Dog weight	Minimum Kennel area (m²) (per dog)	Kennel <u>example</u> dimensions (LxW) (m)	Minimum area per additional dog (m²)	Minimum height of kennel (m)
<5kg (incl. puppies)	4	2 x 2	0.5	2
5 to 10kg	4	2 x 2	1.0	2
10 to 15kg	4	2 x 2	1.5	2
15 to 20kg	4	2 x 2	2	2
20 to 30kg	8	4 x 2	4	2
Over 30kg	Must be scaled up as appropriate	Must be scaled up as appropriate	Must be scaled up as appropriate	2

The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel. The dogs should have sufficient room to play, stand on their hind limbs and to lie down fully stretched out without touching another individual. The kennel size required will increase in relation to the size and number of dogs housed at any one time. Bitches with a litter of pups should have an enclosure size double that stated for its normal weight range.

The length and the width should be sufficient to allow all the dogs to lie outstretched without their noses or tails touching the walls or other individuals. It is permissible to have separate exercise areas to sleeping areas but in such cases dogs must be given access to the exercise area at least four times a day. Part or all of the exercise area should be outdoors. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of dogs to minimise the risk of disease transmission.



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